

1.1 A bill for an act

1.2 relating to education; providing for prekindergarten through grade 12 education,
1.3 including general education, education excellence, special programs, facilities
1.4 and technology, libraries, nutrition, accounting, early childhood education,
1.5 and state agencies; authorizing rulemaking; appropriating money; amending
1.6 Minnesota Statutes 2008, sections 120A.41; 120B.128; 122A.14, by adding
1.7 a subdivision; 122A.18, subdivisions 1, 2; 122A.23, subdivision 2; 122A.40,
1.8 subdivision 5, by adding a subdivision; 122A.41, subdivisions 2, 4; 123B.75,
1.9 subdivision 5; 123B.77, subdivision 1a; 126C.10, subdivision 2a; 127A.441;
1.10 127A.45, subdivisions 2, 3, 13, by adding a subdivision; Minnesota Statutes
1.11 2009 Supplement, sections 16A.152, subdivision 2; 122A.09, subdivision 4;
1.12 122A.40, subdivisions 6, 8; 122A.41, subdivisions 3, 5; 124D.10, subdivision
1.13 13; Laws 2009, chapter 96, article 1, section 24; article 2, section 67; article 3,
1.14 section 21; article 4, section 12; article 5, section 13; article 6, section 11; article
1.15 7, sections 3, subdivision 2; 5; proposing coding for new law in Minnesota
1.16 Statutes, chapter 127A.

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

1.18 **ARTICLE 1**

1.19 **GENERAL EDUCATION**

1.20 Section 1. Minnesota Statutes 2009 Supplement, section 16A.152, subdivision 2,
1.21 is amended to read:

1.22 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general
1.23 fund revenues and expenditures, the commissioner of management and budget determines
1.24 that there will be a positive unrestricted budgetary general fund balance at the close of
1.25 the biennium, the commissioner of management and budget must allocate money to the
1.26 following accounts and purposes in priority order:

1.27 (1) the cash flow account established in subdivision 1 until that account reaches
1.28 \$350,000,000;

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2.1 (2) the budget reserve account established in subdivision 1a until that account
2.2 reaches \$653,000,000;

2.3 (3) the amount necessary to increase the aid payment schedule for school district
2.4 aids and credits payments in section 127A.45 to not more than 90 percent rounded to the
2.5 nearest tenth of a percent without exceeding the amount available and with any remaining
2.6 funds deposited in the budget reserve;

2.7 (4) the amount necessary to restore all or a portion of the net aid reductions under
2.8 section 127A.441 and to reduce the property tax revenue recognition shift under section
2.9 123B.75, subdivision 5, paragraph (b) (c), ~~and Laws 2003, First Special Session chapter~~
2.10 ~~9, article 5, section 34, as amended by Laws 2003, First Special Session chapter 23,~~
2.11 ~~section 20,~~ by the same amount; and

2.12 (5) to the state airports fund, the amount necessary to restore the amount transferred
2.13 from the state airports fund under Laws 2008, chapter 363, article 11, section 3,
2.14 subdivision 5.

2.15 (b) The amounts necessary to meet the requirements of this section are appropriated
2.16 from the general fund within two weeks after the forecast is released or, in the case of
2.17 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
2.18 schedules otherwise established in statute.

2.19 (c) The commissioner of management and budget shall certify the total dollar
2.20 amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of
2.21 education. The commissioner of education shall increase the aid payment percentage and
2.22 reduce the property tax shift percentage by these amounts and apply those reductions to
2.23 the current fiscal year and thereafter.

2.24 Sec. 2. Minnesota Statutes 2008, section 120A.41, is amended to read:

2.25 **120A.41 LENGTH OF SCHOOL YEAR; ~~DAYS~~ HOURS OF INSTRUCTION.**

2.26 A school board's annual school calendar must include at least ~~the number of days of~~
2.27 ~~student instruction the board formally adopted as its school calendar at the beginning of~~
2.28 ~~the 1996-1997 school year~~ 425 hours of instruction for a kindergarten student without a
2.29 disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of
2.30 instruction for a student in grades 7 through 12, not including summer school.

2.31 Sec. 3. Minnesota Statutes 2008, section 123B.75, subdivision 5, is amended to read:

2.32 Subd. 5. **Levy recognition.** (a) "School district tax settlement revenue" means the
2.33 current, delinquent, and manufactured home property tax receipts collected by the county
2.34 and distributed to the school district.

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3.1 (b) ~~For fiscal year 2004 and later years,~~ In June of ~~each year~~ 2010, the school district
3.2 must recognize as revenue, in the fund for which the levy was made, the lesser of:

3.3 (1) the sum of May, June, and July school district tax settlement revenue received in
3.4 that calendar year, plus general education aid according to section 126C.13, subdivision
3.5 4, received in July and August of that calendar year; or

3.6 (2) the sum of:

3.7 (i) 31 percent of the referendum levy certified according to section 126C.17, in
3.8 calendar year 2000; and

3.9 (ii) the entire amount of the levy certified in the prior calendar year according to
3.10 section 124D.86, subdivision 4, for school districts receiving revenue under sections
3.11 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3,
3.12 paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision
3.13 6.

3.14 (c) For fiscal year 2011 and later years, in June of each year, the school district must
3.15 recognize as revenue, in the fund for which the levy was made, the lesser of:

3.16 (1) the sum of May, June, and July school district tax settlement revenue received in
3.17 that calendar year, plus general education aid according to section 126C.13, subdivision
3.18 4, received in July and August of that calendar year; or

3.19 (2) the sum of:

3.20 (i) the greater of 48.6 percent of the referendum levy certified according to section
3.21 126C.17, in the prior calendar year or 31 percent of the referendum levy certified
3.22 according to section 126C.17, in calendar year 2000; plus

3.23 (ii) the entire amount of the levy certified in the prior calendar year according to
3.24 section 124D.86, subdivision 4, for school districts receiving revenue under sections
3.25 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3,
3.26 paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision
3.27 6; plus

3.28 (iii) 48.6 percent of the amount of the levy certified in the prior calendar year for the
3.29 school district's general and community service funds, plus or minus auditor's adjustments,
3.30 not including the levy portions that are assumed by the state, that remains after subtracting
3.31 the referendum levy certified according to section 126C.17 and the amount recognized
3.32 according to item (ii).

3.33 Sec. 4. Minnesota Statutes 2009 Supplement, section 124D.10, subdivision 13, is
3.34 amended to read:

4.1 Subd. 13. **Length of school year.** A charter school must provide instruction each
4.2 year for at least the number of ~~days~~ hours required by section 120A.41. It may provide
4.3 instruction throughout the year according to sections 124D.12 to 124D.127 or 124D.128.

4.4 Sec. 5. Minnesota Statutes 2008, section 126C.10, subdivision 2a, is amended to read:

4.5 Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is
4.6 equal to the product of \$4,601 and the sum of the adjusted marginal cost pupil units of
4.7 the district for each pupil in average daily membership in excess of 1.0 and less than 1.2
4.8 according to section 126C.05, subdivision 8, if the district has extended time average daily
4.9 membership in the current year.

4.10 (b) A school district's extended time revenue may be used for extended day
4.11 programs, extended week programs, summer school, and other programming authorized
4.12 under the learning year program.

4.13 Sec. 6. **[127A.431] REDUCTION OF AID FOR NOT PROVIDING REQUIRED**
4.14 **HOURS OF INSTRUCTION.**

4.15 The commissioner shall reduce the state aid paid to a school district or charter school
4.16 that does not provide instruction for at least the number of hours required under section
4.17 120A.41. If instruction is not provided for the required number of hours, state aid shall be
4.18 reduced by the difference between the required number of hours and the number of hours
4.19 instruction is provided, divided by the required number of hours, multiplied by 60 percent
4.20 of the basic revenue, as defined in section 126C.10, subdivision 2, of the district or charter
4.21 school for that year. However, a district or charter school not providing the required
4.22 number of hours may appeal to the commissioner for a waiver of the state aid reduction
4.23 if (1) the circumstances causing loss of instructional time below the required minimum
4.24 number of hours are beyond the control of the board, and (2) a good faith attempt is made
4.25 to make up time lost due to these circumstances.

