

**HOUSE OF REPRESENTATIVES**

**EIGHTY-SEVENTH SESSION**

**H. F. No. 2083**

- 02/01/2012 Authored by Garofalo, Myhra, Cornish, Gruenhagen, Downey and others  
The bill was read for the first time and referred to the Committee on Education Finance
- 03/12/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Taxes
- 03/13/2012 Adoption of Report: Pass and re-referred to the Committee on Ways and Means
- 03/14/2012 Adoption of Report: Pass as Amended and Read Second Time
- 03/15/2012 Fiscal Calendar  
Read Third Time  
Passed by the House and transmitted to the Senate

1.1 A bill for an act  
 1.2 relating to education; providing funding and modifying certain early, adult, and  
 1.3 kindergarten through grade 12 education provisions, including general education,  
 1.4 education excellence, special programs, facilities and technology, nutrition and  
 1.5 accounting, libraries, and prevention; providing education forecast adjustments;  
 1.6 appropriating money; amending Minnesota Statutes 2010, sections 122A.40,  
 1.7 subdivisions 10, 11, 13, 19; 122A.41, subdivisions 14, 15; 123A.75, subdivision  
 1.8 1; 123B.41, by adding a subdivision; 123B.42; 123B.43; 124D.111, subdivision  
 1.9 3; 124D.518, subdivision 3, by adding a subdivision; 124D.531, by adding a  
 1.10 subdivision; 126C.10, subdivision 28; Minnesota Statutes 2011 Supplement,  
 1.11 sections 122A.245, subdivision 1; 122A.41, subdivision 6; 123B.41, subdivision  
 1.12 2; 124D.11, subdivision 9; 127A.33; 127A.45, subdivision 2; Laws 2011, First  
 1.13 Special Session chapter 11, article 1, section 36, subdivisions 2, 3, 4, 5, 6, 7,  
 1.14 10; article 2, section 50, subdivisions 2, 3, 4, 5, 6, 7, 9; article 3, section 11,  
 1.15 subdivisions 2, 3, 4, 5, 6; article 4, section 10, subdivisions 2, 3, 4, 6; article 5,  
 1.16 section 12, subdivisions 2, 3, 4; article 6, section 2, subdivisions 2, 3, 5; article 7,  
 1.17 section 2, subdivisions 2, 3, 4; article 8, section 2, subdivisions 2, 3; article 9,  
 1.18 section 3, subdivision 2; repealing Minnesota Statutes 2010, sections 124D.135,  
 1.19 subdivisions 8, 9; 124D.16, subdivisions 6, 7; 124D.20, subdivisions 11, 12.

1.20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.21 **ARTICLE 1**

1.22 **GENERAL EDUCATION**

1.23 Section 1. Minnesota Statutes 2011 Supplement, section 123B.41, subdivision 2, is  
 1.24 amended to read:

1.25 Subd. 2. **Textbook.** (a) "Textbook" means any book or book substitute, including  
 1.26 electronic books as well as other printed materials delivered electronically, which a pupil  
 1.27 uses as a text or text substitute in a particular class or program in the school regularly  
 1.28 attended and a copy of which is expected to be available for the individual use of each  
 1.29 pupil in this class or program.

2.1 (b) For purposes of calculating the annual nonpublic pupil aid entitlement for  
 2.2 textbooks, the term shall be limited to books, workbooks, or manuals, whether bound  
 2.3 or in loose-leaf form, as well as electronic books and other printed materials delivered  
 2.4 electronically, intended for use as a principal source of study material for a given class or a  
 2.5 group of students.

2.6 (c) For purposes of sections 123B.40 to 123B.48, the term includes terms "textbook"  
 2.7 and "software or other educational technology" include only such secular, neutral, and  
 2.8 nonideological textbooks materials as are available, used by, or of benefit to Minnesota  
 2.9 public school pupils.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2012.

2.11 Sec. 2. Minnesota Statutes 2010, section 123B.41, is amended by adding a subdivision  
 2.12 to read:

2.13 Subd. 5a. **Software or other educational technology.** For purposes of sections  
 2.14 123B.42 and 123B.43, "software or other educational technology" includes software,  
 2.15 programs, applications, hardware, and any other electronic educational technology.

2.16 **EFFECTIVE DATE.** This section is effective July 1, 2012.

2.17 Sec. 3. Minnesota Statutes 2010, section 123B.42, is amended to read:

2.18 **123B.42 TEXTBOOKS; INDIVIDUAL INSTRUCTION OR COOPERATIVE**  
 2.19 **LEARNING MATERIAL; STANDARD TESTS.**

2.20 Subdivision 1. **Providing education materials and tests.** The commissioner of  
 2.21 education shall promulgate rules under the provisions of chapter 14 requiring that in  
 2.22 each school year, based upon formal requests by or on behalf of nonpublic school pupils  
 2.23 in a nonpublic school, the local districts or intermediary service areas must purchase or  
 2.24 otherwise acquire textbooks, individualized instructional or cooperative learning materials,  
 2.25 software or other educational technology, and standardized tests and loan or provide them  
 2.26 for use by children enrolled in that nonpublic school. These textbooks, individualized  
 2.27 instructional or cooperative learning materials, software or other educational technology,  
 2.28 and standardized tests must be loaned or provided free to the children for the school year  
 2.29 for which requested. The loan or provision of the textbooks, individualized instructional or  
 2.30 cooperative learning materials, and standardized tests shall be subject to rules prescribed  
 2.31 by the commissioner of education.

2.32 Subd. 1a. **Curriculum; electronic components.** A school district that provides  
 2.33 curriculum to resident students that has both physical and electronic components must

3.1 make the electronic component accessible to a resident student in a home school in  
3.2 compliance with sections 120A.22 and 120A.24 at the request of the student or the  
3.3 student's parent or guardian, provided that the district does not incur more than an  
3.4 incidental cost as a result of providing access electronically.

3.5 Subd. 2. **Title to education materials and tests.** The title to textbooks,  
3.6 individualized instructional or cooperative learning materials, software or other  
3.7 educational technology, and standardized testing materials must remain in the servicing  
3.8 school district or intermediary service area, and possession or custody may be granted  
3.9 or charged to administrators of the nonpublic school attended by the nonpublic school  
3.10 pupil or pupils to whom the textbooks, individualized instructional or cooperative learning  
3.11 materials, or standardized tests are loaned or provided.

3.12 Subd. 3. **Cost; limitation.** (a) The cost per pupil of the textbooks, individualized  
3.13 instructional or cooperative learning materials, software or other educational technology,  
3.14 and standardized tests provided for in this section for each school year must not exceed the  
3.15 statewide average expenditure per pupil, adjusted pursuant to clause (b), by the Minnesota  
3.16 public elementary and secondary schools for textbooks, individualized instructional  
3.17 materials and standardized tests as computed and established by the department by  
3.18 February 1 of the preceding school year from the most recent public school year data  
3.19 then available.

3.20 (b) The cost computed in clause (a) shall be increased by an inflation adjustment  
3.21 equal to the percent of increase in the formula allowance, pursuant to section 126C.10,  
3.22 subdivision 2, from the second preceding school year to the current school year.

3.23 (c) The commissioner shall allot to the districts or intermediary service areas the  
3.24 total cost for each school year of providing or loaning the textbooks, individualized  
3.25 instructional or cooperative learning materials, software or other educational technology,  
3.26 and standardized tests for the pupils in each nonpublic school. The allotment shall not  
3.27 exceed the product of the statewide average expenditure per pupil, according to clause  
3.28 (a), adjusted pursuant to clause (b), multiplied by the number of nonpublic school pupils  
3.29 who make requests pursuant to this section and who are enrolled as of September 15 of  
3.30 the current school year.

3.31 **EFFECTIVE DATE.** This section is effective July 1, 2012.

3.32 Sec. 4. Minnesota Statutes 2010, section 123B.43, is amended to read:

3.33 **123B.43 USE OF INDIVIDUALIZED INSTRUCTIONAL MATERIALS.**

4.1 (a) The commissioner shall assure that textbooks and individualized instructional  
4.2 materials loaned to nonpublic school pupils are secular, neutral, nonideological and that  
4.3 they are incapable of diversion for religious use.

4.4 (b) Textbooks ~~and~~, individualized instructional materials, software and other  
4.5 technology must not be used in religious courses, devotional exercises, religious training  
4.6 or any other religious activity.

4.7 (c) Textbooks and individualized instructional materials must be loaned only to  
4.8 individual pupils upon the request of a parent or guardian or the pupil on a form designated  
4.9 for this use by the commissioner. The request forms shall provide for verification by the  
4.10 parent or guardian or pupil that the requested textbooks and individualized instructional  
4.11 materials are for the use of the individual pupil in connection with a program of instruction  
4.12 in the pupil's elementary or secondary school.

4.13 (d) The servicing school district or the intermediary service area must take adequate  
4.14 measures to ensure an accurate and periodic inventory of all textbooks ~~and~~, individualized  
4.15 instructional materials, software and other technology loaned to elementary and secondary  
4.16 school pupils attending nonpublic schools. The commissioner of education shall  
4.17 promulgate rules under the provisions of chapter 14 to terminate the eligibility of any  
4.18 nonpublic school pupil if the commissioner determines, after notice and opportunity for  
4.19 hearing, that the textbooks ~~or~~, individualized instructional materials, or software or other  
4.20 technology have been used in a manner contrary to the provisions of section 123B.41,  
4.21 subdivision 5, 123B.42, or this section or any rules promulgated by the commissioner  
4.22 of education.

