

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2292

- 02/28/2023 Authored by Pinto
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy
- 03/28/2023 Adoption of Report: Amended and re-referred to the Committee on Education Finance
- 04/11/2023 By motion, recalled and re-referred to the Committee on Ways and Means
- 04/17/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 04/20/2023 Calendar for the Day
Read for the Third Time
Passed by the House and transmitted to the Senate
- 04/26/2023 Passed by the Senate as Amended and returned to the House
Refused to concur and a Conference Committee was appointed
- 05/12/2023 Bill was laid on the Table
- 05/13/2023 Bill was taken from the Table
By motion, the House refused to adopt the report and the bill was returned to the Conference Committee

1.1 A bill for an act

1.2 relating to early childhood; modifying provisions for early learning scholarships,

1.3 Head Start, and early education programs; providing for early childhood educator

1.4 programs; requiring reports; appropriating money; amending Minnesota Statutes

1.5 2022, sections 119A.52; 121A.17, subdivision 3; 121A.19; 124D.13, by adding a

1.6 subdivision; 124D.141, subdivision 2; 124D.162; 124D.165, subdivisions 2, 3, 4,

1.7 6; 125A.13; 179A.03, subdivision 18; proposing coding for new law in Minnesota

1.8 Statutes, chapter 122A.

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

1.10 Section 1. Minnesota Statutes 2022, section 119A.52, is amended to read:

1.11 **119A.52 DISTRIBUTION OF APPROPRIATION.**

1.12 (a) The commissioner of education must distribute money appropriated for that purpose

1.13 to federally designated Head Start programs to expand services and to serve additional

1.14 low-income children. ~~Migrant and Indian reservation programs must be initially allocated~~

1.15 ~~money based on the programs' share of federal funds.~~ which may include costs associated

1.16 with program operations, infrastructure, or reconfiguration to serve children from birth to

1.17 age five in center-based services. The distribution must occur in the following order: (1)

1.18 10.72 percent of the total Head Start appropriation must be initially allocated to federally

1.19 designated Tribal Head Start programs; (2) the Tribal Head Start portion of the appropriation

1.20 must be initially allocated to Tribal Head Start programs based on the programs' share of

1.21 federal funds; and (3) migrant programs must be initially allocated funding based on the

1.22 programs' share of federal funds. The remaining money must be initially allocated to the

1.23 remaining local agencies based equally on the agencies' share of federal funds and on the

1.24 proportion of eligible children in the agencies' service area who are not currently being

1.25 served. A Head Start program must be funded at a per child rate equal to its contracted,

2.1 federally funded base level at the start of the fiscal year. For all agencies without a federal
2.2 Early Head Start rate, the state average federal cost per child for Early Head Start applies.
2.3 In allocating funds under this paragraph, the commissioner of education must assure that
2.4 each Head Start program in existence in 1993 is allocated no less funding in any fiscal year
2.5 than was allocated to that program in fiscal year 1993. Before paying money to the programs,
2.6 the commissioner must notify each program of its initial allocation and how the money must
2.7 be used. Each program must present a plan under section 119A.535. For any program that
2.8 cannot utilize its full allocation at the beginning of the fiscal year, the commissioner must
2.9 reduce the allocation proportionately. Money available after the initial allocations are reduced
2.10 must be redistributed to eligible programs.

2.11 (b) The commissioner must develop procedures to make payments to programs based
2.12 upon the number of children reported to be enrolled during the required time period of
2.13 program operations. Enrollment is defined by federal Head Start regulations. The procedures
2.14 must include a reporting schedule, corrective action plan requirements, and financial
2.15 consequences to be imposed on programs that do not meet full enrollment after the period
2.16 of corrective action. Programs reporting chronic underenrollment, as defined by the
2.17 commissioner, will have their subsequent program year allocation reduced proportionately.
2.18 Funds made available by prorating payments and allocations to programs with reported
2.19 underenrollment will be made available to the extent funds exist to fully enrolled Head Start
2.20 programs through a form and manner prescribed by the department.

2.21 (c) Programs with approved innovative initiatives that target services to high-risk
2.22 populations, including homeless families and families living in homeless shelters and
2.23 transitional housing, are exempt from the procedures in paragraph (b). This exemption does
2.24 not apply to entire programs. The exemption applies only to approved innovative initiatives
2.25 that target services to high-risk populations, including homeless families and families living
2.26 in homeless shelters, transitional housing, and permanent supportive housing.

2.27 Sec. 2. Minnesota Statutes 2022, section 121A.17, subdivision 3, is amended to read:

2.28 Subd. 3. **Screening program.** (a) A screening program must include at least the following
2.29 components: developmental assessments, including virtual developmental screening for
2.30 families who make the request based on their immunocompromised health status or other
2.31 health conditions, hearing and vision screening or referral, immunization review and referral,
2.32 the child's height and weight, the date of the child's most recent comprehensive vision
2.33 examination, if any, identification of risk factors that may influence learning, an interview
2.34 with the parent about the child, and referral for assessment, diagnosis, and treatment when

3.1 potential needs are identified. The district and the person performing or supervising the
3.2 screening must provide a parent or guardian with clear written notice that the parent or
3.3 guardian may decline to answer questions or provide information about family circumstances
3.4 that might affect development and identification of risk factors that may influence learning.
3.5 The notice must state "Early childhood developmental screening helps a school district
3.6 identify children who may benefit from district and community resources available to help
3.7 in their development. Early childhood developmental screening includes a vision screening
3.8 that helps detect potential eye problems but is not a substitute for a comprehensive eye
3.9 exam." The notice must clearly state that declining to answer questions or provide information
3.10 does not prevent the child from being enrolled in kindergarten or first grade if all other
3.11 screening components are met. If a parent or guardian is not able to read and comprehend
3.12 the written notice, the district and the person performing or supervising the screening must
3.13 convey the information in another manner. The notice must also inform the parent or guardian
3.14 that a child need not submit to the district screening program if the child's health records
3.15 indicate to the school that the child has received comparable developmental screening
3.16 performed within the preceding 365 days by a public or private health care organization or
3.17 individual health care provider. The notice must be given to a parent or guardian at the time
3.18 the district initially provides information to the parent or guardian about screening and must
3.19 be given again at the screening location.