4.26 Sec. 7. Minnesota Statutes 2008, section 127A.441, is amended to read:

4.27 **127A.441 AID REDUCTION; LEVY REVENUE RECOGNITION CHANGE.**

4.28 Each year, the state aids payable to any school district for that fiscal year that are
4.29 recognized as revenue in the school district's general and community service funds shall
4.30 be adjusted by an amount equal to (1) the amount the district recognized as revenue for the
4.31 prior fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b) or (c), minus (2)
4.32 the amount the district recognized as revenue for the current fiscal year pursuant to section
4.33 123B.75, subdivision 5, paragraph (b) or (c). For purposes of making the aid adjustments

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5.1 under this section, the amount the district recognizes as revenue for either the prior fiscal
5.2 year or the current fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b),
5.3 shall not include any amount levied pursuant to section 124D.86, subdivision 4, for school
5.4 districts receiving revenue under sections 124D.86, subdivision 3, clauses (1), (2), and (3);
5.5 126C.41, subdivisions 1, 2, and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2;
5.6 126C.457; and 126C.48, subdivision 6. Payment from the permanent school fund shall not
5.7 be adjusted pursuant to this section. The school district shall be notified of the amount of
5.8 the adjustment made to each payment pursuant to this section.

5.9 Sec. 8. Minnesota Statutes 2008, section 127A.45, subdivision 2, is amended to read:

5.10 Subd. 2. **Definitions.** (a) The term "other district receipts" means payments by
5.11 county treasurers pursuant to section 276.10, apportionments from the school endowment
5.12 fund pursuant to section 127A.33, apportionments by the county auditor pursuant to
5.13 section 127A.34, subdivision 2, and payments to school districts by the commissioner of
5.14 revenue pursuant to chapter 298.

5.15 (b) The term "cumulative amount guaranteed" means the product of

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

5.17 (2) the sum of

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

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

5.21 (iii) the other district receipts.

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

5.29 (d) The current year aid payment percentage equals ~~90~~73.

5.30 Sec. 9. Minnesota Statutes 2008, section 127A.45, subdivision 3, is amended to read:

5.31 Subd. 3. **Payment dates and percentages.** (a) For fiscal year 2004 and later,
5.32 the commissioner shall pay to a district on the dates indicated an amount computed as
5.33 follows: the cumulative amount guaranteed minus the sum of (a) the district's other district
5.34 receipts through the current payment, and (b) the aid and credit payments through the

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6.1 immediately preceding payment. For purposes of this computation, the payment dates and
6.2 the cumulative disbursement percentages are as follows:

6.3	Payment date	Percentage
6.4	Payment 1 July 15:	5.5
6.5	Payment 2 July 30:	8.0
6.6	Payment 3 August 15:	17.5
6.7	Payment 4 August 30:	20.0
6.8	Payment 5 September 15:	22.5
6.9	Payment 6 September 30:	25.0
6.10	Payment 7 October 15:	27.0
6.11	Payment 8 October 30:	30.0
6.12	Payment 9 November 15:	32.5
6.13	Payment 10 November 30:	36.5
6.14	Payment 11 December 15:	42.0
6.15	Payment 12 December 30:	45.0
6.16	Payment 13 January 15:	50.0
6.17	Payment 14 January 30:	54.0
6.18	Payment 15 February 15:	58.0
6.19	Payment 16 February 28:	63.0
6.20	Payment 17 March 15:	68.0
6.21	Payment 18 March 30:	74.0
6.22	Payment 19 April 15:	78.0
6.23	Payment 20 April 30:	85.0
6.24	Payment 21 May 15:	90.0
6.25	Payment 22 May 30:	95.0
6.26	Payment 23 June 20:	100.0

6.27 ~~(b) In addition to the amounts paid under paragraph (a), for fiscal year 2004, the~~
6.28 ~~commissioner shall pay to a district on the dates indicated an amount computed as follows:~~

6.29	Payment 3	August 15: the final adjustment for the prior fiscal year for the state paid
6.30		property tax credits established in section 273.1392
6.31	Payment 4	August 30: one-third of the final adjustment for the prior fiscal year for
6.32		all aid entitlements except state paid property tax credits
6.33	Payment 6	September 30: one-third of the final adjustment for the prior fiscal year
6.34		for all aid entitlements except state paid property tax credits
6.35	Payment 8	October 30: one-third of the final adjustment for the prior fiscal year for
6.36		all aid entitlements except state paid property tax credits

6.37 ~~(c) In addition to the amounts paid under paragraph (a), for fiscal year 2005 and~~
6.38 ~~later, the commissioner shall pay to a district on the dates indicated an amount computed~~
6.39 ~~as follows:~~

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- 7.1 Payment 3 August 15: the final adjustment for the prior fiscal year for the state paid
7.2 property tax credits established in section 273.1392
- 7.3 Payment 4 August 30: 30 percent of the final adjustment for the prior fiscal year for
7.4 all aid entitlements except state paid property tax credits
- 7.5 Payment 6 September 30: 40 percent of the final adjustment for the prior fiscal year
7.6 for all aid entitlements except state paid property tax credits
- 7.7 Payment 8 October 30: 30 percent of the final adjustment for the prior fiscal year
7.8 for all aid entitlements except state paid property tax credits

7.9 Sec. 10. Minnesota Statutes 2008, section 127A.45, is amended by adding a
7.10 subdivision to read:

7.11 Subd. 7b. **Advance final payment.** (a) Notwithstanding subdivisions 3 and 7, a
7.12 school district or a charter school exceeding its expenditure limitations under section
7.13 123B.83 as of June 30 of the prior fiscal year may receive a portion of its final payment
7.14 for the current fiscal year on June 20, if requested by the district or charter school. The
7.15 amount paid under this subdivision must not exceed the lesser of:

7.16 (1) the difference between 90 percent and the current year payment percentage in
7.17 subdivision 2, paragraph (d), in the current fiscal year times the sum of the district or
7.18 charter school's general education aid plus the aid adjustment in section 127A.50 for
7.19 the current fiscal year; or

7.20 (2) the amount by which the district or charter school's net negative unreserved
7.21 general fund balance as of June 30 of the prior fiscal year exceeds 2.5 percent of the
7.22 district or charter school's expenditures for that fiscal year.

7.23 (b) The state total advance final payment under this subdivision for any year must
7.24 not exceed \$7,500,000. If the amount requested exceeds \$7,500,000, the advance final
7.25 payment for each eligible district must be reduced proportionately.

7.26 Sec. 11. Minnesota Statutes 2008, section 127A.45, subdivision 13, is amended to read:

7.27 Subd. 13. **Aid payment percentage.** Except as provided in subdivisions 11, 12, 12a,
7.28 and 14, each fiscal year, all education aids and credits in this chapter and chapters 120A,
7.29 120B, 121A, 122A, 123A, 123B, 124D, 125A, 125B, 126C, 134, and section 273.1392,
7.30 shall be paid at the current year aid payment percentage of the estimated entitlement during
7.31 the fiscal year of the entitlement. ~~For the purposes of this subdivision, a district's estimated~~
7.32 ~~entitlement for special education excess cost aid under section 125A.79 for fiscal year~~
7.33 ~~2005 equals 70 percent of the district's entitlement for the second prior fiscal year.~~ For the
7.34 purposes of this subdivision, a district's estimated entitlement for special education excess
7.35 cost aid under section 125A.79 for fiscal year 2006 and later equals 74.0 percent of the
7.36 district's entitlement for the current fiscal year. The final adjustment payment, according

8.1 to subdivision 9, must be the amount of the actual entitlement, after adjustment for actual
8.2 data, minus the payments made during the fiscal year of the entitlement.