4.23 (e) Nothing contained in section 123B.41, subdivision 5, 123B.42, or this section  
4.24 shall be construed to authorize the making of any payments to a nonpublic school or its  
4.25 faculty, staff or administrators for religious worship or instruction or for any other purpose.

4.26 **EFFECTIVE DATE.** This section is effective July 1, 2012.

4.27 Sec. 5. Minnesota Statutes 2010, section 126C.10, subdivision 28, is amended to read:

4.28 Subd. 28. **Equity region.** For the purposes of computing equity revenue under  
4.29 subdivision 24, a district ~~whose with its administrative offices on July 1, 1999, is office~~  
4.30 located in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or Washington County on  
4.31 January 1, 2012, is part of the metro equity region. ~~Districts whose administrative offices~~  
4.32 ~~on July 1, 1999, are not located in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, or~~  
4.33 ~~Washington County~~ All other districts are part of the rural equity region.

5.1 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2013  
 5.2 and later.

5.3 Sec. 6. Minnesota Statutes 2011 Supplement, section 127A.33, is amended to read:

5.4 **127A.33 SCHOOL ENDOWMENT FUND; APPORTIONMENT.**

5.5 (a) The commissioner shall apportion the school endowment fund semiannually  
 5.6 on the first Monday in March and September in each year, to districts whose schools  
 5.7 have been in session at least nine months. The apportionment shall be in proportion to  
 5.8 each district's adjusted average daily membership during the preceding year. Any annual  
 5.9 apportionment in excess of \$28 per pupil in adjusted average daily membership must be  
 5.10 reserved and used only for the school technology purposes listed in paragraph (b). The  
 5.11 apportionment shall not be paid to a district for pupils for whom tuition is received by  
 5.12 the district.

5.13 (b) For purposes of this section, revenue reserved under paragraph (a) for school  
 5.14 technology purposes may only be used:

5.15 (1) to purchase or lease computers and related materials, copying machines,  
 5.16 telecommunications equipment, and other noninstructional equipment;

5.17 (2) to purchase or lease assistive technology or equipment for instructional programs;

5.18 (3) to purchase new and replacement library media resources or technology;

5.19 (4) to pay for ongoing or recurring telecommunications or Internet access costs  
 5.20 associated with Internet access, data lines, and video links; or

5.21 (5) to pay for service provider installation fees for installation of new  
 5.22 telecommunications lines or increased bandwidth.

5.23 **EFFECTIVE DATE.** This section is effective for apportionments occurring on or  
 5.24 after July 1, 2012.

5.25 Sec. 7. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 5.26 2, is amended to read:

5.27 Subd. 2. **General education aid.** For general education aid under Minnesota  
 5.28 Statutes, section 126C.13, subdivision 4:

5.29		<del>5,112,037,000</del>		
5.30	\$	<u>5,720,705,000</u>	.....	2012
5.31		<del>5,850,065,000</del>		
5.32	\$	<u>5,854,570,000</u>	.....	2013

5.33 The 2012 appropriation includes ~~\$1,678,539,000~~ \$1,660,922,000 for 2011 and  
 5.34 ~~\$3,433,498,000~~ \$4,059,783,000 for 2012.

6.1 The 2013 appropriation includes ~~\$2,297,765,000~~ \$1,696,931,000 for 2012 and  
 6.2 ~~\$3,552,300,000~~ \$4,157,639,000 for 2013.

6.3 Sec. 8. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 6.4 3, is amended to read:

6.5 Subd. 3. **Enrollment options transportation.** For transportation of pupils attending  
 6.6 postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation  
 6.7 of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

6.8 \$ ~~31,000~~ 42,000 ..... 2012  
 6.9 \$ ~~32,000~~ 46,000 ..... 2013

6.10 Sec. 9. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 6.11 4, is amended to read:

6.12 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section  
 6.13 127A.49:

6.14 \$ ~~1,294,000~~  
 6.15 \$ 1,503,000 ..... 2012  
 6.16 \$ ~~1,627,000~~  
 6.17 \$ 2,111,000 ..... 2013

6.18 The 2012 appropriation includes \$346,000 for 2011 and ~~\$948,000~~ \$1,157,000 for  
 6.19 2012.

6.20 The 2013 appropriation includes ~~\$631,000~~ \$491,000 for 2012 and ~~\$996,000~~  
 6.21 \$1,620,000 for 2013.

6.22 Sec. 10. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 6.23 5, is amended to read:

6.24 Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota  
 6.25 Statutes, section 123A.485:

6.26 \$ 145,000 ..... 2012  
 6.27 \$ ~~180,000~~ 211,000 ..... 2013

6.28 The 2012 appropriation includes \$145,000 for 2011 and \$0 for 2012.

6.29 The 2013 appropriation includes \$0 for 2012 and ~~\$180,000~~ \$211,000 for 2013.

6.30 Sec. 11. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 6.31 6, is amended to read:

6.32 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under  
 6.33 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

7.1 ~~14,598,000~~  
 7.2 \$ 15,232,000 ..... 2012  
 7.3 ~~16,198,000~~  
 7.4 \$ 15,578,000 ..... 2013

7.5 The 2012 appropriation includes ~~\$5,078,000~~ \$4,161,000 for 2011 and ~~\$9,520,000~~  
 7.6 \$11,071,000 for 2012.

7.7 The 2013 appropriation includes ~~\$6,346,000~~ \$4,699,000 for 2012 and ~~\$9,852,000~~  
 7.8 \$10,879,000 for 2013.

7.9 Sec. 12. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 7.10 7, is amended to read:

7.11 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid  
 7.12 under Minnesota Statutes, section 123B.92, subdivision 9:

7.13 ~~17,178,000~~  
 7.14 \$ 18,864,000 ..... 2012  
 7.15 ~~19,056,000~~  
 7.16 \$ 19,061,000 ..... 2013

7.17 The 2012 appropriation includes ~~\$5,895,000~~ \$5,700,000 for 2011 and ~~\$11,283,000~~  
 7.18 \$13,164,000 for 2012.

7.19 The 2013 appropriation includes ~~\$7,521,000~~ \$5,587,000 for 2012 and ~~\$11,535,000~~  
 7.20 \$13,474,000 for 2013.

7.21 Sec. 13. Laws 2011, First Special Session chapter 11, article 1, section 36, subdivision  
 7.22 10, is amended to read:

7.23 Subd. 10. **Compensatory pilot project formula aid.** For grants for compensatory  
 7.24 pilot project formula aid as calculated under this subdivision:

7.25 ~~9,776,000~~  
 7.26 \$ 10,228,000 ..... 2013

7.27 For fiscal year 2013 only, a district which has a pupil unit count that is in the top 20  
 7.28 largest pupil unit counts is eligible for the greater of zero or \$1,400 times the number of  
 7.29 compensatory pupil units, minus the amount of compensatory education revenue received  
 7.30 by the district under Minnesota Statutes, section 126C.10, subdivision 3.

7.31 The 2013 appropriation includes \$0 for 2012 and ~~\$9,776,000~~ \$10,228,000 for 2013.

7.32 This is a onetime appropriation.

7.33 Sec. 14. **EFFECTIVE DATE.**

7.34 Unless otherwise specified, this article is effective the day following final enactment.

8.1 **ARTICLE 2**8.2 **EDUCATION EXCELLENCE**

8.3 Section 1. Minnesota Statutes 2011 Supplement, section 122A.245, subdivision 1,  
8.4 is amended to read:

8.5 Subdivision 1. **Requirements.** (a) To improve academic excellence, improve ethnic  
8.6 and cultural diversity in the classroom, and close the academic achievement gap, the  
8.7 Board of Teaching must approve qualified teacher preparation programs under this section  
8.8 that are a means to acquire a two-year limited-term license, which the board may renew  
8.9 one time for an additional one-year term, and to prepare for acquiring a standard license.  
8.10 The following entities are eligible to participate under this section:

8.11 (1) a school district or charter school that forms a partnership with a college or  
8.12 university that has a board-approved alternative teacher preparation program; or

8.13 (2) a school district or charter school, after consulting with a college or university  
8.14 with a board-approved teacher preparation program, forms a partnership with a nonprofit  
8.15 corporation organized under chapter 317A for an education-related purpose that has a  
8.16 board-approved teacher preparation program.

8.17 (b) Before participating in this program, a candidate must:

8.18 (1) have a bachelor's degree with a 3.0 or higher grade point average unless the  
8.19 board waives the grade point average requirement based on board-adopted criteria;

8.20 (2) pass the reading, writing, and mathematics skills examination under section  
8.21 122A.09, subdivision 4, paragraph (b); and

8.22 (3) obtain qualifying scores on applicable board-approved rigorous content area and  
8.23 pedagogy examinations under section 122A.09, subdivision 4, paragraph (e).

8.24 (c) The Board of Teaching must issue a two-year limited-term license to a person  
8.25 who enrolls in an alternative teacher preparation program. This limited-term license is not  
8.26 a provisional license under section 122A.40 or 122A.41.