3.20 (b) All screening components shall be consistent with the standards of the state
3.21 commissioner of health for early developmental screening programs. A developmental
3.22 screening program must not provide laboratory tests or a physical examination to any child.
3.23 The district must request from the public or private health care organization or the individual
3.24 health care provider the results of any laboratory test or physical examination within the 12
3.25 months preceding a child's scheduled screening. For the purposes of this section,
3.26 "comprehensive vision examination" means a vision examination performed by an optometrist
3.27 or ophthalmologist.

3.28 (c) If a child is without health coverage, the school district must refer the child to an
3.29 appropriate health care provider.

3.30 (d) A board may offer additional components such as nutritional, physical and dental
3.31 assessments, review of family circumstances that might affect development, blood pressure,
3.32 laboratory tests, and health history.

3.33 (e) If a statement signed by the child's parent or guardian is submitted to the administrator
3.34 or other person having general control and supervision of the school that the child has not

4.1 been screened because of conscientiously held beliefs of the parent or guardian, the screening
4.2 is not required.

4.3 Sec. 3. Minnesota Statutes 2022, section 121A.19, is amended to read:

4.4 **121A.19 DEVELOPMENTAL SCREENING AID.**

4.5 Each school year, the state must pay a district for each child or student screened by the
4.6 district according to the requirements of section 121A.17. The amount of state aid for each
4.7 child or student screened shall be: (1) ~~\$75~~ \$98 for a child screened at age three; (2) ~~\$50~~ \$65
4.8 for a child screened at age four; (3) ~~\$40~~ \$52 for a child screened at age five or six prior to
4.9 kindergarten; and (4) ~~\$30~~ \$39 for a student screened within 30 days after first enrolling in
4.10 a public school kindergarten if the student has not previously been screened according to
4.11 the requirements of section 121A.17. If this amount of aid is insufficient, the district may
4.12 permanently transfer from the general fund an amount that, when added to the aid, is
4.13 sufficient. Developmental screening aid shall not be paid for any student who is screened
4.14 more than 30 days after the first day of attendance at a public school kindergarten, except
4.15 if a student transfers to another public school kindergarten within 30 days after first enrolling
4.16 in a Minnesota public school kindergarten program. In this case, if the student has not been
4.17 screened, the district to which the student transfers may receive developmental screening
4.18 aid for screening that student when the screening is performed within 30 days of the transfer
4.19 date.

4.20 Sec. 4. **122A.261 PREKINDERGARTEN, SCHOOL READINESS, PRESCHOOL,**
4.21 **AND EARLY EDUCATION PROGRAMS; LICENSURE REQUIREMENT.**

4.22 Subdivision 1. Licensure requirement. A school district or charter school must employ
4.23 a qualified teacher, as defined in section 122A.16, to provide instruction in a preschool,
4.24 school readiness, school readiness plus, or prekindergarten program or other school district
4.25 or charter school-based early education program.

4.26 Subd. 2. Exemptions. Any teacher who has taught in a preschool, school readiness,
4.27 school readiness plus, or prekindergarten program, or other early learning program for at
4.28 least five years prior to September 1, 2028, may continue to teach without obtaining a
4.29 license. Notwithstanding this exemption from the licensure requirement, these individuals
4.30 are teachers under section 179A.03, subdivision 18.

4.31 **EFFECTIVE DATE.** This section is effective July 1, 2028.

5.1 Sec. 5. [122A.731] GRANTS FOR GROW YOUR OWN EARLY CHILDHOOD
5.2 EDUCATOR PROGRAMS.

5.3 Subdivision 1. Establishment. The commissioner of education must award grants for
5.4 Grow Your Own Early Childhood Educator programs established under this section in order
5.5 to develop an early childhood education workforce that more closely reflects the state's
5.6 increasingly diverse student population and ensures all students have equitable access to
5.7 high-quality early educators.

5.8 Subd. 2. Grow Your Own Early Childhood Educator programs. (a)
5.9 Minnesota-licensed family child care or licensed center-based child care programs, school
5.10 district or charter school early learning programs, Head Start programs, institutions of higher
5.11 education, and other community partnership nongovernmental organizations may apply for
5.12 a grant to host, build, or expand an early childhood educator preparation program that leads
5.13 to an individual earning the credential or degree needed to enter or advance in the early
5.14 childhood education workforce. Examples include programs that help interested individuals
5.15 earn the child development associate (CDA) credential, an associate's degree in child
5.16 development, or a bachelor's degree in early childhood studies or early childhood licensures.
5.17 The grant recipient must use at least 80 percent of grant money for student stipends, tuition
5.18 scholarships, or unique student teaching or field placement experiences.

5.19 (b) Programs providing financial support to interested individuals may require a
5.20 commitment from the individuals awarded, as determined by the commissioner, to teach in
5.21 the program or school for a reasonable amount of time that does not exceed one year.

5.22 Subd. 3. Grant procedure. (a) Eligible programs must apply for a grant under this
5.23 section in the form and manner specified by the commissioner. To the extent that there are
5.24 sufficient applications, the commissioner must, to the extent practicable, award an equal
5.25 number of grants between applicants in greater Minnesota and those in the metropolitan
5.26 area.

5.27 (b) For the 2023-2024 school year and later, grant applications for new and existing
5.28 programs must be received by the commissioner no later than January 15 of the year prior
5.29 to the school year in which the grant will be used. The commissioner must review all
5.30 applications and notify grant recipients by March 15 or as soon as practicable of the
5.31 anticipated amount awarded. If the commissioner determines that sufficient funding is
5.32 unavailable for the grants, the commissioner must notify grant applicants by June 30 or as
5.33 soon as practicable that there is insufficient money.

6.1 Subd. 4. **Grow Your Own Early Childhood Education program account.** (a) The
6.2 Grow Your Own Early Childhood Education program account is established in the special
6.3 revenue fund.

6.4 (b) Money appropriated for the Grow Your Own Early Childhood Education program
6.5 under this section must be transferred to the Grow Your Own Early Childhood Education
6.6 program account in the special revenue fund.