8.3 Sec. 12. Laws 2009, chapter 96, article 1, section 24, is amended to read:

8.4 Sec. 24. **APPROPRIATIONS; STATE.**

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

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

8.10 ~~5,195,504,000~~
8.11 \$ 4,307,758,000 2010
8.12 ~~5,626,994,000~~
8.13 \$ 4,927,600,000 2011

8.14 The 2010 appropriation includes ~~\$555,864,000~~ \$554,696,000 for 2009 and
8.15 ~~\$4,639,640,000~~ \$3,753,062,000 for 2010.

8.16 The 2011 appropriation includes ~~\$500,976,000~~ \$1,366,775,000 for 2010 and
8.17 ~~\$5,126,018,000~~ \$3,560,825,000 for 2011.

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

8.21 \$ ~~48,000~~ 36,000 2010
8.22 \$ ~~52,000~~ 38,000 2011

8.23 Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section
8.24 127A.49:

8.25 ~~1,175,000~~
8.26 \$ 1,000,000 2010
8.27 ~~1,034,000~~
8.28 \$ 1,141,000 2011

8.29 The 2010 appropriation includes \$140,000 for 2009 and ~~\$1,035,000~~ \$860,000 for
8.30 2010.

8.31 The 2011 appropriation includes ~~\$115,000~~ \$317,000 for 2010 and ~~\$919,000~~
8.32 \$824,000 for 2011.

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

8.35 \$ ~~854,000~~ 679,000 2010
8.36 \$ ~~927,000~~ 916,000 2011

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9.1 The 2010 appropriation includes \$0 for 2009 and ~~\$854,000~~ \$679,000 for 2010.

9.2 The 2011 appropriation includes ~~\$94,000~~ \$250,000 for 2010 and ~~\$833,000~~ \$666,000
9.3 for 2011.

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

9.6 ~~17,250,000~~
9.7 \$ 14,303,000 2010
9.8 ~~17,889,000~~
9.9 \$ 17,785,000 2011

9.10 The 2010 appropriation includes \$1,647,000 for 2009 and ~~\$15,603,000~~ \$12,656,000
9.11 for 2010.

9.12 The 2011 appropriation includes ~~\$1,733,000~~ \$4,680,000 for 2010 and ~~\$16,156,000~~
9.13 \$13,105,000 for 2011.

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

9.16 ~~22,159,000~~
9.17 \$ 18,454,000 2010
9.18 ~~22,712,000~~
9.19 \$ 22,553,000 2011

9.20 The 2010 appropriation includes \$2,077,000 for 2009 and ~~\$20,082,000~~ \$16,377,000
9.21 for 2010.

9.22 The 2011 appropriation includes ~~\$2,231,000~~ \$6,056,000 for 2010 and ~~\$20,481,000~~
9.23 \$16,497,000 for 2011.

9.24 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No.
9.25 690, Warroad, to operate the Angle Inlet School:

9.26 \$ 65,000 2010
9.27 \$ 65,000 2011

9.28 Subd. 9. **Independent School District No. 239, Rushford-Peterson.** For school
9.29 district flood enrollment impact aid as a result of the floods of August 2007:

9.30 \$ 158,000 2010

9.31 The base appropriation for later fiscal years is \$0.

9.32 Subd. 10. **Lancaster.** For a grant to Independent School District No. 356, Lancaster,
9.33 to replace the loss of sparsity revenue:

9.34 \$ 100,000 2010
9.35 \$ 100,000 2011

9.36 The base appropriation for later fiscal years is \$0.

10.1 Subd. 11. **Compensatory revenue pilot project.** For grants for participation in the
10.2 compensatory revenue pilot program under Laws 2005, First Special Session chapter 5,
10.3 article 1, section 50:

10.4 \$ 2,175,000 2010
10.5 \$ 2,175,000 2011

10.6 Of this amount, \$1,500,000 in each year is for a grant to Independent School District
10.7 No. 11, Anoka-Hennepin; \$210,000 in each year is for a grant to Independent School
10.8 District No. 279, Osseo; \$160,000 in each year is for a grant to Independent School
10.9 District No. 281, Robbinsdale; \$75,000 in each year is for a grant to Independent School
10.10 District No. 286, Brooklyn Center; \$165,000 in each year is for a grant to Independent
10.11 School District No. 535, Rochester; and \$65,000 in each year is for a grant to Independent
10.12 School District No. 833, South Washington.

10.13 If a grant to a specific school district is not awarded, the commissioner may increase
10.14 the aid amounts to any of the remaining participating school districts.

10.15 This appropriation is part of the base budget for subsequent fiscal years.

10.16 **ARTICLE 2**

10.17 **EDUCATION EXCELLENCE**

10.18 Section 1. Minnesota Statutes 2008, section 120B.128, is amended to read:

10.19 **120B.128 EDUCATIONAL PLANNING AND ASSESSMENT SYSTEM**
10.20 **(EPAS) PROGRAM.**

10.21 (a) School districts and charter schools may elect to participate in the Educational
10.22 Planning and Assessment System (EPAS) program offered by ACT, Inc. to provide a
10.23 longitudinal, systematic approach to student educational and career planning, assessment,
10.24 instructional support, and evaluation. The EPAS achievement tests include English,
10.25 reading, mathematics, science, and components on planning for high school and
10.26 postsecondary education, interest inventory, needs assessments, and student education
10.27 plans. These tests are linked to the ACT assessment for college admission and allow
10.28 students, parents, teachers, and schools to determine the student's college readiness before
10.29 grades 11 and 12.

10.30 (b) The commissioner of education shall provide ACT Explore tests for students
10.31 in grade 8 and the ACT Plan test for students in grade 10 to assess individual student
10.32 academic strengths and weaknesses, academic achievement and progress, higher order
10.33 thinking skills, and college readiness. The state shall pay the test costs for school districts
10.34 and charter schools that choose to participate in the EPAS program. Any unexpended

11.1 funds may be used to cover the cost of appropriate data collection and analysis by the
11.2 state. The commissioner shall establish an application procedure and a process for state
11.3 payment of costs.

11.4 Sec. 2. Minnesota Statutes 2009 Supplement, section 122A.09, subdivision 4, is
11.5 amended to read:

11.6 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
11.7 teachers and interns subject to chapter 14.

11.8 (b) The board must adopt rules requiring a person to ~~successfully complete~~ pass a
11.9 skills examination in reading, writing, and mathematics as a requirement for ~~initial teacher~~
11.10 ~~licensure~~ entrance into a board-approved teacher preparation program. Such rules must
11.11 require college and universities offering a board-approved teacher preparation program to
11.12 provide remedial assistance to persons who did not achieve a qualifying score on the skills
11.13 examination, including those for whom English is a second language.

11.14 (c) The board must adopt rules to approve teacher preparation programs. The board,
11.15 upon the request of a postsecondary student preparing for teacher licensure or a licensed
11.16 graduate of a teacher preparation program, shall assist in resolving a dispute between the
11.17 person and a postsecondary institution providing a teacher preparation program when the
11.18 dispute involves an institution's recommendation for licensure affecting the person or the
11.19 person's credentials. At the board's discretion, assistance may include the application
11.20 of chapter 14.