8.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

8.28 Sec. 2. Minnesota Statutes 2010, section 122A.40, subdivision 10, is amended to read:

8.29 Subd. 10. **Negotiated unrequested leave of absence.** (a) The school board and the  
8.30 exclusive bargaining representative of the teachers ~~may~~ must negotiate a plan providing  
8.31 for unrequested leave of absence without pay or fringe benefits for as many teachers  
8.32 as may be necessary because of discontinuance of position, lack of pupils, financial  
8.33 limitations, or merger of classes caused by consolidation of districts. The plan must  
8.34 base unrequested leave of absence decisions on teachers' subject matter licensure fields



9.1 and evaluation outcomes, from the least to most effective category under subdivision  
 9.2 8 and from the least to greatest seniority within each effectiveness category, and must  
 9.3 be consistent with subdivision 11, paragraph (n). Failing to successfully negotiate  
 9.4 such a plan, the provisions of subdivision 11 shall apply. The negotiated plan must not  
 9.5 include provisions which would result in the exercise of seniority by a teacher holding a  
 9.6 provisional license, other than a vocational education license if required for the position,  
 9.7 contrary to the provisions of subdivision 11, ~~clause~~ paragraph (c), or the reinstatement of a  
 9.8 teacher holding a provisional license, other than a vocational education license required  
 9.9 for the position, contrary to the provisions of subdivision 11, ~~clause (e)~~ paragraph (f). The  
 9.10 provisions of section 179A.16 do not apply for the purposes of this subdivision.

9.11 (b) For purposes of placing a teacher on unrequested leave of absence or recalling a  
 9.12 teacher from unrequested leave of absence, nothing in this subdivision requires a school  
 9.13 board to reassign a teacher with more seniority to a different subject matter licensure  
 9.14 field in order to accommodate the seniority claims of a teacher who is similarly licensed  
 9.15 and effective but with less seniority. For purposes of this subdivision, a teacher holding  
 9.16 a provisional license is a teacher who has received a waiver or variance to teach from  
 9.17 the Minnesota Board of Teaching.

9.18 (c) Notwithstanding section 13.43, subdivision 2, paragraph (a), clause (5), or  
 9.19 other law to the contrary, a teacher's effectiveness category and the underlying data on  
 9.20 the individual teacher generated under the teacher evaluation process in subdivision 8,  
 9.21 paragraph (b), used to determine a teacher's effectiveness category for purposes of this  
 9.22 subdivision are private data on individuals.

9.23 (d) Nothing in this subdivision permits a school board to use a teacher's remuneration  
 9.24 as a basis for making unrequested leave of absence or discharge decisions.

9.25 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 9.26 and applies to negotiated plans agreed to after that date.

9.27 Sec. 3. Minnesota Statutes 2010, section 122A.40, subdivision 11, is amended to read:

9.28 Subd. 11. **Unrequested leave of absence.** The board may place on unrequested  
 9.29 leave of absence, without pay or fringe benefits, as many teachers as may be necessary  
 9.30 because of discontinuance of position, lack of pupils, financial limitations, or merger  
 9.31 of classes caused by consolidation or reorganization of districts under chapter 123A.  
 9.32 The unrequested leave is effective at the close of the school year. In placing teachers on  
 9.33 unrequested leave, the board is governed by the following provisions:

9.34 (a) The board may place probationary teachers on unrequested leave first in the  
 9.35 inverse order of their employment. A teacher who has acquired continuing contract

10.1 rights must not be placed on unrequested leave of absence while probationary teachers  
10.2 are retained in positions for which the teacher who has acquired continuing contract  
10.3 rights is licensed;

10.4 (b) Teachers who have acquired continuing contract rights shall be placed on  
10.5 unrequested leave of absence in fields in which they are licensed in the inverse order  
10.6 in which they were employed by the school district. In the case of equal seniority, the  
10.7 order in which teachers who have acquired continuing contract rights shall be placed on  
10.8 unrequested leave of absence in fields in which they are licensed is negotiable;

10.9 (c) Notwithstanding the provisions of ~~clause paragraph~~ (b), a teacher is not entitled  
10.10 to exercise any seniority when that exercise results in that teacher being retained by the  
10.11 district in a field for which the teacher holds only a provisional license, as defined by the  
10.12 board of teaching, unless that exercise of seniority results in the placement on unrequested  
10.13 leave of absence of another teacher who also holds a provisional license in the same field.  
10.14 The provisions of this ~~clause paragraph~~ do not apply to vocational education licenses;  
10.15 required for available positions.

10.16 (d) Notwithstanding ~~clauses paragraphs~~ (a), (b) and (c), if the placing of a  
10.17 probationary teacher on unrequested leave before a teacher who has acquired continuing  
10.18 rights, the placing of a teacher who has acquired continuing contract rights on unrequested  
10.19 leave before another teacher who has acquired continuing contract rights but who has  
10.20 greater seniority, or the restriction imposed by the provisions of ~~clause paragraph~~ (c) would  
10.21 place the district in violation of its affirmative action program, the district may retain the  
10.22 probationary teacher, the teacher with less seniority, or the provisionally licensed teacher;

10.23 (e) For purposes of placing a teacher on unrequested leave of absence or recalling a  
10.24 teacher from unrequested leave of absence, nothing in this subdivision requires a school  
10.25 board to reassign a teacher with more seniority to a different subject matter licensure field  
10.26 in order to accommodate the seniority claims of a teacher who is similarly licensed and  
10.27 effective but with less seniority.

10.28 (f) Teachers placed on unrequested leave of absence must be reinstated to the  
10.29 positions from which they have been given leaves of absence or, if not available, to other  
10.30 available positions in the school district in fields in which they are licensed. Reinstatement  
10.31 must be in the inverse order of placement on leave of absence. A teacher must not be  
10.32 reinstated to a position in a field in which the teacher holds only a provisional license,  
10.33 other than a vocational education license if required for the position, while another teacher  
10.34 who holds a nonprovisional license in the same field remains on unrequested leave.  
10.35 The order of reinstatement of teachers who have equal seniority and who are placed on  
10.36 unrequested leave in the same school year is negotiable;

11.1 ~~(f)~~ (g) Appointment of a new teacher must not be made while there is available, on  
 11.2 unrequested leave, a teacher who is properly licensed to fill such vacancy, unless the  
 11.3 teacher fails to advise the school board within 30 days of the date of notification that a  
 11.4 position is available to that teacher who may return to employment and assume the duties  
 11.5 of the position to which appointed on a future date determined by the board.

11.6 ~~(g)~~ (h) A teacher placed on unrequested leave of absence may engage in teaching  
 11.7 or any other occupation during the period of this leave.

11.8 ~~(h)~~ (i) The unrequested leave of absence must not impair the continuing contract  
 11.9 rights of a teacher or result in a loss of credit for previous years of service.

11.10 ~~(i)~~ (j) Consistent with paragraph (n) and subdivision 10, the unrequested leave of  
 11.11 absence of a teacher who is categorized as effective or better under subdivision 8, who  
 11.12 is placed on unrequested leave of absence, and who is not reinstated shall continue for a  
 11.13 period of five years, after which the right to reinstatement shall terminate. The  
 11.14 teacher's right to reinstatement shall also terminate if the teacher fails to file  
 11.15 with the board by April 1 of ~~any~~ each year a written statement requesting reinstatement.

11.16 (k) Consistent with paragraph (n) and subdivision 10, the unrequested leave of  
 11.17 absence of a teacher who is categorized as ineffective or less under subdivision 8, who  
 11.18 is placed on unrequested leave of absence, and who is not reinstated continues for the  
 11.19 following school year only, after which the teacher's right to reinstatement terminates. The  
 11.20 teacher's right to reinstatement also terminates if the teacher fails to file with the board by  
 11.21 April 1 in that following school year a written statement requesting reinstatement.

11.22 ~~(j)~~ (l) The same provisions applicable to terminations of probationary or continuing  
 11.23 contracts in subdivisions 5 and 7 must apply to placement on unrequested leave of  
 11.24 absence.

11.25 ~~(k)~~ (m) Nothing in this subdivision shall be construed to impair the rights of teachers  
 11.26 placed on unrequested leave of absence to receive unemployment benefits if otherwise  
 11.27 eligible.

11.28 (n) Beginning in the 2016-2017 school year and later, and notwithstanding any law  
 11.29 to the contrary, a school board must place teachers on unrequested leave of absence based  
 11.30 on their subject matter licensure fields and most recent evaluation outcomes, from the  
 11.31 least to most effective category under subdivision 8 and from the least to greatest seniority  
 11.32 within each effectiveness category. A school board is not required to reassign a teacher  
 11.33 with more seniority to a different subject matter licensure field in order to accommodate  
 11.34 the seniority claims of a teacher who is similarly licensed and effective but with less  
 11.35 seniority. A school board may decide not to renew a probationary teacher's contract or  
 11.36 may place the probationary teacher on unrequested leave of absence as it sees fit. The

12.1 school board must publish in a readily accessible format the unrequested leave of absence  
 12.2 plan it develops and implements under this paragraph.

12.3 (o) For purposes of this subdivision, a teacher who holds only a provisional license  
 12.4 is a teacher who has received a waiver or variance to teach from the Minnesota Board of  
 12.5 Teaching.

12.6 (p) Notwithstanding section 13.43, subdivision 2, paragraph (a), clause (5), or  
 12.7 other law to the contrary, a teacher's effectiveness category and the underlying data on  
 12.8 the individual teacher generated under the teacher evaluation process in subdivision 8,  
 12.9 paragraph (b), used to determine a teacher's effectiveness category for purposes of this  
 12.10 subdivision are private data on individuals.