6.7 (c) Money in the account is annually appropriated to the commissioner for the Grow
6.8 Your Own Early Childhood Education program under this section. Any returned money is
6.9 available to be regranted. Grant recipients may apply to use grant money over a period of
6.10 up to 60 months.

6.11 (d) Up to \$175,000 annually is appropriated to the commissioner for costs associated
6.12 with administering and monitoring the program under this section.

6.13 Subd. 5. **Report.** Grant recipients must annually report to the commissioner in the form
6.14 and manner determined by the commissioner on their activities under this section, including
6.15 the number of educators supported through grant money and the number of educators
6.16 obtaining credentials by type. Data must indicate the beginning level of education and ending
6.17 level of education of individual participants and an assessment of program effectiveness,
6.18 including participant feedback, areas for improvement, and employment changes and current
6.19 employment status, where applicable, after completing preparation programs. The
6.20 commissioner must publish a report for the public that summarizes the activities and
6.21 outcomes of grant recipients and what was done to promote sharing of effective practices
6.22 among grant recipients and potential grant applicants.

6.23 Sec. 6. Minnesota Statutes 2022, section 124D.13, is amended by adding a subdivision to
6.24 read:

6.25 Subd. 12a. **Support staff.** (a) The department must employ two full-time equivalent
6.26 staff to serve as resources for programs described in this section. The staff persons must
6.27 provide operational support and guidance to programs, including but not limited to providing
6.28 professional development and education support, assisting with marketing and outreach,
6.29 and facilitating collaborations with public and private organizations serving families.

6.30 (b) Each staff person described in this subdivision must hold a valid license as a teacher
6.31 of parent and family education.

6.32 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

7.1 Sec. 7. Minnesota Statutes 2022, section 124D.141, subdivision 2, is amended to read:

7.2 Subd. 2. **Additional duties.** The following duties are added to those assigned to the
7.3 council under federal law:

7.4 (1) make recommendations on the most efficient and effective way to leverage state and
7.5 federal funding streams for early childhood and child care programs;

7.6 ~~(2) make recommendations on how to coordinate or colocate early childhood and child
7.7 care programs in one state Office of Early Learning. The council shall establish a task force
7.8 to develop these recommendations. The task force shall include two nonexecutive branch
7.9 or nonlegislative branch representatives from the council; six representatives from the early
7.10 childhood caucus; two representatives each from the Departments of Education, Human
7.11 Services, and Health; one representative each from a local public health agency, a local
7.12 county human services agency, and a school district; and two representatives from the
7.13 private nonprofit organizations that support early childhood programs in Minnesota. In
7.14 developing recommendations in coordination with existing efforts of the council, the task
7.15 force shall consider how to:~~

7.16 ~~(i) consolidate and coordinate resources and public funding streams for early childhood
7.17 education and child care, and ensure the accountability and coordinated development of all
7.18 early childhood education and child care services to children from birth to kindergarten
7.19 entrance;~~

7.20 ~~(ii) create a seamless transition from early childhood programs to kindergarten;~~

7.21 ~~(iii) encourage family choice by ensuring a mixed system of high-quality public and
7.22 private programs, with local points of entry, staffed by well-qualified professionals;~~

7.23 ~~(iv) ensure parents a decisive role in the planning, operation, and evaluation of programs
7.24 that aid families in the care of children;~~

7.25 ~~(v) provide consumer education and accessibility to early childhood education and child
7.26 care resources;~~

7.27 ~~(vi) advance the quality of early childhood education and child care programs in order
7.28 to support the healthy development of children and preparation for their success in school;~~

7.29 ~~(vii) develop a seamless service delivery system with local points of entry for early
7.30 childhood education and child care programs administered by local, state, and federal
7.31 agencies;~~

8.1 ~~(viii) ensure effective collaboration between state and local child welfare programs and~~
8.2 ~~early childhood mental health programs and the Office of Early Learning;~~

8.3 ~~(ix) develop and manage an effective data collection system to support the necessary~~
8.4 ~~functions of a coordinated system of early childhood education and child care in order to~~
8.5 ~~enable accurate evaluation of its impact;~~

8.6 ~~(x) respect and be sensitive to family values and cultural heritage; and~~

8.7 ~~(xi) establish the administrative framework for and promote the development of early~~
8.8 ~~childhood education and child care services in order to provide that these services, staffed~~
8.9 ~~by well-qualified professionals, are available in every community for all families that express~~
8.10 ~~a need for them.~~

8.11 ~~In addition, the task force must consider the following responsibilities for transfer to the~~
8.12 ~~Office of Early Learning:~~

8.13 ~~(A) responsibilities of the commissioner of education for early childhood education~~
8.14 ~~programs and financing under sections 119A.50 to 119A.535, 121A.16 to 121A.19, and~~
8.15 ~~124D.129 to 124D.2211;~~

8.16 ~~(B) responsibilities of the commissioner of human services for child care assistance,~~
8.17 ~~child care development, and early childhood learning and child protection facilities programs~~
8.18 ~~and financing under chapter 119B and section 256E.37; and~~

8.19 ~~(C) responsibilities of the commissioner of health for family home visiting programs~~
8.20 ~~and financing under section 145A.17.~~

8.21 ~~Any costs incurred by the council in making these recommendations must be paid from~~
8.22 ~~private funds. If no private funds are received, the council must not proceed in making these~~
8.23 ~~recommendations. The council must report its recommendations to the governor and the~~
8.24 ~~legislature by January 15, 2011;~~

8.25 ~~(3) (2) review program evaluations regarding high-quality early childhood programs;~~

8.26 ~~(4) (3) make recommendations to the governor and legislature, including proposed~~
8.27 ~~legislation on how to most effectively create a high-quality early childhood system in~~
8.28 ~~Minnesota in order to improve the educational outcomes of children so that all children are~~
8.29 ~~school-ready by 2020 have the opportunities and experiences to support a successful transition~~
8.30 ~~to kindergarten; and~~

8.31 ~~(5) make recommendations to the governor and the legislature by March 1, 2011, on the~~
8.32 ~~creation and implementation of a statewide school readiness report card to monitor progress~~