11.21 (d) The board must provide the leadership and shall adopt rules for the redesign of
11.22 teacher education programs to implement a research based, results-oriented curriculum
11.23 that focuses on the skills teachers need in order to be effective. The board shall implement
11.24 new systems of teacher preparation program evaluation to assure program effectiveness
11.25 based on proficiency of graduates in demonstrating attainment of program outcomes.

11.26 (e) The board must adopt rules requiring candidates for initial licenses to
11.27 ~~successfully complete~~ pass an examination of general pedagogical knowledge and
11.28 examinations of licensure-specific teaching skills. The rules shall be effective by
11.29 September 1, 2001. The rules under this paragraph also must require candidates for
11.30 initial licenses to teach prekindergarten or elementary students to successfully complete,
11.31 as part of the examination of licensure-specific teaching skills, test items assessing the
11.32 candidates' knowledge, skill, and ability in comprehensive, scientifically based reading
11.33 instruction under section 122A.06, subdivision 4, and their knowledge and understanding
11.34 of the foundations of reading development, the development of reading comprehension,
11.35 and reading assessment and instruction, and their ability to integrate that knowledge

12.1 and understanding. The rules under this paragraph also must require general education
12.2 candidates for initial licenses to teach prekindergarten or elementary students to pass,
12.3 as part of the examination of licensure-specific teaching skills, test items assessing the
12.4 candidates' knowledge, skill, and ability in mathematics.

12.5 (f) The board must adopt rules requiring teacher educators to work directly with
12.6 elementary or secondary school teachers in elementary or secondary schools to obtain
12.7 periodic exposure to the elementary or secondary teaching environment.

12.8 (g) The board must grant licenses to interns and to candidates for initial licenses.

12.9 (h) The board must design and implement an assessment system which requires a
12.10 candidate for an initial license and first continuing license to demonstrate the abilities
12.11 necessary to perform selected, representative teaching tasks at appropriate levels.

12.12 (i) The board must receive recommendations from local committees as established
12.13 by the board for the renewal of teaching licenses.

12.14 (j) The board must grant life licenses to those who qualify according to requirements
12.15 established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and
12.16 214.10. The board must not establish any expiration date for application for life licenses.

12.17 (k) The board must adopt rules that require all licensed teachers who are renewing
12.18 their continuing license to include in their renewal requirements further preparation in
12.19 the areas of using positive behavior interventions and in accommodating, modifying, and
12.20 adapting curricula, materials, and strategies to appropriately meet the needs of individual
12.21 students and ensure adequate progress toward the state's graduation rule.

12.22 (l) In adopting rules to license public school teachers who provide health-related
12.23 services for disabled children, the board shall adopt rules consistent with license or
12.24 registration requirements of the commissioner of health and the health-related boards who
12.25 license personnel who perform similar services outside of the school.

12.26 (m) The board must adopt rules that require all licensed teachers who are renewing
12.27 their continuing license to include in their renewal requirements further reading
12.28 preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect
12.29 until they are approved by law. Teachers who do not provide direct instruction including, at
12.30 least, counselors, school psychologists, school nurses, school social workers, audiovisual
12.31 directors and coordinators, and recreation personnel are exempt from this section.

12.32 (n) The board must adopt rules that require all licensed teachers who are renewing
12.33 their continuing license to include in their renewal requirements further preparation
12.34 in understanding the key warning signs of early-onset mental illness in children and
12.35 adolescents.

13.1 Sec. 3. Minnesota Statutes 2008, section 122A.14, is amended by adding a subdivision
13.2 to read:

13.3 Subd. 10. **Rules incorporating national standards.** The Board of School
13.4 Administrators must engage in rulemaking to incorporate national standards into the
13.5 licensing standards for principals. The rules must address national standards for effective
13.6 school leadership.

13.7 Sec. 4. Minnesota Statutes 2008, section 122A.18, subdivision 1, is amended to read:

13.8 Subdivision 1. **Authority to license.** (a) The Board of Teaching must license
13.9 teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel,
13.10 as defined in section 122A.15, subdivision 2.

13.11 (b) The Board of School Administrators must license supervisory personnel as
13.12 defined in section 122A.15, subdivision 2, except for athletic coaches.

13.13 (c) Licenses under the jurisdiction of the Board of Teaching, the Board of School
13.14 Administrators, and the commissioner of education must be issued through the licensing
13.15 section of the department.

13.16 (d) The Board of Teaching and the Department of Education must enter into a data
13.17 sharing agreement to share educational data at the E-12 level for the limited purpose
13.18 of program approval and improvement for teacher education programs. The program
13.19 approval process must include targeted redesign of teacher preparation programs to
13.20 address identified E-12 student areas of concern. The Board of Teaching must ensure
13.21 that this information remains confidential and shall only be used for this purpose. Any
13.22 unauthorized disclosure shall be subject to a penalty.

13.23 (e) The Board of School Administrators and the Department of Education must enter
13.24 into a data sharing agreement to share educational data at the E-12 level for the limited
13.25 purpose of program approval and improvement for education administration programs.
13.26 The program approval process must include targeted redesign of education administration
13.27 preparation programs to address identified E-12 student areas of concern. The Board of
13.28 School Administrators must ensure that this information remains confidential and shall
13.29 only be used for this purpose. Any unauthorized disclosure shall be subject to a penalty.

13.30 Sec. 5. Minnesota Statutes 2008, section 122A.18, subdivision 2, is amended to read:

13.31 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
13.32 Teaching must issue licenses under its jurisdiction to persons the board finds to be
13.33 qualified and competent for their respective positions.

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14.1 (b) The board must require a person to ~~successfully complete~~ pass an examination of
14.2 skills in reading, writing, and mathematics before being granted an initial teaching license
14.3 to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special
14.4 education programs. The board must require colleges and universities offering a board
14.5 approved teacher preparation program to provide remedial assistance that includes a
14.6 formal diagnostic component to persons enrolled in their institution who did not achieve a
14.7 qualifying score on the skills examination, including those for whom English is a second
14.8 language. The colleges and universities must provide assistance in the specific academic
14.9 areas of deficiency in which the person did not achieve a qualifying score. School
14.10 districts must provide similar, appropriate, and timely remedial assistance that includes a
14.11 formal diagnostic component and mentoring to those persons employed by the district
14.12 who completed their teacher education program outside the state of Minnesota, received
14.13 a one-year license to teach in Minnesota and did not achieve a qualifying score on the
14.14 skills examination, including those persons for whom English is a second language. The
14.15 Board of Teaching shall report annually to the education committees of the legislature
14.16 on the total number of teacher candidates during the most recent school year taking the
14.17 skills examination, the number who achieve a qualifying score on the examination, the
14.18 number who do not achieve a qualifying score on the examination, the distribution of all
14.19 candidates' scores, the number of candidates who have taken the examination at least once
14.20 before, and the number of candidates who have taken the examination at least once before
14.21 and achieve a qualifying score.

14.22 ~~(c) A person who has completed an approved teacher preparation program and~~
14.23 ~~obtained a one-year license to teach, but has not successfully completed the skills~~
14.24 ~~examination, may renew the one-year license for two additional one-year periods. Each~~
14.25 ~~renewal of the one-year license is contingent upon the licensee:~~

14.26 ~~(1) providing evidence of participating in an approved remedial assistance program~~
14.27 ~~provided by a school district or postsecondary institution that includes a formal diagnostic~~
14.28 ~~component in the specific areas in which the licensee did not obtain qualifying scores; and~~

14.29 ~~(2) attempting to successfully complete the skills examination during the period~~
14.30 ~~of each one-year license.~~

14.31 ~~(d)~~ (c) The Board of Teaching must grant continuing licenses only to those persons
14.32 who have met board criteria for granting a continuing license, which includes ~~successfully~~
14.33 ~~completing~~ passing the skills examination in reading, writing, and mathematics.