12.11 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 12.12 except that paragraph (n) is effective for the 2016-2017 school year and later.

12.13 Sec. 4. Minnesota Statutes 2010, section 122A.40, subdivision 13, is amended to read:

12.14 Subd. 13. **Immediate discharge.** (a) Except as otherwise provided in paragraph  
 12.15 (b), a board may discharge a continuing-contract teacher, effective immediately, upon any  
 12.16 of the following grounds:

12.17 (1) immoral conduct, insubordination, or conviction of a felony;

12.18 (2) conduct unbecoming a teacher which requires the immediate removal of the  
 12.19 teacher from classroom or other duties;

12.20 (3) failure without justifiable cause to teach without first securing the written release  
 12.21 of the school board;

12.22 (4) gross inefficiency which the teacher has failed to correct after reasonable written  
 12.23 notice;

12.24 (5) willful neglect of duty; or

12.25 (6) continuing physical or mental disability subsequent to a 12 months leave of  
 12.26 absence and inability to qualify for reinstatement in accordance with subdivision 12.

12.27 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair  
 12.28 discriminatory practice described in section 363A.13.

12.29 Prior to discharging a teacher under this paragraph, the board must notify the  
 12.30 teacher in writing and state its ground for the proposed discharge in reasonable detail.  
 12.31 Within ten days after receipt of this notification the teacher may make a written request  
 12.32 for a hearing before the board and it shall be granted before final action is taken. The  
 12.33 board may, ~~however,~~ suspend a teacher with pay pending the conclusion of ~~such the~~  
 12.34 hearing and determination of the issues raised in the hearing after charges have been  
 12.35 filed which constitute ground for discharge. If a teacher has been charged with a felony

13.1 and the underlying conduct that is the subject of the felony charge is a ground for a  
 13.2 proposed immediate discharge, the suspension pending the conclusion of the hearing and  
 13.3 determination of the issues may be without pay. If a hearing under this paragraph is held,  
 13.4 the board must reimburse the teacher for any salary or compensation withheld if the  
 13.5 final decision of the board or the arbitrator does not result in a penalty to or suspension,  
 13.6 termination, or discharge of the teacher.

13.7 (b) A board must discharge a continuing-contract teacher, effective immediately,  
 13.8 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the  
 13.9 teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

13.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.11 Sec. 5. Minnesota Statutes 2010, section 122A.40, subdivision 19, is amended to read:

13.12 Subd. 19. **Records relating to individual teacher; access; expungement.** All  
 13.13 evaluations and files generated within a school district relating to each individual teacher,  
 13.14 including teacher evaluation data under subdivisions 8, 10, and 11, among other teacher  
 13.15 evaluations and files, must be available to each individual teacher upon written request.  
 13.16 Effective January 1, 1976, all evaluations and files, wherever generated, relating to each  
 13.17 individual teacher must be available to each individual teacher upon written request. The  
 13.18 teacher shall have the right to reproduce any of the contents of the files at the teacher's  
 13.19 expense and to submit for inclusion in the file written information in response to any  
 13.20 material contained therein.

13.21 A district may destroy the files as provided by law and must expunge from  
 13.22 the teacher's file any material found to be false or inaccurate through the grievance  
 13.23 procedure required pursuant to section 179A.20, subdivision 4. The grievance procedure  
 13.24 promulgated by the director of the bureau of mediation services, pursuant to section  
 13.25 179A.04, subdivision 3, clause (h), applies to those principals and supervisory employees  
 13.26 not included in an appropriate unit as defined in section 179A.03. Expungement  
 13.27 proceedings must be commenced within the time period provided in the collective  
 13.28 bargaining agreement for the commencement of a grievance. If no time period is provided  
 13.29 in the bargaining agreement, the expungement proceedings must commence within 15  
 13.30 days after the teacher has knowledge of the inclusion in the teacher's file of the material  
 13.31 the teacher seeks to have expunged.

13.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

14.1 Sec. 6. Minnesota Statutes 2011 Supplement, section 122A.41, subdivision 6, is  
14.2 amended to read:

14.3 Subd. 6. **Grounds for discharge or demotion.** (a) Except as otherwise provided  
14.4 in paragraph (b), causes for the discharge or demotion of a teacher either during or after  
14.5 the probationary period must be:

14.6 (1) immoral character, conduct unbecoming a teacher, or insubordination;

14.7 (2) failure without justifiable cause to teach without first securing the written release  
14.8 of the school board having the care, management, or control of the school in which the  
14.9 teacher is employed;

14.10 (3) inefficiency in teaching or in the management of a school, consistent with  
14.11 subdivision 5, paragraph (b);

14.12 (4) affliction with active tuberculosis or other communicable disease must be  
14.13 considered as cause for removal or suspension while the teacher is suffering from such  
14.14 disability; or

14.15 (5) discontinuance of position or lack of pupils.

14.16 Beginning no later than the 2016-2017 school year, and notwithstanding any  
14.17 contradictory provisions in this subdivision, the school board must discharge or demote  
14.18 teachers under clause (5) based on their subject matter licensure fields and most recent  
14.19 evaluation outcomes, from the least to most effective category under subdivision 5 and  
14.20 from the least to greatest seniority within each effectiveness category. Notwithstanding  
14.21 section 13.43, subdivision 2, paragraph (a), clause (5), or other law to the contrary,  
14.22 a teacher's effectiveness category and the underlying data on the individual teacher  
14.23 generated under the teacher evaluation process in subdivision 5, paragraph (b), used  
14.24 to determine a teacher's effectiveness category for purposes of this subdivision are  
14.25 private data on individuals. The school board must publish in a readily accessible format  
14.26 any discharge and demotion plan it develops to implement clause (5). Nothing in this  
14.27 subdivision permits a school board to use a teacher's remuneration as a basis for making  
14.28 discharge or demotion decisions.

14.29 For purposes of this paragraph, conduct unbecoming a teacher includes an unfair  
14.30 discriminatory practice described in section 363A.13.

14.31 (b) A probationary or continuing-contract teacher must be discharged immediately  
14.32 upon receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the  
14.33 teacher's license has been revoked due to a conviction for child abuse or sexual abuse.

14.34 **EFFECTIVE DATE.** This section is effective the day following final enactment  
14.35 and applies to negotiated plans agreed to after that date.

15.1 Sec. 7. Minnesota Statutes 2010, section 122A.41, subdivision 14, is amended to read:

15.2 Subd. 14. **Services terminated by discontinuance or lack of pupils; preference**  
15.3 **given.** (a) To the extent consistent with paragraph (c) and subdivision 6, paragraph (a),  
15.4 clause (5), a teacher whose services are terminated on account of discontinuance of  
15.5 position or lack of pupils must receive first consideration for other positions in the district  
15.6 for which that teacher is qualified. ~~In the event~~ If it becomes ~~is~~ necessary to discontinue  
15.7 one or more positions, in making such discontinuance, teachers must be discontinued in  
15.8 any department in the inverse order in which they were employed, unless a board and the  
15.9 exclusive representative of teachers in the district negotiate a plan providing otherwise.

15.10 (b) Notwithstanding the provisions of ~~clause paragraph (a),~~ and to the extent  
15.11 consistent with paragraph (c) and subdivision 6, paragraph (a), a teacher is not entitled  
15.12 to exercise any seniority when that exercise results in that teacher being retained by the  
15.13 district in a field for which the teacher holds only a provisional license, as defined by the  
15.14 Board of Teaching, unless that exercise of seniority results in the termination of services,  
15.15 on account of discontinuance of position or lack of pupils, of another teacher who also  
15.16 holds a provisional license in the same field. The provisions of this clause do not apply  
15.17 to vocational education licenses.

15.18 (c) For purposes of discharging, demoting, or recalling a teacher whose services are  
15.19 terminated under this subdivision, nothing in this subdivision requires a school board  
15.20 to reassign a teacher with more seniority to a different subject matter licensure field in  
15.21 order to accommodate the seniority claims of a teacher who is similarly licensed and  
15.22 effective but with less seniority.

15.23 (d) Notwithstanding the provisions of ~~clause paragraph (a),~~ and to the extent  
15.24 consistent with paragraph (c) and subdivision 6, paragraph (a), a teacher must not be  
15.25 reinstated to a position in a field in which the teacher holds only a provisional license,  
15.26 other than a vocational education license if required for the position, while another teacher  
15.27 who holds a nonprovisional license in the same field is available for reinstatement.

15.28 (e) For purposes of this subdivision, a teacher who holds a provisional license is  
15.29 a teacher who has received a waiver or variance to teach from the Minnesota Board of  
15.30 Teaching.

15.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

15.32 Sec. 8. Minnesota Statutes 2010, section 122A.41, subdivision 15, is amended to read:

15.33 Subd. 15. **Records relating to individual teacher; access; expungement.** All  
15.34 evaluations and files generated within a district relating to each individual teacher,  
15.35 including teacher evaluation data under subdivisions 5, 6, and 14, among other teacher

16.1 evaluations and files, must be available to each individual teacher upon the teacher's  
16.2 written request. Effective January 1, 1976, all evaluations and files, wherever generated,  
16.3 relating to each individual teacher must be available to each individual teacher upon the  
16.4 teacher's written request. The teacher has the right to reproduce any of the contents of the  
16.5 files at the teacher's expense and to submit for inclusion in the file written information in  
16.6 response to any material contained therein.