9.1 toward the goal of having all children ready for kindergarten by the year 2020. The
9.2 recommendations shall include what should be measured including both children and system
9.3 indicators, what benchmarks should be established to measure state progress toward the
9.4 goal, and how frequently the report card should be published. In making their
9.5 recommendations, the council shall consider the indicators and strategies for Minnesota's
9.6 early childhood system report, the Minnesota school readiness study, developmental
9.7 assessment at kindergarten entrance, and the work of the council's accountability committee.
9.8 Any costs incurred by the council in making these recommendations must be paid from
9.9 private funds. If no private funds are received, the council must not proceed in making these
9.10 recommendations; and

9.11 (6) make recommendations to the governor and the legislature on how to screen earlier
9.12 and comprehensively assess children for school readiness in order to provide increased early
9.13 interventions and increase the number of children ready for kindergarten. In formulating
9.14 their recommendations, the council shall consider (i) ways to interface with parents of
9.15 children who are not participating in early childhood education or care programs, (ii) ways
9.16 to interface with family child care providers, child care centers, and school-based early
9.17 childhood and Head Start programs, (iii) if there are age-appropriate and culturally sensitive
9.18 screening and assessment tools for three-, four-, and five-year-olds, (iv) the role of the
9.19 medical community in screening, (v) incentives for parents to have children screened at an
9.20 earlier age, (vi) incentives for early education and care providers to comprehensively assess
9.21 children in order to improve instructional practice, (vii) how to phase in increases in screening
9.22 and assessment over time, (viii) how the screening and assessment data will be collected
9.23 and used and who will have access to the data, (ix) how to monitor progress toward the goal
9.24 of having 50 percent of three-year-old children screened and 50 percent of entering
9.25 kindergarteners assessed for school readiness by 2015 and 100 percent of three-year-old
9.26 children screened and entering kindergarteners assessed for school readiness by 2020, and
9.27 (x) costs to meet these benchmarks. The council shall consider the screening instruments
9.28 and comprehensive assessment tools used in Minnesota early childhood education and care
9.29 programs and kindergarten. The council may survey early childhood education and care
9.30 programs in the state to determine the screening and assessment tools being used or rely on
9.31 previously collected survey data, if available. For purposes of this subdivision, "school
9.32 readiness" is defined as the child's skills, knowledge, and behaviors at kindergarten entrance
9.33 in these areas of child development: social; self-regulation; cognitive, including language,
9.34 literacy, and mathematical thinking; and physical. For purposes of this subdivision,
9.35 "screening" is defined as the activities used to identify a child who may need further
9.36 evaluation to determine delay in development or disability. For purposes of this subdivision,

10.1 ~~"assessment" is defined as the activities used to determine a child's level of performance in~~
10.2 ~~order to promote the child's learning and development. Work on this duty will begin in~~
10.3 ~~fiscal year 2012. Any costs incurred by the council in making these recommendations must~~
10.4 ~~be paid from private funds. If no private funds are received, the council must not proceed~~
10.5 ~~in making these recommendations. The council must report its recommendations to the~~
10.6 ~~governor and legislature by January 15, 2013, with an interim report on February 15, 2011.~~

10.7 (4) review and provide input on the recommendations and implementation timelines
10.8 developed by the Great Start For All Minnesota Children Task Force under Laws 2021,
10.9 First Special Session chapter 7, article 14, section 18, subdivision 2.

10.10 Sec. 8. Minnesota Statutes 2022, section 124D.162, is amended to read:

10.11 **124D.162 KINDERGARTEN READINESS ENTRY ASSESSMENT.**

10.12 Subdivision 1. Assessment required. The commissioner of education ~~may~~ must
10.13 implement a kindergarten readiness entry assessment representative of incoming
10.14 kindergartners to identify the percent of kindergartners who meet or exceed end-of-year
10.15 prekindergarten early learning standards. The assessment must be based on the Department
10.16 of Education Kindergarten Readiness Assessment at kindergarten entrance study.

10.17 Subd. 2. Process. (a) School districts and charter schools must choose a kindergarten
10.18 entry assessment tool from a menu of valid and reliable measurement instruments approved
10.19 by the department that:

10.20 (1) are aligned to the state early childhood indicators of progress and kindergarten
10.21 standards and are based on the criteria to be an early learning assessment approved by the
10.22 department;

10.23 (2) support the world's best workforce goals in section 120B.11, subdivision 1, paragraph
10.24 (c); and

10.25 (3) are based, in part, on information collected from teachers, early learning professionals,
10.26 families, and other partners.

10.27 (b) The department must provide technical assistance and professional development
10.28 related to the assessment required under this section to educators, school districts, and charter
10.29 schools.

10.30 Subd. 3. Reporting. School districts and charter schools must annually report the results
10.31 of kindergarten entry assessments to the department in a form and manner determined by
10.32 the commissioner that is concurrent with a district's and charter school's world's best

11.1 workforce report under section 120B.11, subdivision 5. The commissioner must publicly
 11.2 report kindergarten readiness results as part of the performance reports required under
 11.3 section 120B.36 and in a manner consistent with section 120B.35, subdivision 3, paragraph
 11.4 (a), clause (2).

11.5 Subd. 4. **Implementation.** The requirements under this section must be phased in over
 11.6 three school years with all school districts and charter schools complying beginning with
 11.7 the 2025-2026 school year.

11.8 Sec. 9. Minnesota Statutes 2022, section 124D.165, subdivision 2, is amended to read:

11.9 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
 11.10 parents or guardians must have an eligible child and meet at least one of the following
 11.11 eligibility requirements:

11.12 ~~(1) have an eligible child; and~~

11.13 ~~(2) (1) have income equal to or less than 185 percent of federal poverty level income~~
 11.14 the at-application rate specified in section 119B.09, subdivision 1, paragraph (a), clause (2),
 11.15 in the current calendar year; or;

11.16 (2) be able to document their child's current participation in the free and reduced-price
 11.17 lunch meal program or Child and Adult Care Food Program, National School Lunch Act,
 11.18 United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on
 11.19 Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036;
 11.20 Head Start under the federal Improving Head Start for School Readiness Act of 2007;
 11.21 Minnesota family investment program under chapter 256J; child care assistance programs
 11.22 under chapter 119B; the supplemental nutrition assistance program; or placement

11.23 (3) have a child referred as in need of child protection services or placed in foster care
 11.24 under section 260C.212.