14.34 ~~(e)~~ (d) All colleges and universities approved by the board of teaching to prepare
14.35 persons for teacher licensure must include in their teacher preparation programs a common
14.36 core of teaching knowledge and skills to be acquired by all persons recommended

15.1 for teacher licensure. This common core shall meet the standards developed by the
15.2 interstate new teacher assessment and support consortium in its 1992 "model standards for
15.3 beginning teacher licensing and development." Amendments to standards adopted under
15.4 this paragraph are covered by chapter 14. The board of teaching shall report annually to
15.5 the education committees of the legislature on the performance of teacher candidates
15.6 on common core assessments of knowledge and skills under this paragraph during the
15.7 most recent school year.

15.8 (e) All colleges and universities approved by the Board of Teaching to prepare
15.9 persons for teacher licensure must require online pedagogy and at least one online course
15.10 to be completed by all persons recommended for teacher licensure.

15.11 (f) The Board of Teaching must ensure the K-12 teacher licensing standards maintain
15.12 a high level of alignment with the K-12 student standards. The Board of Teaching must
15.13 adopt a review cycle that mirrors the K-12 student standards review cycle set by the
15.14 Department of Education. The teacher standards must be reviewed and aligned with the
15.15 K-12 student standards within one year of the final review and adoption of the K-12
15.16 student standards.

15.17 Sec. 6. Minnesota Statutes 2008, section 122A.23, subdivision 2, is amended to read:

15.18 Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements
15.19 of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue
15.20 a teaching license or a temporary teaching license under paragraphs (b) to (e) to an
15.21 applicant who holds at least a baccalaureate degree from a regionally accredited college
15.22 or university and holds or held a similar out-of-state teaching license that requires the
15.23 applicant to successfully complete a teacher preparation program approved by the issuing
15.24 state, which includes field-specific teaching methods and student teaching or essentially
15.25 equivalent experience.

15.26 (b) The Board of Teaching must issue a teaching license to an applicant who:

15.27 (1) ~~successfully completed~~ passed all exams and successfully completed human
15.28 relations preparation components required by the Board of Teaching; and

15.29 (2) holds or held an out-of-state teaching license to teach the same content field and
15.30 grade levels if the scope of the out-of-state license is no more than one grade level less
15.31 than a similar Minnesota license.

15.32 (c) The Board of Teaching, consistent with board rules, must issue up to three
15.33 one-year temporary teaching licenses to an applicant who holds or held an out-of-state
15.34 teaching license to teach the same content field and grade levels, where the scope of the
15.35 out-of-state license is no more than one grade level less than a similar Minnesota license,

16.1 but has not ~~successfully completed~~ passed all exams and successfully completed human
16.2 relations preparation components required by the Board of Teaching.

16.3 (d) The Board of Teaching, consistent with board rules, must issue up to three
16.4 one-year temporary teaching licenses to an applicant who:

16.5 (1) ~~successfully completed~~ passed all exams and successfully completed human
16.6 relations preparation components required by the Board of Teaching; and

16.7 (2) holds or held an out-of-state teaching license to teach the same content field
16.8 and grade levels, where the scope of the out-of-state license is no more than one grade
16.9 level less than a similar Minnesota license, but has not completed field-specific teaching
16.10 methods or student teaching or equivalent experience.

16.11 The applicant may complete field-specific teaching methods and student teaching
16.12 or equivalent experience by successfully participating in a one-year school district
16.13 mentorship program consistent with board-adopted standards of effective practice and
16.14 Minnesota graduation requirements.

16.15 (e) The Board of Teaching must issue a temporary teaching license for a term of
16.16 up to three years only in the content field or grade levels specified in the out-of-state
16.17 license to an applicant who:

16.18 (1) ~~successfully completed~~ passed all exams and successfully completed human
16.19 relations preparation components required by the Board of Teaching; and

16.20 (2) holds or held an out-of-state teaching license where the out-of-state license is
16.21 more limited in the content field or grade levels than a similar Minnesota license.

16.22 (f) The Board of Teaching must not issue to an applicant more than three one-year
16.23 temporary teaching licenses under this subdivision.

16.24 (g) The Board of Teaching must not issue a license under this subdivision if the
16.25 applicant has not attained the additional degrees, credentials, or licenses required in a
16.26 particular licensure field.

16.27 Sec. 7. Minnesota Statutes 2008, section 122A.40, subdivision 5, is amended to read:

16.28 Subd. 5. **Probationary period.** (a) The first three consecutive years of a teacher's
16.29 first teaching experience in Minnesota in a single district is deemed to be a probationary
16.30 period of employment, and after completion thereof, the probationary period in each
16.31 district in which the teacher is thereafter employed shall be one year. The school board
16.32 must adopt a plan for written evaluation of teachers during the probationary period. The
16.33 written evaluation must be conducted by a licensed administrator and must include: (1)
16.34 individual teacher evaluations aligned with the educational improvement plan under
16.35 section 122A.413 and the staff development plan under section 122A.60; and (2) objective

17.1 evaluations using multiple criteria conducted by a locally selected and periodically trained
17.2 evaluation team that understands teaching and learning. Evaluation must occur at least
17.3 three times each year for a teacher performing services on 120 or more school days, at
17.4 least two times each year for a teacher performing services on 60 to 119 school days, and
17.5 at least one time each year for a teacher performing services on fewer than 60 school
17.6 days. Days devoted to parent-teacher conferences, teachers' workshops, and other staff
17.7 development opportunities and days on which a teacher is absent from school must not
17.8 be included in determining the number of school days on which a teacher performs
17.9 services. Except as otherwise provided in paragraph (b), during the probationary period
17.10 any annual contract with any teacher may or may not be renewed as the school board
17.11 shall see fit. However, the board must give any such teacher whose contract it declines
17.12 to renew for the following school year written notice to that effect before July 1. If the
17.13 teacher requests reasons for any nonrenewal of a teaching contract, the board must give
17.14 the teacher its reason in writing, including a statement that appropriate supervision was
17.15 furnished describing the nature and the extent of such supervision furnished the teacher
17.16 during the employment by the board, within ten days after receiving such request. The
17.17 school board may, after a hearing held upon due notice, discharge a teacher during the
17.18 probationary period for cause, effective immediately, under section 122A.44.

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

17.22 (c) A probationary teacher whose first three years of consecutive employment are
17.23 interrupted for active military service and who promptly resumes teaching consistent with
17.24 federal reemployment timelines for uniformed service personnel under United States
17.25 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
17.26 for purposes of paragraph (a).

17.27 (d) A probationary teacher must complete at least 60 days of teaching service each
17.28 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
17.29 workshops, and other staff development opportunities and days on which a teacher is
17.30 absent from school do not count as days of teaching service under this paragraph.

17.31 Sec. 8. Minnesota Statutes 2009 Supplement, section 122A.40, subdivision 6, is
17.32 amended to read:

17.33 Subd. 6. **Mentoring for probationary teachers.** (a) A school board and an
17.34 exclusive representative of the teachers in the district must develop a probationary
17.35 teacher peer review process through joint agreement. The process ~~may~~ shall include

18.1 having trained observers serve as mentors or coaches or having teachers participate in
18.2 professional learning communities.