16.7 A district may destroy the files as provided by law and must expunge from  
16.8 the teacher's file any material found to be false or substantially inaccurate through  
16.9 the grievance procedure required pursuant to section 179A.20, subdivision 4. The  
16.10 grievance procedure promulgated by the director of the Bureau of Mediation Services,  
16.11 pursuant to section 179A.04, subdivision 3, clause (h), applies to those principals and  
16.12 supervisory employees not included in an appropriate unit as defined in section 179A.03.  
16.13 Expungement proceedings must be commenced within the time period provided in the  
16.14 collective bargaining agreement for the commencement of a grievance. If no time period  
16.15 is provided in the bargaining agreement, the expungement proceedings must commence  
16.16 within 15 days after the teacher has knowledge of the inclusion in the teacher's file of the  
16.17 material the teacher seeks to have expunged.

16.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

16.19 Sec. 9. Minnesota Statutes 2010, section 123A.75, subdivision 1, is amended to read:

16.20 Subdivision 1. **Teacher assignment.** (a) As of the effective date of a consolidation  
16.21 in which a district is divided or the dissolution of a district and its attachment to two or  
16.22 more existing districts, each teacher employed by an affected district shall be assigned to  
16.23 the newly created or enlarged district on the basis of a ratio of the pupils assigned to each  
16.24 district according to the new district boundaries. The district receiving the greatest number  
16.25 of pupils must be assigned the teacher with the greatest seniority, and the remaining  
16.26 teachers must be alternately assigned to each district until the district receiving the fewest  
16.27 pupils has received its ratio of teachers who will not be retiring before the effective date of  
16.28 the consolidation or dissolution.

16.29 (b) Notwithstanding paragraph (a), the board and the exclusive representative of  
16.30 teachers in each district involved in the consolidation or dissolution and attachment may  
16.31 negotiate a plan for assigning teachers to each newly created or enlarged district.

16.32 **(c) Notwithstanding other law to the contrary, the provisions of this section apply**  
16.33 **only to the extent they are consistent with section 122A.40, subdivisions 8, 10, and 11.**

16.34 **EFFECTIVE DATE.** This section is effective the day following final enactment.



17.1 Sec. 10. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 17.2 2, is amended to read:

17.3 Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota  
 17.4 Statutes, section 124D.11, subdivision 4:

17.5 ~~43,203,000~~  
 17.6 \$ 45,573,000 ..... 2012  
 17.7 ~~52,359,000~~  
 17.8 \$ 49,168,000 ..... 2013

17.9 The 2012 appropriation includes ~~\$13,336,000~~ \$12,642,000 for 2011 and ~~\$29,867,000~~  
 17.10 \$32,931,000 for 2012.

17.11 The 2013 appropriation includes ~~\$19,910,000~~ \$13,979,000 for 2012 and ~~\$32,449,000~~  
 17.12 \$35,189,000 for 2013.

17.13 Sec. 11. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 17.14 3, is amended to read:

17.15 Subd. 3. **Charter school start-up aid.** For charter school start-up cost aid under  
 17.16 Minnesota Statutes, section 124D.11, subdivision 8:

17.17 \$ ~~171,000~~ 164,000 ..... 2012  
 17.18 \$ ~~34,000~~ 19,000 ..... 2013

17.19 The 2012 appropriation includes \$119,000 for 2011 and ~~\$52,000~~ \$45,000 for 2012.

17.20 The 2013 appropriation includes ~~\$34,000~~ \$19,000 for 2012 and \$0 for 2013.

17.21 Sec. 12. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 17.22 4, is amended to read:

17.23 Subd. 4. **Integration aid.** For integration aid under Minnesota Statutes, section  
 17.24 124D.86:

17.25 ~~59,599,000~~  
 17.26 \$ 65,027,000 ..... 2012  
 17.27 ~~67,432,000~~  
 17.28 \$ 65,526,000 ..... 2013

17.29 The 2012 appropriation includes \$19,272,000 for 2011 and ~~\$40,327,000~~ \$45,755,000  
 17.30 for 2012.

17.31 The 2013 appropriation includes ~~\$26,884,000~~ \$19,422,000 for 2012 and ~~\$40,548,000~~  
 17.32 \$46,104,000 for 2013.

17.33 The base for the final payment in fiscal year 2014 for fiscal year 2013 is ~~\$34,828,000~~  
 17.34 \$27,794,000.

18.1 Sec. 13. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 18.2 5, is amended to read:

18.3 Subd. 5. **Literacy incentive aid.** For literacy incentive aid under Minnesota  
 18.4 Statutes, section 124D.98:

18.5 ~~29,151,000~~  
 18.6 \$ 34,107,000 ..... 2013

18.7 The 2013 appropriation includes \$0 for 2012 and ~~\$29,151,000~~ \$34,107,000 for 2013.

18.8 Sec. 14. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 18.9 6, is amended to read:

18.10 Subd. 6. **Interdistrict desegregation or integration transportation grants.** For  
 18.11 interdistrict desegregation or integration transportation grants under Minnesota Statutes,  
 18.12 section 124D.87:

18.13 ~~14,917,000~~  
 18.14 \$ 13,262,000 ..... 2012  
 18.15 ~~16,612,000~~  
 18.16 \$ 13,966,000 ..... 2013

18.17 Sec. 15. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 18.18 7, is amended to read:

18.19 Subd. 7. **Success for the future.** For American Indian success for the future grants  
 18.20 under Minnesota Statutes, section 124D.81:

18.21 ~~1,924,000~~  
 18.22 \$ 2,139,000 ..... 2012  
 18.23 \$ 2,137,000 ..... 2013

18.24 The 2012 appropriation includes ~~\$641,000~~ \$638,000 for 2011 and ~~\$1,283,000~~  
 18.25 \$1,501,000 for 2012.

18.26 The 2013 appropriation includes ~~\$854,000~~ \$636,000 for 2012 and ~~\$1,283,000~~  
 18.27 \$1,501,000 for 2013.

18.28 Sec. 16. Laws 2011, First Special Session chapter 11, article 2, section 50, subdivision  
 18.29 9, is amended to read:

18.30 Subd. 9. **Tribal contract schools.** For tribal contract school aid under Minnesota  
 18.31 Statutes, section 124D.83:

18.32 ~~1,883,000~~  
 18.33 \$ 1,900,000 ..... 2012  
 18.34 ~~2,206,000~~  
 18.35 \$ 1,980,000 ..... 2013

19.1 The 2012 appropriation includes \$600,000 for 2011 and ~~\$1,283,000~~ \$1,300,000  
19.2 for 2012.

19.3 The 2013 appropriation includes ~~\$855,000~~ \$551,000 for 2012 and ~~\$1,351,000~~  
19.4 \$1,429,000 for 2013.

19.5 Sec. 17. **EFFECTIVE DATE.**

19.6 Unless otherwise specified, this article is effective the day following final enactment.

19.7 **ARTICLE 3**

19.8 **SPECIAL EDUCATION**

19.9 Section 1. Laws 2011, First Special Session chapter 11, article 3, section 11,  
19.10 subdivision 2, is amended to read:

19.11 Subd. 2. **Special education; regular.** For special education aid under Minnesota  
19.12 Statutes, section 125A.75:

19.13		<del>732,658,000</del>		
19.14	\$	<u>816,648,000</u>	.....	2012
19.15		<del>855,605,000</del>		
19.16	\$	<u>859,067,000</u>	.....	2013

19.17 The 2012 appropriation includes \$235,975,000 for 2011 and ~~\$496,683,000~~  
19.18 \$580,673,000 for 2012.

19.19 The 2013 appropriation includes ~~\$331,121,000~~ \$246,496,000 for 2012 and  
19.20 ~~\$524,484,000~~ \$612,571,000 for 2013.

19.21 Sec. 2. Laws 2011, First Special Session chapter 11, article 3, section 11, subdivision 3,  
19.22 is amended to read:

19.23 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes,  
19.24 section 125A.75, subdivision 3, for children with disabilities placed in residential facilities  
19.25 within the district boundaries for whom no district of residence can be determined:

19.26		<del>1,648,000</del>		
19.27	\$	<u>1,508,000</u>	.....	2012
19.28		<del>1,745,000</del>		
19.29	\$	<u>1,593,000</u>	.....	2013

19.30 If the appropriation for either year is insufficient, the appropriation for the other  
19.31 year is available.

19.32 Sec. 3. Laws 2011, First Special Session chapter 11, article 3, section 11, subdivision 4,  
19.33 is amended to read:

20.1 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based  
 20.2 services under Minnesota Statutes, section 125A.75, subdivision 1:

20.3 \$ ~~322,000~~ 333,000 ..... 2012

20.4 \$ ~~358,000~~ 321,000 ..... 2013

20.5 The 2012 appropriation includes \$107,000 for 2011 and ~~\$215,000~~ \$226,000 for 2012.

20.6 The 2013 appropriation includes ~~\$142,000~~ \$95,000 for 2012 and ~~\$216,000~~ \$226,000  
 20.7 for 2013.

20.8 Sec. 4. Laws 2011, First Special Session chapter 11, article 3, section 11, subdivision 5,  
 20.9 is amended to read:

20.10 Subd. 5. **Special education; excess costs.** For excess cost aid under Minnesota  
 20.11 Statutes, section 125A.79, subdivision 7:

20.12 ~~103,978,000~~  
 20.13 \$ 112,522,000 ..... 2012

20.14 ~~115,304,000~~  
 20.15 \$ 115,411,000 ..... 2013

20.16 The 2012 appropriation includes \$53,449,000 for 2011 and ~~\$50,529,000~~ \$59,073,000  
 20.17 for 2012.

20.18 The 2013 appropriation includes ~~\$63,273,000~~ \$54,642,000 for 2012 and ~~\$52,031,000~~  
 20.19 \$60,769,000 for 2013.