11.25 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

11.26 ~~(1) at least three but not yet five years of age on September 1 of the current school year;~~

11.27 ~~(2) a sibling from birth to age five of a child who has been awarded a scholarship under~~
 11.28 ~~this section provided the sibling attends the same program as long as funds are available;~~

11.29 ~~(3) the child of a parent under age 21 who is pursuing a high school degree or a course~~
 11.30 ~~of study for a high school equivalency test; or~~

11.31 ~~(4) homeless, in foster care, or in need of child protective services.~~

12.1 (c) A child who has received a scholarship under this section must continue to receive
 12.2 a scholarship each year until that child is eligible for kindergarten under section 120A.20
 12.3 and as long as funds are available.

12.4 (d) Early learning scholarships may not be counted as earned income for the purposes
 12.5 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
 12.6 family investment program under chapter 256J, child care assistance programs under chapter
 12.7 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
 12.8 2007.

12.9 (e) A child from an adjoining state whose family resides at a Minnesota address as
 12.10 assigned by the United States Postal Service, who has received developmental screening
 12.11 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
 12.12 and whose family meets the criteria of paragraph (a) is eligible for an early learning
 12.13 scholarship under this section.

12.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.

12.15 Sec. 10. Minnesota Statutes 2022, section 124D.165, subdivision 3, is amended to read:

12.16 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
 12.17 and determine the schedule for awarding scholarships that meets operational needs of eligible
 12.18 families and programs. The commissioner must give highest priority to applications from
 12.19 children who:

12.20 (1) are not yet four years of age;

12.21 ~~(1)~~ (2) have a parent under age 21 who is pursuing a high school diploma or a course of
 12.22 study for a high school equivalency test;

12.23 ~~(2)~~ (3) are in foster care or otherwise;

12.24 (4) have been referred as in need of child protection or services; or

12.25 (5) have an incarcerated parent;

12.26 (6) have a parent in a substance use treatment program;

12.27 (7) have a parent in a mental health treatment program;

12.28 (8) have experienced domestic violence; or

12.29 ~~(3)~~ (9) have experienced homelessness in the last 24 months, as defined under the federal
 12.30 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

13.1 (b) The commissioner may prioritize applications on additional factors including family
13.2 income, geographic location, and whether the child's family is on a waiting list for a publicly
13.3 funded program providing early education or child care services.

13.4 ~~(b)~~ (c) The commissioner shall establish a ~~target for the average scholarship amount per~~
13.5 ~~child~~ schedule of tiered per-child scholarship amounts based on the results of the rate survey
13.6 conducted under section 119B.02, subdivision 7, the cost of providing high-quality early
13.7 care and learning to children in varying circumstances, a family's income, and geographic
13.8 location. For programs that earn a four-star rating under section 124D.142, amounts must
13.9 be no less than the cost to provide full-time care at the 75th percentile of the most recent
13.10 market rate survey.

13.11 ~~(e)~~ (d) A four-star rated program that has children eligible for a scholarship enrolled in
13.12 or on a waiting list for a program beginning in July, August, or September may notify the
13.13 commissioner, in the form and manner prescribed by the commissioner, each year of the
13.14 program's desire to enhance program services or to serve more children than current funding
13.15 provides. The commissioner may designate a predetermined number of scholarship slots
13.16 for that program and notify the program of that number. For fiscal year 2018 and later, the
13.17 statewide amount of funding directly designated by the commissioner must not exceed the
13.18 funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district
13.19 or Head Start program qualifying under this paragraph may use its established registration
13.20 process to enroll scholarship recipients and may verify a scholarship recipient's family
13.21 income in the same manner as for other program participants.

13.22 ~~(d)~~ (e) A scholarship is awarded for a 12-month period. If the scholarship recipient has
13.23 not been accepted and subsequently enrolled in a rated program within ~~ten~~ three months of
13.24 the awarding of the scholarship, the scholarship cancels and the recipient must reapply in
13.25 order to be eligible for another scholarship. An extension may be requested if a program is
13.26 unavailable for the child within the three-month timeline. A child may not be awarded more
13.27 than one scholarship in a 12-month period.

13.28 ~~(e)~~ (f) A child who receives a scholarship who has not completed development screening
13.29 under sections 121A.16 to 121A.19 must complete that screening within 90 days of first
13.30 attending an eligible program or within 90 days after the child's third birthday if awarded
13.31 a scholarship under the age of three.

13.32 ~~(f)~~ (g) For fiscal year 2017 and later, a school district or Head Start program enrolling
13.33 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
13.34 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of

14.1 the application, the commissioner must pay each program directly for each approved
14.2 scholarship recipient enrolled under paragraph (c) according to the metered payment system
14.3 or another schedule established by the commissioner.

14.4 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.5 Sec. 11. Minnesota Statutes 2022, section 124D.165, subdivision 4, is amended to read:

14.6 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept an
14.7 early learning scholarship, a program must:

14.8 ~~(1) participate in the quality rating and improvement system under section 124D.142;~~
14.9 ~~and~~.

14.10 ~~(2) beginning July 1, 2024, have a three- or four-star rating in the quality rating and~~
14.11 ~~improvement system.~~

14.12 (b) Any program accepting scholarships must use the revenue to supplement and not
14.13 supplant federal funding.

14.14 Sec. 12. Minnesota Statutes 2022, section 124D.165, subdivision 6, is amended to read:

14.15 Subd. 6. **Early learning scholarship account.** (a) An account is established in the
14.16 special revenue fund known as the "early learning scholarship account."

14.17 (b) Funds appropriated for early learning scholarships under this section must be
14.18 transferred to the early learning scholarship account in the special revenue fund.

14.19 (c) Money in the account is annually appropriated to the commissioner for early learning
14.20 scholarships under this section. Any returned funds are available to be regrant.

14.21 (d) Up to ~~\$950,000~~ \$2,133,000 annually is appropriated to the commissioner for costs
14.22 associated with administering and monitoring early learning scholarships.