18.3 (b) Districts shall provide support to teachers throughout their probationary period
18.4 to ensure new teachers are successfully meeting tenure requirements. The support to
18.5 new teachers shall include:

18.6 (1) professional learning driven by standards of professional practice to improve
18.7 teaching and reflection on practice, including an orientation process introducing the new
18.8 teacher to the district, school, and teaching assignment;

18.9 (2) seminars to promote professional growth and differentiated based on teacher
18.10 and student needs;

18.11 (3) trained mentors provided with opportunities to meet with the new teacher
18.12 for coaching, collaboration, and reflection on practice; to assist in implementation of
18.13 professional growth plans; and to conduct formative assessments and observations to
18.14 measure new teachers' development and to be utilized in improvement of teaching; and

18.15 (4) development of new teachers' professional growth plan based on teaching
18.16 practice, student learning, and teacher evaluations conducted at least three times per year
18.17 pursuant to the objective evaluation program described in subdivision 5, paragraph (a).

18.18 Sec. 9. Minnesota Statutes 2008, section 122A.40, is amended by adding a subdivision
18.19 to read:

18.20 Subd. 7b. **Teacher tenure renewal system.** (a) The teacher tenure renewal system
18.21 is established:

18.22 (1) to require teacher employment and renewal of that employment at least every
18.23 five years based on the academic achievement growth of students;

18.24 (2) to support teachers' professional growth and responsibility in improving the
18.25 academic achievement growth of students; and

18.26 (3) to encourage teachers to undertake challenging assignments.

18.27 (b) After completion of the initial three-year probationary period, without discharge,
18.28 a teacher who is reemployed shall continue in service and hold that position during good
18.29 behavior and efficient and competent service for periods of five years. The terms and
18.30 conditions of a teacher's employment contract, including salary and salary increases,
18.31 must be based either on the length of the school year or an extended school calendar
18.32 under section 120A.415.

18.33 (c) At the end of every five years of a teacher's service, the school district must either
18.34 renew or terminate a teacher's service to the district. The district's tenure determination
18.35 must be based on the following factors:

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19.1 (1) a portfolio of the teacher's five-year professional growth plan based on teaching
19.2 practice, student learning, and successful teacher evaluations conducted at least three
19.3 times per year pursuant to an objective evaluation program that must include:

19.4 (i) individual teacher evaluations aligned with the educational improvement plan
19.5 under section 122A.413 and the staff development plan under section 122A.60; and

19.6 (ii) objective evaluations using multiple criteria conducted by a locally selected and
19.7 periodically trained evaluation team that understands teaching and learning;

19.8 (2) schoolwide student achievement gains under section 120B.35; and

19.9 (3) locally selected standardized academic assessment student outcomes.

19.10 (d) The school board shall give each teacher notice of renewal or termination of
19.11 employment in writing before July 1 of the end of the five-year period.

19.12 Sec. 10. Minnesota Statutes 2009 Supplement, section 122A.40, subdivision 8, is
19.13 amended to read:

19.14 Subd. 8. **Peer coaching for continuing contract teachers.** (a) A school board and
19.15 an exclusive representative of the teachers in the district shall develop a peer review
19.16 process for continuing contract teachers through joint agreement. The process may
19.17 include having trained observers serve as peer coaches or having teachers participate in
19.18 professional learning communities.

19.19 (b) Districts shall provide support to teachers to ensure teachers' professional growth
19.20 through:

19.21 (1) professional learning driven by standards of professional practice to improve
19.22 teaching and reflection on practice;

19.23 (2) seminars to promote professional growth and differentiated based on teacher and
19.24 student needs; and

19.25 (3) a five-year professional growth plan focused on teachers' growth linked to
19.26 teaching practice, student learning, and successful teacher evaluations as defined under
19.27 section 122A.40, subdivision 7b, paragraph (c), clause (1), conducted at least three times
19.28 per year.

19.29 Sec. 11. Minnesota Statutes 2008, section 122A.41, subdivision 2, is amended to read:

19.30 Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in
19.31 the public schools in cities of the first class during the first three years of consecutive
19.32 employment shall be deemed to be in a probationary period of employment during which
19.33 period any annual contract with any teacher may, or may not, be renewed as the school
19.34 board, after consulting with the peer review committee charged with evaluating the

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20.1 probationary teachers under subdivision 3, shall see fit. The school site management team
20.2 or the school board if there is no school site management team, shall adopt a plan for a
20.3 written evaluation of teachers during the probationary period according to subdivision 3.

20.4 The written evaluation must be conducted by a licensed administrator and must include:

20.5 (1) individual teacher evaluations aligned with the educational improvement plan
20.6 under section 122A.413 and the staff development plan under section 122A.60; and

20.7 (2) objective evaluations using multiple criteria conducted by a locally selected and
20.8 periodically trained evaluation team that understands teaching and learning.

20.9 Evaluation by the peer review committee charged with evaluating probationary
20.10 teachers under subdivision 3 shall occur at least three times each year for a teacher
20.11 performing services on 120 or more school days, at least two times each year for a teacher
20.12 performing services on 60 to 119 school days, and at least one time each year for a
20.13 teacher performing services on fewer than 60 school days. Days devoted to parent-teacher
20.14 conferences, teachers' workshops, and other staff development opportunities and days on
20.15 which a teacher is absent from school shall not be included in determining the number of
20.16 school days on which a teacher performs services. The school board may, during such
20.17 probationary period, discharge or demote a teacher for any of the causes as specified in
20.18 this code. A written statement of the cause of such discharge or demotion shall be given to
20.19 the teacher by the school board at least 30 days before such removal or demotion shall
20.20 become effective, and the teacher so notified shall have no right of appeal therefrom.

20.21 (b) A probationary teacher whose first three years of consecutive employment are
20.22 interrupted for active military service and who promptly resumes teaching consistent with
20.23 federal reemployment timelines for uniformed service personnel under United States
20.24 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
20.25 for purposes of paragraph (a).

20.26 (c) A probationary teacher must complete at least 60 days of teaching service each
20.27 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
20.28 workshops, and other staff development opportunities and days on which a teacher is
20.29 absent from school do not count as days of teaching service under this paragraph.

20.30 Sec. 12. Minnesota Statutes 2009 Supplement, section 122A.41, subdivision 3, is
20.31 amended to read:

20.32 Subd. 3. **Mentoring for probationary teachers.** (a) A board and an exclusive
20.33 representative of the teachers in the district must develop a probationary teacher peer
20.34 review process through joint agreement. The process may include having trained

21.1 observers serve as mentors or coaches or having teachers participate in professional
21.2 learning communities.

21.3 (b) Districts shall provide support to teachers throughout their probationary period
21.4 to ensure new teachers are successfully meeting tenure requirements. The support to
21.5 new teachers shall include:

21.6 (1) professional learning driven by standards of professional practice to improve
21.7 teaching and reflection on practice, including an orientation process introducing the new
21.8 teacher to the district, school, and teaching assignment;

21.9 (2) seminars to promote professional growth and differentiated based on teacher
21.10 and student needs;

21.11 (3) trained mentors provided with opportunities to meet with the new teacher
21.12 for coaching, collaboration, and reflection on practice; to assist in implementation of
21.13 professional growth plans; and to conduct formative assessments and observations to
21.14 measure new teachers' development and to be utilized in improvement of teaching; and

21.15 (4) development of the new teacher's professional growth plan based on teaching
21.16 practice, student learning, and teacher evaluations conducted at least three times per year
21.17 pursuant to the objective evaluation program described in subdivision 2, paragraph (a).

21.18 Sec. 13. Minnesota Statutes 2008, section 122A.41, subdivision 4, is amended to read:

21.19 Subd. 4. ~~Period of service after probationary period; discharge or demotion~~
21.20 **Teacher tenure renewal system.** (a) The teacher tenure renewal system is established:

21.21 (1) to require teacher employment and renewal of that employment at least every
21.22 five years based on the academic achievement growth of students;

21.23 (2) to support teachers' professional growth and responsibility in improving the
21.24 academic achievement growth of students; and

21.25 (3) to encourage teachers to undertake challenging assignments.