20.20 Sec. 5. Laws 2011, First Special Session chapter 11, article 3, section 11, subdivision 6,  
 20.21 is amended to read:

20.22 Subd. 6. **Court-placed special education revenue.** For reimbursing serving  
 20.23 school districts for unreimbursed eligible expenditures attributable to children placed in  
 20.24 the serving school district by court action under Minnesota Statutes, section 125A.79,  
 20.25 subdivision 4:

20.26 \$ ~~80,000~~ 52,000 ..... 2012

20.27 \$ ~~82,000~~ 53,000 ..... 2013

20.28 Sec. 6. **EFFECTIVE DATE.**

20.29 Unless otherwise specified, this article is effective the day following final enactment.

**ARTICLE 4**

**FACILITIES AND TECHNOLOGY**

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Section 1. Laws 2011, First Special Session chapter 11, article 4, section 10, subdivision 2, is amended to read:

Subd. 2. **Health and safety revenue.** For health and safety aid according to Minnesota Statutes, section 123B.57, subdivision 5:

\$ ~~111,000~~ 103,000 ..... 2012

\$ ~~114,000~~ 164,000 ..... 2013

The 2012 appropriation includes \$39,000 for 2011 and ~~\$72,000~~ \$64,000 for 2012.

The 2013 appropriation includes ~~\$48,000~~ \$27,000 for 2012 and ~~\$66,000~~ \$137,000 for 2013.

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Sec. 2. Laws 2011, First Special Session chapter 11, article 4, section 10, subdivision 3, is amended to read:

Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota Statutes, section 123B.53, subdivision 6:

\$ ~~11,022,000~~ 12,453,000 ..... 2012

\$ ~~19,484,000~~ 16,554,000 ..... 2013

The 2012 appropriation includes \$2,604,000 for 2011 and ~~\$8,418,000~~ \$9,849,000 for 2012.

The 2013 appropriation includes ~~\$5,611,000~~ \$4,180,000 for 2012 and ~~\$13,873,000~~ \$12,374,000 for 2013.

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Sec. 3. Laws 2011, First Special Session chapter 11, article 4, section 10, subdivision 4, is amended to read:

Subd. 4. **Alternative facilities bonding aid.** For alternative facilities bonding aid, according to Minnesota Statutes, section 123B.59, subdivision 1:

\$ ~~17,359,000~~ 19,325,000 ..... 2012

\$ 19,287,000 ..... 2013

The 2012 appropriation includes ~~\$5,786,000~~ \$5,785,000 for 2011 and ~~\$11,573,000~~ \$13,540,000 for 2012.

The 2013 appropriation includes ~~\$7,714,000~~ \$5,747,000 for 2012 and ~~\$11,573,000~~ \$13,540,000 for 2013.

22.1 Sec. 4. Laws 2011, First Special Session chapter 11, article 4, section 10, subdivision  
 22.2 6, is amended to read:

22.3 Subd. 6. **Deferred maintenance aid.** For deferred maintenance aid, according to  
 22.4 Minnesota Statutes, section 123B.591, subdivision 4:

22.5		<del>2,234,000</del>		
22.6	\$	<u>2,483,000</u>	.....	2012
22.7		<del>2,972,000</del>		
22.8	\$	<u>3,193,000</u>	.....	2013

22.9 The 2012 appropriation includes \$676,000 for 2011 and ~~\$1,558,000~~ \$1,807,000  
 22.10 for 2012.

22.11 The 2013 appropriation includes ~~\$1,038,000~~ \$766,000 for 2012 and ~~\$1,934,000~~  
 22.12 \$2,427,000 for 2013.

22.13 **Sec. 5. LEASE LEVY; ADMINISTRATIVE SPACE; FARIBAULT.**

22.14 Notwithstanding Minnesota Statutes, section 126C.40, subdivision 1, Independent  
 22.15 School District No. 656, Faribault, may lease administrative space under Minnesota  
 22.16 Statutes, section 126C.40, subdivision 1, if the district can demonstrate to the satisfaction  
 22.17 of the commissioner of education that the administrative space is less expensive than  
 22.18 instructional space that the district would otherwise lease. The commissioner must  
 22.19 deny this levy authority unless the district passes a resolution stating its intent to lease  
 22.20 instructional space under Minnesota Statutes, section 126C.40, subdivision 1, if the  
 22.21 commissioner does not grant authority under this section. The resolution must also certify  
 22.22 that a lease of administrative space under this section is less expensive than the district's  
 22.23 proposed instructional lease. Levy authority under this section shall not exceed the total  
 22.24 levy authority under Minnesota Statutes, section 126C.40, subdivision 1, paragraph (e).

22.25 **EFFECTIVE DATE.** This section is effective for taxes payable in 2013 and later.

22.26 **Sec. 6. EFFECTIVE DATE.**

22.27 Unless otherwise specified, this article is effective the day following final enactment.

22.28 **ARTICLE 5**

22.29 **NUTRITION AND ACCOUNTING**

22.30 Section 1. Minnesota Statutes 2011 Supplement, section 124D.11, subdivision 9, is  
 22.31 amended to read:

22.32 Subd. 9. **Payment of aids to charter schools.** (a) Notwithstanding section  
 22.33 127A.45, subdivision 3, if the current year aid payment percentage under section

23.1 127A.45, subdivision 2, paragraph (d), is 90 or greater, aid payments for the current  
23.2 fiscal year to a charter school shall be of an equal amount on each of the 24 payment  
23.3 dates. Notwithstanding section 127A.45, subdivision 3, if the current year aid payment  
23.4 percentage under section 127A.45, subdivision 2, paragraph (d), is less than 90, aid  
23.5 payments for the current fiscal year to a charter school shall be:

23.6 (1) of an equal amount on each of the 16 payment dates in July through February if  
23.7 the aid payment percentage is 60 or less;

23.8 (2) of an equal amount on each of the 19 payment dates in July through April if the  
23.9 aid percentage is between 60 and 70; and

23.10 (3) of an equal amount on each of the 21 payment dates in July through May if  
23.11 the aid percentage is between 70 and 90.

23.12 (b) Notwithstanding paragraph (a) and section 127A.45, for a charter school ceasing  
23.13 operation on or prior to June 30 of a school year, for the payment periods occurring after  
23.14 the school ceases serving students, the commissioner shall withhold the estimated state aid  
23.15 owed the school. The charter school board of directors and authorizer must submit to the  
23.16 commissioner a closure plan under chapter 308A or 317A, and financial information about  
23.17 the school's liabilities and assets. After receiving the closure plan, financial information,  
23.18 an audit of pupil counts, documentation of lease expenditures, and monitoring of special  
23.19 education expenditures, the commissioner may release cash withheld and may continue  
23.20 regular payments up to the current year payment percentages if further amounts are  
23.21 owed. If, based on audits and monitoring, the school received state aid in excess of the  
23.22 amount owed, the commissioner shall retain aid withheld sufficient to eliminate the aid  
23.23 overpayment. For a charter school ceasing operations prior to, or at the end of, a school  
23.24 year, notwithstanding section 127A.45, subdivision 3, preliminary final payments may  
23.25 be made after receiving the closure plan, audit of pupil counts, monitoring of special  
23.26 education expenditures, documentation of lease expenditures, and school submission of  
23.27 Uniform Financial Accounting and Reporting Standards (UFARS) financial data for the  
23.28 final year of operation. Final payment may be made upon receipt of audited financial  
23.29 statements under section 123B.77, subdivision 3.

23.30 (c) If a charter school fails to comply with the commissioner's directive to return,  
23.31 for cause, federal or state funds administered by the department, the commissioner may  
23.32 withhold an amount of state aid sufficient to satisfy the directive.

23.33 (d) If, within the timeline under section 471.425, a charter school fails to pay the state  
23.34 of Minnesota, a school district, intermediate school district, or service cooperative after  
23.35 receiving an undisputed invoice for goods and services, the commissioner may withhold  
23.36 an amount of state aid sufficient to satisfy the claim and shall distribute the withheld

24.1 aid to the interested state agency, school district, intermediate school district, or service  
24.2 cooperative. An interested state agency, school district, intermediate school district, or  
24.3 education cooperative shall notify the commissioner when a charter school fails to pay an  
24.4 undisputed invoice within 75 business days of when it received the original invoice.

24.5 (e) Notwithstanding section 127A.45, subdivision 3, and paragraph (a), 80 percent  
24.6 of the start-up cost aid under subdivision 8 shall be paid within 45 days after the first day  
24.7 of student attendance for that school year.