14.23 (e) The commissioner may use funds under paragraph (c) for the purpose of family
14.24 outreach and distribution of scholarships.

14.25 Sec. 13. Minnesota Statutes 2022, section 125A.13, is amended to read:

14.26 **125A.13 SCHOOL OF PARENTS' CHOICE.**

14.27 (a) Nothing in this chapter must be construed as preventing parents of a child with a
14.28 disability from sending the child to a school of their choice, if they so elect, subject to
14.29 admission standards and policies adopted according to sections 125A.62 to 125A.64 and
14.30 125A.66 to 125A.73, and all other provisions of chapters 120A to 129C.

15.1 (b) The parent of a student with a disability not yet enrolled in kindergarten and not open
 15.2 enrolled in a nonresident district may ~~request that the resident district enter into a tuition~~
 15.3 ~~agreement with~~ elect, in the same manner as the parent of a resident student with a disability,
 15.4 a school in the nonresident district if:

15.5 ~~(1) where~~ the child is enrolled in a Head Start program or a licensed child care setting
 15.6 in the nonresident district; ~~and,~~ provided

15.7 ~~(2)~~ the child can be served in the same setting as other children in the nonresident district
 15.8 with the same level of disability.

15.9 Sec. 14. Minnesota Statutes 2022, section 179A.03, subdivision 18, is amended to read:

15.10 Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent
 15.11 or assistant superintendent, principal, assistant principal, or a supervisory or confidential
 15.12 employee, employed by a school district:

15.13 (1) in a position for which the person must be licensed by the Professional Educator
 15.14 Licensing and Standards Board or the commissioner of education; ~~or~~

15.15 (2) in a position as a physical therapist, occupational therapist, art therapist, music
 15.16 therapist, or audiologist; or

15.17 (3) in a position providing instruction to children in a preschool, school readiness, school
 15.18 readiness plus, or prekindergarten program or other school district or charter school-based
 15.19 early education program, except that an employee in a bargaining unit certified before
 15.20 January 1, 2023, may remain in a bargaining unit that does not include teachers unless an
 15.21 exclusive representative files a petition for a unit clarification or to transfer exclusive
 15.22 representative status.

15.23 Sec. 15. **FINANCIAL REVIEW OF NONPROFIT GRANT RECIPIENTS**
 15.24 **REQUIRED.**

15.25 Subdivision 1. **Financial review required.** (a) Before awarding a competitive,
 15.26 legislatively named, single source, or sole source grant to a nonprofit organization under
 15.27 this act, the grantor must require the applicant to submit financial information sufficient for
 15.28 the grantor to document and assess the applicant's current financial standing and management.
 15.29 Items of significant concern must be addressed with the applicant and resolved to the
 15.30 satisfaction of the grantor before a grant is awarded. The grantor must document the material
 15.31 requested and reviewed; whether the applicant had a significant operating deficit, a deficit
 15.32 in unrestricted net assets, or insufficient internal controls; whether and how the applicant

16.1 resolved the grantor's concerns; and the grantor's final decision. This documentation must
16.2 be maintained in the grantor's files.

16.3 (b) At a minimum, the grantor must require each applicant to provide the following
16.4 information:

16.5 (1) the applicant's most recent Form 990, Form 990-EZ, or Form 990-N filed with the
16.6 Internal Revenue Service. If the applicant has not been in existence long enough or is not
16.7 required to file Form 990, Form 990-EZ, or Form 990-N, the applicant must demonstrate
16.8 to the grantor that the applicant is exempt and must instead submit documentation of internal
16.9 controls and the applicant's most recent financial statement prepared in accordance with
16.10 generally accepted accounting principles and approved by the applicant's board of directors
16.11 or trustees, or if there is no such board, by the applicant's managing group;

16.12 (2) evidence of registration and good standing with the secretary of state under Minnesota
16.13 Statutes, chapter 317A, or other applicable law;

16.14 (3) unless exempt under Minnesota Statutes, section 309.515, evidence of registration
16.15 and good standing with the attorney general under Minnesota Statutes, chapter 309; and

16.16 (4) if required under Minnesota Statutes, section 309.53, subdivision 3, the applicant's
16.17 most recent audited financial statement prepared in accordance with generally accepted
16.18 accounting principles.

16.19 Subd. 2. **Authority to postpone or forgo.** Notwithstanding any contrary provision in
16.20 this act, a grantor that identifies an area of significant concern regarding the financial standing
16.21 or management of a legislatively named applicant may postpone or forgo awarding the
16.22 grant.

16.23 Subd. 3. **Authority to award subject to additional assistance and oversight.** A grantor
16.24 that identifies an area of significant concern regarding an applicant's financial standing or
16.25 management may award a grant to the applicant if the grantor provides or the grantee
16.26 otherwise obtains additional technical assistance, as needed, and the grantor imposes
16.27 additional requirements in the grant agreement. Additional requirements may include but
16.28 are not limited to enhanced monitoring, additional reporting, or other reasonable requirements
16.29 imposed by the grantor to protect the interests of the state.

16.30 Subd. 4. **Relation to other law and policy.** The requirements in this section are in
16.31 addition to any other requirements imposed by law, the commissioner of administration
16.32 under Minnesota Statutes, sections 16B.97 to 16B.98, or agency policy.

17.1 **Sec. 16. APPROPRIATIONS GIVEN EFFECT ONCE.**

17.2 If an appropriation or transfer in this article is enacted more than once during the 2023
 17.3 regular session, the appropriation or transfer must be given effect once.

17.4 **Sec. 17. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

17.5 Subdivision 1. **Department of Education.** The sums indicated in this section are
 17.6 appropriated from the general fund to the Department of Education for the fiscal years
 17.7 designated.

17.8 Subd. 2. **Grow Your Own.** (a) For grants to develop, continue, or expand Grow Your
 17.9 Own programs under Minnesota Statutes, section 122A.731:

17.10 \$ 3,000,000 2024

17.11 \$ 3,000,000 2025

17.12 (b) This is a onetime appropriation and is subject to the requirements under Minnesota
 17.13 Statutes, section 122A.731, subdivision 4.