21.26 (b) After the completion of such the initial three-year probationary period, without
21.27 discharge, such teachers as are thereupon a teacher who is reemployed shall continue in
21.28 service and hold their respective that position during good behavior and efficient and
21.29 competent service and must not be discharged or demoted except for cause after a hearing
21.30 for periods of five years. The terms and conditions of a teacher's employment contract,
21.31 including salary and salary increases, must be based either on the length of the school year
21.32 or an extended school calendar under section 120A.415.

21.33 ~~(b) A probationary teacher is deemed to have been reemployed for the ensuing~~
21.34 ~~school year, unless the school board in charge of such school gave such teacher notice in~~
21.35 ~~writing before July 1 of the termination of such employment.~~

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22.1 ~~(c) A teacher electing to have an employment contract based on the extended school~~
22.2 ~~calendar under section 120A.415 must participate in staff development training under~~
22.3 ~~subdivision 4a and shall receive an increased base salary.~~

22.4 (c) At the end of every five years of a teacher's service, the school district must either
22.5 renew or terminate a teacher's service to the district. The district's tenure determination
22.6 must be based on the following factors:

22.7 (1) a portfolio of the teacher's five-year professional growth plan based on teaching
22.8 practice, student learning, and successful teacher evaluations conducted at least three
22.9 times per year pursuant to an objective evaluation program that must include:

22.10 (i) individual teacher evaluations aligned with the educational improvement plan
22.11 under section 122A.413 and the staff development plan under section 122A.60; and

22.12 (ii) objective evaluations using multiple criteria conducted by a locally selected and
22.13 periodically trained evaluation team that understands teaching and learning;

22.14 (2) schoolwide student achievement gains under section 120B.35; and

22.15 (3) locally selected standardized academic assessment student outcomes.

22.16 Sec. 14. Minnesota Statutes 2009 Supplement, section 122A.41, subdivision 5, is
22.17 amended to read:

22.18 Subd. 5. **Peer coaching for continuing contract teachers.** (a) A school board
22.19 and an exclusive representative of the teachers in the district must develop a peer
22.20 review process for nonprobationary teachers through joint agreement. The process may
22.21 include having trained observers serve as peer coaches or having teachers participate in
22.22 professional learning communities.

22.23 (b) Districts shall provide support to teachers to ensure teachers' professional growth
22.24 through:

22.25 (1) professional learning driven by standards of professional practice to improve
22.26 teaching and reflection on practice;

22.27 (2) seminars to promote professional growth and differentiated based on teacher and
22.28 student needs; and

22.29 (3) a five-year professional growth plan focused on teacher's growth linked to
22.30 teaching practice and student learning and successful teacher evaluations conducted at
22.31 least three times per year as defined under section 122A.41, subdivision 4, paragraph
22.32 (c), clause (1).

22.33 Sec. 15. Minnesota Statutes 2008, section 123B.77, subdivision 1a, is amended to read:

23.1 Subd. 1a. **School district consolidated financial statement.** (a) The commissioner,
23.2 in consultation with the advisory committee on financial management, accounting, and
23.3 reporting, shall develop and maintain a school district consolidated financial statement
23.4 format that converts uniform financial accounting and reporting standards data under
23.5 subdivision 1 into a more understandable format.

23.6 (b) In addition to the information required under paragraph (a), the consolidated
23.7 financial statement must also report information regarding the teacher collective bargaining
23.8 agreement, including settlement date, salary and fringe benefit costs for the current
23.9 biennium and the next biennium, and duty days for teacher work year. Each school district
23.10 must report data to the department as required by the department to complete this report.

23.11 Sec. 16. Laws 2009, chapter 96, article 2, section 67, is amended to read:

23.12 Sec. 67. **APPROPRIATIONS.**

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

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

23.18		40,453,000		
23.19	\$	<u>34,811,000</u>	.....	2010
23.20		44,775,000		
23.21	\$	<u>46,375,000</u>	.....	2011

23.22 The 2010 appropriation includes \$3,704,000 for 2009 and ~~\$36,749,000~~ \$31,107,000
23.23 for 2010.

23.24 The 2011 appropriation includes ~~\$4,083,000~~ \$11,505,000 for 2010 and ~~\$40,692,000~~
23.25 \$34,870,000 for 2011.

23.26 Subd. 3. **Charter school startup aid.** For charter school startup cost aid under
23.27 Minnesota Statutes, section 124D.11:

23.28		1,488,000		
23.29	\$	<u>1,273,000</u>	.....	2010
23.30		1,064,000		
23.31	\$	<u>793,000</u>	.....	2011

23.32 The 2010 appropriation includes \$202,000 for 2009 and ~~\$1,286,000~~ \$1,071,000
23.33 for 2010.

23.34 The 2011 appropriation includes ~~\$142,000~~ \$395,000 for 2010 and ~~\$922,000~~
23.35 \$398,000 for 2011.

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24.1 Subd. 4. **Integration aid.** For integration aid under Minnesota Statutes, section
24.2 124D.86, subdivision 5:

24.3 ~~65,358,000~~
24.4 \$ 52,106,000 2010
24.5 ~~65,484,000~~
24.6 \$ 63,962,000 2011

24.7 The 2010 appropriation includes \$6,110,000 for 2009 and ~~\$59,248,000~~ \$45,996,000
24.8 for 2010.

24.9 The 2011 appropriation includes ~~\$6,583,000~~ \$17,011,000 for 2010 and ~~\$58,901,000~~
24.10 \$46,951,000 for 2011.

24.11 Subd. 5. **Magnet school grants.** For magnet school and program grants under
24.12 Minnesota Statutes section 124D.88:

24.13 \$ 750,000 2010
24.14 \$ 750,000 2011

24.15 Subd. 6. **Interdistrict desegregation or integration transportation grants.** For
24.16 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
24.17 section 124D.87:

24.18 \$ 14,468,000 2010
24.19 \$ 17,582,000 2011

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

24.22 ~~2,137,000~~
24.23 \$ 1,774,000 2010
24.24 \$ 2,137,000 2011

24.25 The 2010 appropriation includes \$213,000 for 2009 and ~~\$1,924,000~~ \$1,561,000
24.26 for 2010.

24.27 The 2011 appropriation includes ~~\$213,000~~ \$576,000 for 2010 and ~~\$1,924,000~~
24.28 \$1,561,000 for 2011.

24.29 Subd. 8. **American Indian teacher preparation grants.** For joint grants to assist
24.30 American Indian people to become teachers under Minnesota Statutes, section 122A.63:

24.31 \$ 190,000 2010
24.32 \$ 190,000 2011

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

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25.1 ~~2,030,000~~
25.2 \$ 1,702,000 2010
25.3 ~~2,211,000~~
25.4 \$ 2,186,000 2011

25.5 The 2010 appropriation includes \$191,000 for 2009 and ~~\$1,839,000~~ \$1,511,000
25.6 for 2010.

25.7 The 2011 appropriation includes ~~\$204,000~~ \$558,000 for 2010 and ~~\$2,007,000~~
25.8 \$1,628,000 for 2011.

25.9 Subd. 10. **Early childhood programs at tribal schools.** For early childhood
25.10 family education programs at tribal contract schools under Minnesota Statutes, section
25.11 124D.83, subdivision 4:

25.12 \$ 68,000 2010
25.13 \$ 68,000 2011

25.14 Subd. 11. **Statewide testing and reporting system.** For the statewide testing and
25.15 reporting system under Minnesota Statutes, section 120B.30:

25.16 \$ 15,150,000 2010
25.17 \$ 15,150,000 2011

25.18 None of the amounts appropriated under this subdivision shall be used for contract
25.19 costs associated with hand-scoring of constructed-response items of the Minnesota
25.20 Comprehensive Assessment-Series II in reading, science, and mathematics, with the
25.21 exception of mathematics grades 3 to 8 of the 2009-2010 school year. Any balance in
25.22 the first year does not cancel but is available in the second year. Any amount generated
25.23 as a result of the savings from foregoing hand-scoring shall be, to the extent possible,
25.24 redirected into the development of computerized statewide testing.