24.8 (f) In order to receive state aid payments under this subdivision, a charter school in  
24.9 its first three years of operation must submit a school calendar in the form and manner  
24.10 requested by the department and a quarterly report to the Department of Education. The  
24.11 report must list each student by grade, show the student's start and end dates, if any,  
24.12 with the charter school, and for any student participating in a learning year program,  
24.13 the report must list the hours and times of learning year activities. The report must be  
24.14 submitted not more than two weeks after the end of the calendar quarter to the department.  
24.15 The department must develop a Web-based reporting form for charter schools to use  
24.16 when submitting enrollment reports. A charter school in its fourth and subsequent year of  
24.17 operation must submit a school calendar and enrollment information to the department in  
24.18 the form and manner requested by the department.

24.19 (g) Notwithstanding sections 317A.701 to 317A.791, upon closure of a charter  
24.20 school and satisfaction of creditors, cash and investment balances remaining shall be  
24.21 returned to the state.

24.22 (h) A charter school must have a valid, signed contract under section 124D.10,  
24.23 subdivision 6, on file at the Department of Education at least 15 days prior to the date of  
24.24 first payment of state aid for the fiscal year.

24.25 (i) State aid entitlements shall be computed for a charter school only for the  
24.26 portion of a school year for which it has a valid, signed contract under section 124D.10,  
24.27 subdivision 6.

24.28 **EFFECTIVE DATE.** This section is effective for fiscal year 2013 and later.

24.29 Sec. 2. Minnesota Statutes 2010, section 124D.111, subdivision 3, is amended to read:

24.30 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision  
24.31 must be recorded as provided in this subdivision.

24.32 (b) In each district, the expenses for a school food service program for pupils must  
24.33 be attributed to a school food service fund. Under a food service program, the school  
24.34 food service may prepare or serve milk, meals, or snacks in connection with school or  
24.35 community service activities.



25.1 (c) Revenues and expenditures for food service activities must be recorded in the  
25.2 food service fund. The costs of processing applications, accounting for meals, preparing  
25.3 and serving food, providing kitchen custodial services, and other expenses involving the  
25.4 preparing of meals or the kitchen section of the lunchroom may be charged to the food  
25.5 service fund or to the general fund of the district. The costs of lunchroom supervision,  
25.6 lunchroom custodial services, lunchroom utilities, and other administrative costs of the  
25.7 food service program must be charged to the general fund.

25.8 That portion of superintendent and fiscal manager costs that can be documented as  
25.9 attributable to the food service program may be charged to the food service fund provided  
25.10 that the school district does not employ or contract with a food service director or other  
25.11 individual who manages the food service program, or food service management company.  
25.12 If the cost of the superintendent or fiscal manager is charged to the food service fund,  
25.13 the charge must be at a wage rate not to exceed the statewide average for food service  
25.14 directors as determined by the department.

25.15 (d) Capital expenditures for the purchase of food service equipment must be made  
25.16 from the general fund and not the food service fund, unless ~~two conditions apply:~~

25.17 ~~(1) the unreserved balance in the food service fund at the end of the last fiscal year is~~  
25.18 ~~greater than the cost of the equipment to be purchased; and~~

25.19 ~~(2) the department has approved the purchase of the equipment.~~

25.20 (e) If the ~~two conditions~~ condition set out in paragraph (d) ~~apply~~ applies, the  
25.21 equipment may be purchased from the food service fund.

25.22 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit  
25.23 is not eliminated by revenues from food service operations in the next fiscal year, then the  
25.24 deficit must be eliminated by a permanent fund transfer from the general fund at the end of  
25.25 that second fiscal year. However, if a district contracts with a food service management  
25.26 company during the period in which the deficit has accrued, the deficit must be eliminated  
25.27 by a payment from the food service management company.

25.28 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service  
25.29 fund for up to three years without making the permanent transfer if the district submits  
25.30 to the commissioner by January 1 of the second fiscal year a plan for eliminating that  
25.31 deficit at the end of the third fiscal year.

25.32 (h) If a surplus in the food service fund exists at the end of a fiscal year for three  
25.33 successive years, a district may recode for that fiscal year the costs of lunchroom  
25.34 supervision, lunchroom custodial services, lunchroom utilities, and other administrative  
25.35 costs of the food service program charged to the general fund according to paragraph (c)

26.1 and charge those costs to the food service fund in a total amount not to exceed the amount  
26.2 of surplus in the food service fund.

26.3 **EFFECTIVE DATE.** This section is effective for food service equipment purchases  
26.4 made on or after July 1, 2012.

26.5 Sec. 3. Minnesota Statutes 2011 Supplement, section 127A.45, subdivision 2, is  
26.6 amended to read:

26.7 Subd. 2. **Definitions.** (a) "Other district receipts" means payments by county  
26.8 treasurers pursuant to section 276.10, apportionments from the school endowment fund  
26.9 pursuant to section 127A.33, apportionments by the county auditor pursuant to section  
26.10 127A.34, subdivision 2, and payments to school districts by the commissioner of revenue  
26.11 pursuant to chapter 298.

26.12 (b) "Cumulative amount guaranteed" means the product of

26.13 (1) the cumulative disbursement percentage shown in subdivision 3; times

26.14 (2) the sum of

26.15 (i) the current year aid payment percentage of the estimated aid and credit  
26.16 entitlements paid according to subdivision 13; plus

26.17 (ii) 100 percent of the entitlements paid according to subdivisions 11 and 12; plus

26.18 (iii) the other district receipts.

26.19 (c) "Payment date" means the date on which state payments to districts are made  
26.20 by the electronic funds transfer method. If a payment date falls on a Saturday, a Sunday,  
26.21 or a weekday which is a legal holiday, the payment shall be made on the immediately  
26.22 preceding business day. The commissioner may make payments on dates other than  
26.23 those listed in subdivision 3, but only for portions of payments from any preceding  
26.24 payment dates which could not be processed by the electronic funds transfer method due  
26.25 to documented extenuating circumstances.

26.26 (d) The current year aid payment percentage equals 73 in fiscal year 2010 and 70 in  
26.27 fiscal year 2011, and ~~60~~ 70.2 in fiscal ~~years~~ year 2012 and later.

26.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.

26.29 Sec. 4. Laws 2011, First Special Session chapter 11, article 5, section 12, subdivision  
26.30 2, is amended to read:

26.31 Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes,  
26.32 section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

27.1 ~~12,626,000~~  
 27.2 \$ 12,285,000 ..... 2012  
 27.3 ~~12,878,000~~  
 27.4 \$ 12,524,000 ..... 2013

27.5 Sec. 5. Laws 2011, First Special Session chapter 11, article 5, section 12, subdivision  
 27.6 3, is amended to read:

27.7 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota  
 27.8 Statutes, section 124D.1158:

27.9 ~~4,759,000~~  
 27.10 \$ 5,247,000 ..... 2012  
 27.11 ~~4,875,000~~  
 27.12 \$ 5,560,000 ..... 2013

27.13 Sec. 6. Laws 2011, First Special Session chapter 11, article 5, section 12, subdivision  
 27.14 4, is amended to read:

27.15 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,  
 27.16 section 124D.118:

27.17 ~~1,084,000~~  
 27.18 \$ 1,025,000 ..... 2012  
 27.19 ~~1,105,000~~  
 27.20 \$ 1,035,000 ..... 2013

27.21 Sec. 7. **BALANCES CANCELED TO GENERAL FUND.**

27.22 \$430,094,000 of the unobligated balance in the budget reserve account created in  
 27.23 Minnesota Statutes, section 16A.152, subdivision 1a, is canceled to the general fund  
 27.24 in fiscal year 2012.

27.25 Sec. 8. **EFFECTIVE DATE.**

27.26 Unless otherwise specified, this article is effective the day following final enactment.

27.27 **ARTICLE 6**

27.28 **LIBRARIES**

27.29 Section 1. Laws 2011, First Special Session chapter 11, article 6, section 2, subdivision  
 27.30 2, is amended to read:

27.31 Subd. 2. **Basic system support.** For basic system support grants under Minnesota  
 27.32 Statutes, section 134.355:

28.1 ~~12,213,000~~  
 28.2 \$ 13,598,000 ..... 2012  
 28.3 \$ 13,570,000 ..... 2013

28.4 The 2012 appropriation includes \$4,071,000 for 2011 and ~~\$8,142,000~~ \$9,527,000  
 28.5 for 2012.

28.6 The 2013 appropriation includes ~~\$5,428,000~~ \$4,043,000 for 2012 and ~~\$8,142,000~~  
 28.7 \$9,527,000 for 2013.

28.8 Sec. 2. Laws 2011, First Special Session chapter 11, article 6, section 2, subdivision 3,  
 28.9 is amended to read:

28.10 Subd. 3. **Multicounty, multitype library systems.** For grants under Minnesota  
 28.11 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

28.12 ~~1,170,000~~  
 28.13 \$ 1,303,000 ..... 2012  
 28.14 \$ 1,300,000 ..... 2013

28.15 The 2012 appropriation includes \$390,000 for 2011 and ~~\$780,000~~ \$913,000 for 2012.

28.16 The 2013 appropriation includes ~~\$520,000~~ \$387,000 for 2012 and ~~\$780,000~~  
 28.17 \$913,000 for 2013.

28.18 Sec. 3. Laws 2011, First Special Session chapter 11, article 6, section 2, subdivision 5,  
 28.19 is amended to read:

28.20 Subd. 5. **Regional library telecommunications aid.** For regional library  
 28.21 telecommunications aid under Minnesota Statutes, section 134.355:

28.22 ~~2,070,000~~  
 28.23 \$ 2,305,000 ..... 2012  
 28.24 \$ 2,300,000 ..... 2013

28.25 The 2012 appropriation includes \$690,000 for 2011 and ~~\$1,380,000~~ \$1,615,000  
 28.26 for 2012.

28.27 The 2013 appropriation includes ~~\$920,000~~ \$685,000 for 2012 and ~~\$1,380,000~~  
 28.28 \$1,615,000 for 2013.