17.14 Subd. 3. **Early childhood teacher shortage.** (a) For grants to Minnesota institutions of
 17.15 higher education to address the early childhood education teacher shortage:

17.16 \$ 490,000 2024

17.17 \$ 490,000 2025

17.18 (b) Grant money may be used to provide tuition and other supports to students.

17.19 (c) Any balance in the first year does not cancel but is available in the second year.

17.20 (d) This is a onetime appropriation.

17.21 Subd. 4. **School readiness.** (a) For revenue for school readiness programs under
 17.22 Minnesota Statutes, sections 124D.15 and 124D.16:

17.23 \$ 33,683,000 2024

17.24 \$ 33,683,000 2025

17.25 (b) The 2024 appropriation includes \$3,368,000 for 2023 and \$30,315,000 for 2024.

17.26 (c) The 2025 appropriation includes \$3,368,000 for 2024 and \$30,315,000 for 2025.

17.27 Subd. 5. **Early learning scholarships.** (a) For the early learning scholarship program
 17.28 under Minnesota Statutes, section 124D.165:

17.29 \$ 203,630,000 2024

17.30 \$ 203,630,000 2025

18.1 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
 18.2 124D.165, subdivision 6.

18.3 (c) The base for fiscal year 2026 is \$111,048,000 and the base for fiscal year 2027 is
 18.4 \$111,048,000.

18.5 Subd. 6. **Head Start program.** (a) For Head Start programs under Minnesota Statutes,
 18.6 section 119A.52:

18.7 \$ 25,100,000 2024

18.8 \$ 25,100,000 2025

18.9 (b) Any balance in the first year does not cancel but is available in the second year.

18.10 Subd. 7. **Head Start infrastructure.** (a) For facilities grants to Head Start agencies for
 18.11 the purposes of improving services, expanding services, and serving additional low-income
 18.12 children:

18.13 \$ 10,000,000 2024

18.14 \$ 0 2025

18.15 (b) Head Start agencies may apply for the grants established under this subdivision in
 18.16 a form and manner prescribed by the commissioner. The commissioner must establish
 18.17 criteria and a process for awarding the grants that consider the number of eligible children
 18.18 in an applicant's service area that are not currently being served and prioritize, to the extent
 18.19 possible, geographic balance and program diversity among grant recipients.

18.20 (c) This is a onetime appropriation and is available until June 30, 2027.

18.21 Subd. 8. **Early childhood family education aid.** (a) For early childhood family education
 18.22 aid under Minnesota Statutes, section 124D.135:

18.23 \$ 37,497,000 2024

18.24 \$ 39,108,000 2025

18.25 (b) The 2024 appropriation includes \$3,518,000 for 2023 and \$33,979,000 for 2024.

18.26 (c) The 2025 appropriation includes \$3,775,000 for 2024 and \$35,333,000 for 2025.

18.27 Subd. 9. **Early childhood family education support staff.** (a) For the purposes described
 18.28 under Minnesota Statutes, section 124D.13, subdivision 12a:

18.29 \$ 500,000 2024

18.30 \$ 500,000 2025

18.31 (b) Any balance in the first year does not cancel but is available in the second year.

19.1 Subd. 10. **Developmental screening aid.** (a) For developmental screening aid under
 19.2 Minnesota Statutes, sections 121A.17 and 121A.19:

19.3 \$ 4,350,000 2024

19.4 \$ 4,375,000 2025

19.5 (b) The 2024 appropriation includes \$349,000 for 2023 and \$4,001,000 for 2024.

19.6 (c) The 2025 appropriation includes \$445,000 for 2024 and \$3,930,000 for 2025.

19.7 Subd. 11. **Administrative costs for developmental screening.** (a) For the administrative
 19.8 costs associated with developmental screening under Minnesota Statutes, sections 121A.17
 19.9 and 121A.19:

19.10 \$ 127,000 2024

19.11 \$ 77,000 2025

19.12 (b) The base in fiscal year 2026 and beyond is \$77,000.

19.13 Subd. 12. **ParentChild+ program.** (a) For a grant to the ParentChild+ program:

19.14 \$ 1,800,000 2024

19.15 \$ 1,800,000 2025

19.16 (b) The grant must be used for an evidence-based and research-validated early childhood
 19.17 literacy and school readiness program for children ages 16 months to four years at its existing
 19.18 suburban program location. The program must include urban and rural program locations
 19.19 for fiscal years 2024 and 2025.

19.20 (c) Any balance in the first year does not cancel but is available in the second year.

19.21 (d) The base for fiscal year 2026 and later is \$900,000.

19.22 Subd. 13. **Kindergarten entry assessment.** (a) For the kindergarten entry assessment
 19.23 under Minnesota Statutes, section 124D.162:

19.24 \$ 1,049,000 2024

19.25 \$ 2,037,000 2025

19.26 (b) The base for fiscal year 2026 is \$2,357,000 and the base for fiscal year 2027 is
 19.27 \$1,743,000.

19.28 Subd. 14. **Quality rating and improvement system.** (a) For transfer to the commissioner
 19.29 of human services for the purposes of expanding the quality rating and improvement system
 19.30 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
 19.31 for providers participating in the quality rating and improvement system:

20.1 \$ 1,750,000 2024
 20.2 \$ 1,750,000 2025

20.3 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
 20.4 child care and development block grant authorized under Public Law 101-508 in that year
 20.5 for the system under Minnesota Statutes, section 124D.142.

20.6 Subd. 15. **Children's savings accounts start-up grants.** (a) For a grant to Youthprise
 20.7 to implement and administer a pilot program to award grants to entities to start up new,
 20.8 local child savings account programs:

20.9 \$ 500,000 2024
 20.10 \$ 0 2025

20.11 (b) Youthprise must allocate at least \$400,000 of this appropriation for grants to entities
 20.12 in up to four locations in the state to start up new, local child savings account programs. To
 20.13 the extent possible, Youthprise must award grants in urban, rural, suburban, and Tribal
 20.14 settings.

20.15 (c) By December 1, 2025, Youthprise must report on the status and any outcomes of the
 20.16 pilot project to the Department of Education and relevant committees of the legislature.

20.17 (d) The appropriation is available through June 30, 2025.