28.29 Sec. 4. **EFFECTIVE DATE.**

28.30 Unless otherwise specified, this article is effective the day following final enactment.

**ARTICLE 7**

**EARLY CHILDHOOD EDUCATION**

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Section 1. Laws 2011, First Special Session chapter 11, article 7, section 2, subdivision 2, is amended to read:

Subd. 2. **School readiness.** For revenue for school readiness programs under Minnesota Statutes, sections 124D.15 and 124D.16:

	<del>9,085,000</del>		
\$	<u>10,039,000</u>	.....	2012
\$	10,095,000	.....	2013

The 2012 appropriation includes ~~\$3,028,000~~ \$2,952,000 for 2011 and ~~\$6,057,000~~ \$7,087,000 for 2012.

The 2013 appropriation includes ~~\$4,038,000~~ \$3,008,000 for 2012 and ~~\$6,057,000~~ \$7,087,000 for 2013.

Sec. 2. Laws 2011, First Special Session chapter 11, article 7, section 2, subdivision 3, is amended to read:

Subd. 3. **Early childhood family education aid.** For early childhood family education aid under Minnesota Statutes, section 124D.135:

	<del>20,191,000</del>		
\$	<u>22,435,000</u>	.....	2012
	<del>22,977,000</del>		
\$	<u>22,332,000</u>	.....	2013

The 2012 appropriation includes \$6,542,000 for 2011 and ~~\$13,649,000~~ \$15,893,000 for 2012.

The 2013 appropriation includes ~~\$9,099,000~~ \$6,746,000 for 2012 and ~~\$13,878,000~~ \$15,586,000 for 2013.

Sec. 3. Laws 2011, First Special Session chapter 11, article 7, section 2, subdivision 4, is amended to read:

Subd. 4. **Health and developmental screening aid.** For health and developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

	<del>3,211,000</del>		
\$	<u>3,570,000</u>	.....	2012
	<del>3,550,000</del>		
\$	<u>3,541,000</u>	.....	2013

The 2012 appropriation includes \$1,066,000 for 2011 and ~~\$2,145,000~~ \$2,504,000 for 2012.

30.1 The 2013 appropriation includes ~~\$1,429,000~~ \$1,062,000 for 2012 and ~~\$2,121,000~~  
30.2 \$2,479,000 for 2013.

30.3 Sec. 4. **REPEALER.**

30.4 Minnesota Statutes 2010, sections 124D.135, subdivisions 8 and 9; and 124D.16,  
30.5 subdivisions 6 and 7, are repealed.

30.6 Sec. 5. **EFFECTIVE DATE.**

30.7 Unless otherwise specified, this article is effective the day following final enactment.

30.8 **ARTICLE 8**

30.9 **PREVENTION**

30.10 Section 1. Minnesota Statutes 2010, section 124D.518, is amended by adding a  
30.11 subdivision to read:

30.12 Subd. 4a. **Service disruption.** "Service disruption" means the loss of student  
30.13 contact time due to a natural disaster including but not limited to floods, tornadoes, and  
30.14 fires, or the loss of student contact hours caused by a party other than the adult basic  
30.15 education program or consortium including, but not limited to, building relocations and  
30.16 transportation disruptions. A service disruption occurs only if:

30.17 (1) the loss of contact hours is sufficient to cause the consortium to lose revenue  
30.18 equal to at least ten percent of the aid generated under section 124D.531, subdivision 3,  
30.19 clause (2); or

30.20 (2) the loss of contact hours is sufficient to cause the program to lose revenue equal to  
30.21 at least 15 percent of the aid generated under section 124D.531, subdivision 3, clause (2).

30.22 **EFFECTIVE DATE.** This section is effective for aid for fiscal year 2013 and later.

30.23 Sec. 2. Minnesota Statutes 2010, section 124D.518, subdivision 3, is amended to read:

30.24 Subd. 3. **Contact hours.** (a) "Contact hours" means the number of hours during  
30.25 which a student was engaged in learning activities provided by an approved adult  
30.26 education program. Contact hours excludes homework but includes interactive distance  
30.27 learning. The commissioner may only reallocate contact hours among programs to adjust  
30.28 for changes in program membership between the first prior program year and the current  
30.29 program year based on the actual contact hours reported for the first prior program year.  
30.30 The commissioner may adjust a program's or consortium's contact hours due to a service  
30.31 disruption according to the process established in section 124D.531, subdivision 10.

31.1 (b) For revenue beginning in fiscal year 2002, contact hours for a provider of adult  
 31.2 basic education services funded in fiscal year 2000, but not eligible for basic population  
 31.3 aid in fiscal year 2001, is computed by multiplying the provider's contact hours by 1.03.

31.4 (c) For aid in fiscal year 2001, contact hours in fiscal year 2000 equals the number  
 31.5 of full-time equivalent learners times the contact hours. A level one full-time equivalent  
 31.6 learner is equal to 240 contact hours and a level two full-time learner is equal to 408  
 31.7 contact hours.

31.8 **EFFECTIVE DATE.** This section is effective for aid for fiscal year 2013 and later.

31.9 Sec. 3. Minnesota Statutes 2010, section 124D.531, is amended by adding a  
 31.10 subdivision to read:

31.11 **Subd. 10. Contact hours in cases of disruption of services.** An adult basic  
 31.12 education program or consortium that has been subject to a service disruption may apply  
 31.13 to the commissioner in the form and manner established by the commissioner for an  
 31.14 adjusted number of contact hours. The program or consortium must demonstrate to the  
 31.15 commissioner's satisfaction that the loss in contact hours due to the service disruption was  
 31.16 outside of the control of the adult basic education program or its consortium and that the  
 31.17 program or consortium took reasonable actions to avoid the loss of contact hours. If the  
 31.18 commissioner approves the program's or consortium's request, the commissioner may  
 31.19 adjust the number of contact hours of the program and, if applicable, of the consortium,  
 31.20 but in no case may the adjusted contact hours yield an aid amount for a consortium  
 31.21 under subdivision 3, clause (2), greater than the most recent two-year average aid under  
 31.22 that clause.

31.23 **EFFECTIVE DATE.** This section is effective for aid for fiscal year 2013 and later.

31.24 Sec. 4. Laws 2011, First Special Session chapter 11, article 8, section 2, subdivision 2,  
 31.25 is amended to read:

31.26 **Subd. 2. Community education aid.** For community education aid under  
 31.27 Minnesota Statutes, section 124D.20:

31.28 \$ ~~429,000~~ 470,000 ..... 2012  
 31.29 \$ ~~665,000~~ 771,000 ..... 2013

31.30 The 2012 appropriation includes \$134,000 for 2011 and ~~\$295,000~~ \$336,000 for 2012.

31.31 The 2013 appropriation includes ~~\$196,000~~ \$142,000 for 2012 and ~~\$469,000~~  
 31.32 \$629,000 for 2013.

32.1 Sec. 5. Laws 2011, First Special Session chapter 11, article 8, section 2, subdivision 3,  
 32.2 is amended to read:

32.3 Subd. 3. **Adults with disabilities program aid.** For adults with disabilities  
 32.4 programs under Minnesota Statutes, section 124D.56:

32.5 \$ ~~639,000~~ 696,000 ..... 2012

32.6 \$ 710,000 ..... 2013

32.7 The 2012 appropriation includes ~~\$213,000~~ \$197,000 for 2011 and ~~\$426,000~~  
 32.8 \$499,000 for 2012.

32.9 The 2013 appropriation includes ~~\$284,000~~ \$211,000 for 2012 and ~~\$426,000~~  
 32.10 \$499,000 for 2013.

32.11 Sec. 6. Laws 2011, First Special Session chapter 11, article 9, section 3, subdivision 2,  
 32.12 is amended to read:

32.13 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota  
 32.14 Statutes, section 124D.531:

32.15 ~~40,545,000~~  
 32.16 \$ 45,202,000 ..... 2012

32.17 ~~45,842,000~~  
 32.18 \$ 45,951,000 ..... 2013

32.19 The 2012 appropriation includes ~~\$13,365,000~~ \$13,364,000 for 2011 and ~~\$27,180,000~~  
 32.20 \$31,838,000 for 2012.

32.21 The 2013 appropriation includes ~~\$18,119,000~~ \$13,514,000 for 2012 and ~~\$27,723,000~~  
 32.22 \$32,437,000 for 2013.

32.23 Sec. 7. **REPEALER.**

32.24 Minnesota Statutes 2010, section 124D.20, subdivisions 11 and 12, are repealed.

32.25 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2014  
 32.26 and later.

32.27 Sec. 8. **EFFECTIVE DATE.**

32.28 Unless otherwise specified, this article is effective the day following final enactment.



APPENDIX  
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