20.18 Subd. 16. **Early childhood programs at Tribal contract schools.** (a) For early childhood
 20.19 family education programs at Tribal contract schools under Minnesota Statutes, section
 20.20 124D.83, subdivision 4:

20.21 \$ 68,000 2024
 20.22 \$ 68,000 2025

20.23 (b) Any balance in the first year does not cancel but is available in the second year.

20.24 Subd. 17. **Educate parents partnership.** (a) For the educate parents partnership under
 20.25 Minnesota Statutes, section 124D.129:

20.26 \$ 49,000 2024
 20.27 \$ 49,000 2025

20.28 (b) Any balance in the first year does not cancel but is available in the second year.

20.29 Subd. 18. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 20.30 124D.135:

20.31 \$ 391,000 2024
 20.32 \$ 309,000 2025

21.1 (b) The 2024 appropriation includes \$41,000 for 2023 and \$350,000 for 2024.

21.2 (c) The 2025 appropriation includes \$38,000 for 2024 and \$271,000 for 2025.

21.3 Subd. 19. **Learning with Music program.** (a) For a grant to the MacPhail Center for
 21.4 Music to expand the Learning with Music program:

21.5 \$ 250,000 2024

21.6 \$ 250,000 2025

21.7 (b) The MacPhail Center for Music must use the grant money received under this
 21.8 subdivision to:

21.9 (1) expand direct programming to four early childhood center locations in each year of
 21.10 the grant, with a focus on meeting the needs of children experiencing economic hardship
 21.11 in the metropolitan area; and

21.12 (2) create and deliver professional development training opportunities to early childhood
 21.13 educators statewide, both online and in person, that are based on current successful elements
 21.14 of the Learning with Music program.

21.15 (c) Any balance in the first year does not cancel but is available in the second year.

21.16 (d) The base for fiscal year 2026 is \$0.

21.17 Subd. 20. **Way to Grow.** (a) For a grant to Way to Grow:

21.18 \$ 150,000 2024

21.19 \$ 150,000 2025

21.20 (b) Way to Grow must use the grant money to extend its home visiting services, including
 21.21 family support services, health and wellness education, and learning support to more families
 21.22 with children from birth to age eight.

21.23 (c) This is a onetime appropriation.

21.24 Subd. 21. **Reach Out and Read Minnesota.** (a) For a grant to Reach Out and Read
 21.25 Minnesota to establish a statewide plan that encourages early childhood development through
 21.26 a network of health care clinics:

21.27 \$ 250,000 2024

21.28 \$ 250,000 2025

21.29 (b) The grant recipient must develop and implement a plan that includes:

21.30 (1) integrating children's books and parent education into well-child visits;

22.1 (2) creating literacy-rich environments at health care clinics by providing books to clinics
 22.2 for visits outside of Reach Out and Read Minnesota parameters, for waiting room use, or
 22.3 for volunteer readers to model read-aloud techniques for parents where possible;

22.4 (3) working with public health clinics, federally qualified health centers, Tribal sites,
 22.5 community health centers, and clinics that belong to health care systems, as well as
 22.6 independent clinics in underserved areas; and

22.7 (4) training medical professionals on discussing the importance of early literacy with
 22.8 parents of infants, toddlers, and preschoolers.

22.9 (c) The grant recipient must fully implement the plan on a statewide basis by 2030.

22.10 Subd. 22. **Executive function across generations curriculum grant.** (a) For a grant
 22.11 to the family partnership for an executive function curriculum pilot program:

22.12 \$ 300,000 2024

22.13 (b) The family partnership must establish six sites across Minnesota to provide executive
 22.14 function across generations curriculum. The sites must be spread across the state and include
 22.15 rural, suburban, and urban early education and care providers, organizations providing home
 22.16 visiting services, or parenting groups in high-risk communities. The family partnership must
 22.17 report to the legislature by December 15, 2024, and December 15, 2025, on the progress
 22.18 made to expand the executive function curriculum across Minnesota.

22.19 (c) This appropriation is available until June 30, 2025.

22.20 Subd. 23. **Metro Deaf School.** (a) For a grant to Metro Deaf School to provide services
 22.21 to young children who have a primary disability of deaf, deafblind, or hard-of-hearing and
 22.22 who are not eligible for funding under Minnesota Statutes, section 124E.11, paragraph (h):

22.23 \$ 100,000 2024

22.24 \$ 100,000 2025

22.25 (b) This is a onetime appropriation.

22.26 Subd. 24. **Voluntary prekindergarten administrative costs.** For administrative and
 22.27 IT costs associated with the voluntary prekindergarten program under Minnesota Statutes,
 22.28 section 124D.151:

23.1 \$ 691,000 2024

23.2 \$ 691,000 2025

23.3 Sec. 18. APPROPRIATION; EARLY CHILDHOOD CURRICULUM GRANTS.

23.4 (a) \$250,000 in fiscal year 2024 and \$250,000 in fiscal year 2025 are appropriated from
23.5 the general fund to the commissioner of the Office of Higher Education for competitive
23.6 grants to Minnesota postsecondary institutions. The grants must be used to improve the
23.7 curricula of the recipient institution's early childhood education programs by incorporating
23.8 or conforming to the Minnesota knowledge and competency frameworks for early childhood
23.9 professionals. This is a onetime appropriation.

23.10 (b) By December 1, 2024, and again by December 1, 2025, the commissioner must
23.11 submit a report to the chairs and ranking minority members of the legislative committees
23.12 with jurisdiction over early childhood through grade 12 education and higher education
23.13 finance and policy reporting on grants awarded under this section. The report must include
23.14 the following information for the previous fiscal year:

23.15 (1) the number of grant applications received;

23.16 (2) the criteria applied by the commissioner for evaluating applications;

23.17 (3) the number of grants awarded, grant recipients, and amounts awarded;

23.18 (4) early childhood education curricular reforms proposed by each recipient institution;

23.19 (5) grant outcomes for each recipient institution;

23.20 (6) an evaluation of the grant program, its successes and challenges, and recommendations
23.21 to the legislature regarding the program; and

23.22 (7) other information identified by the commissioner as outcome indicators.

23.23 (c) The commissioner may use no more than three percent of the appropriation under
23.24 this section to administer the grant program.