25.25 Subd. 12. **Examination fees; teacher training and support programs.** (a) For
25.26 students' advanced placement and international baccalaureate examination fees under
25.27 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
25.28 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
25.29 subdivision 1:

25.30 \$ 4,500,000 2010
25.31 \$ 4,500,000 2011

25.32 (b) The advanced placement program shall receive 75 percent of the appropriation
25.33 each year and the international baccalaureate program shall receive 25 percent of the
25.34 appropriation each year. The department, in consultation with representatives of the
25.35 advanced placement and international baccalaureate programs selected by the Advanced
25.36 Placement Advisory Council and IBMN, respectively, shall determine the amounts of

26.1 the expenditures each year for examination fees and training and support programs for
26.2 each program.

26.3 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least
26.4 \$500,000 each year is for teachers to attend subject matter summer training programs
26.5 and follow-up support workshops approved by the advanced placement or international
26.6 baccalaureate programs. The commissioner shall determine the payment process and
26.7 the amount of the subsidy.

26.8 (d) The commissioner shall pay all examination fees for all students of low-income
26.9 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent
26.10 of available appropriations shall also pay examination fees for students sitting for an
26.11 advanced placement examination, international baccalaureate examination, or both.

26.12 Any balance in the first year does not cancel but is available in the second year.

26.13 Subd. 13. **Concurrent enrollment programs.** For concurrent enrollment programs
26.14 under Minnesota Statutes, section 124D.091:

26.15 \$ 2,000,000 2010

26.16 \$ 2,000,000 2011

26.17 If the appropriation is insufficient, the commissioner must proportionately reduce
26.18 the aid payment to each district.

26.19 Any balance in the first year does not cancel but is available in the second year.

26.20 Subd. 14. **Collaborative urban educator.** For the collaborative urban educator
26.21 grant program:

26.22 \$ 528,000 2010

26.23 \$ 528,000 2011

26.24 Any balance in the first year does not cancel but is available in the second year.

26.25 Subd. 15. **Youth works program.** For funding youth works programs under
26.26 Minnesota Statutes, sections 124D.37 to 124D.45:

26.27 \$ 900,000 2010

26.28 \$ 900,000 2011

26.29 A grantee organization may provide health and child care coverage to the dependents
26.30 of each participant enrolled in a full-time youth works program to the extent such coverage
26.31 is not otherwise available.

26.32 Subd. 16. **Student organizations.** For student organizations:

26.33 ~~725,000~~
26.34 \$ 724,000 2010

26.35 ~~725,000~~
26.36 \$ 724,000 2011

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27.1 \$40,000 each year is for student organizations serving health occupations.
27.2 \$38,000 each year is for student organizations serving service occupations.
27.3 \$88,000 each year is for student organizations serving trade and industry occupations.
27.4 \$84,000 each year is for student organizations serving business occupations.
27.5 \$131,000 each year is for student organizations serving agriculture occupations.
27.6 \$125,000 each year is for student organizations serving family and consumer science
27.7 occupations.

27.8 \$95,000 each year is for student organizations serving marketing occupations.
27.9 Any balance in the first year does not cancel but is available in the second year.

27.10 Subd. 17. **Education Planning and Assessment System (EPAS) program.** For
27.11 the Educational Planning and Assessment System (EPAS) program under Minnesota
27.12 Statutes, section 120B.128:

27.13 \$ 829,000 2010

27.14 \$ 829,000 2011

27.15 Any balance in the first year does not cancel but is available in the second year.

27.16 Subd. 18. **Early childhood literacy programs.** For early childhood literacy
27.17 programs under Minnesota Statutes, section 119A.50, subdivision 3:

27.18 \$ 1,375,000 2010

27.19 \$ 1,375,000 2011

27.20 Up to \$1,375,000 each year is for leveraging federal and private funding to support
27.21 AmeriCorps members serving in the Minnesota Reading Corps program established by
27.22 Serve Minnesota, including costs associated with the training and teaching of early literacy
27.23 skills to children age three to grade 3 and the evaluation of the impact of the program
27.24 under Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

27.25 Any balance in the first year does not cancel but is available in the second year.

27.26 Subd. 19. **Math and science teacher centers.** For math and science teacher centers
27.27 under Minnesota Statutes, section 122A.72:

27.28 \$ 750,000 2010

27.29 Any balance in the first year does not cancel but is available in the second year.

27.30 This is a onetime appropriation.

27.31 Sec. 17. **RULEMAKING AUTHORITY.**

27.32 The commissioner of education shall adopt rules consistent with chapter 14 which
27.33 provide English language proficiency standards for instruction of students identified
27.34 as limited English proficient under Minnesota Statutes, sections 124D.58 to 124D.64.
27.35 The English language proficiency standards must encompass the language domains of

28.1 listening, speaking, reading, and writing. The English language proficiency standards must
28.2 reflect social and academic dimensions of acquiring a second language that are accepted
28.3 of English language learners in prekindergarten through grade 12. The English language
28.4 proficiency standards must address the specific contexts for language acquisition in the
28.5 areas of social and instructional settings as well as academic language encountered in
28.6 language arts, mathematics, science, and social studies. The English language proficiency
28.7 standards must express the progression of language development through language
28.8 proficiency levels. The English language proficiency standards must be implemented
28.9 for all limited English proficient students beginning in the 2011-2012 school year and
28.10 assessed beginning in the 2012-2013 school year.

28.11 Sec. 18. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

28.12 The sum indicated in this section is appropriated from the general fund to the
28.13 Department of Education to integrate teacher collective bargaining data into the financial
28.14 statement under Minnesota Statutes, section 123B.77:

28.15 \$15,000 2011

28.16 The base appropriation is \$3,000 for fiscal year 2012 and \$2,000 for fiscal year 2013.

28.17 **ARTICLE 3**

28.18 **SPECIAL PROGRAMS**

28.19 Section 1. Laws 2009, chapter 96, article 3, section 21, is amended to read:

28.20 Sec. 21. **APPROPRIATIONS.**

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

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

28.26 ~~734,071,000~~
28.27 \$ 609,003,000 2010

28.28 ~~781,497,000~~
28.29 \$ 772,845,000 2011

28.30 The 2010 appropriation includes \$71,947,000 for 2009 and ~~\$662,124,000~~
28.31 \$537,056,000 for 2010.

28.32 The 2011 appropriation includes ~~\$73,569,000~~ \$198,637,000 for 2010 and
28.33 ~~\$707,928,000~~ \$574,208,000 for 2011.

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

29.4 ~~1,717,000~~
29.5 \$ 1,109,000 2010
29.6 ~~1,895,000~~
29.7 \$ 1,176,000 2011

29.8 If the appropriation for either year is insufficient, the appropriation for the other
29.9 year is available.

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

29.12 ~~258,000~~
29.13 \$ 214,000 2010
29.14 ~~282,000~~
29.15 \$ 276,000 2011

29.16 The 2010 appropriation includes \$24,000 for 2009 and ~~\$234,000~~ \$190,000 for 2010.

29.17 The 2011 appropriation includes ~~\$26,000~~ \$69,000 for 2010 and ~~\$256,000~~ \$207,000
29.18 for 2011.

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

29.21 ~~110,871,000~~
29.22 \$ 96,926,000 2010
29.23 ~~110,877,000~~
29.24 \$ 110,871,000 2011

29.25 The 2010 appropriation includes \$37,046,000 for 2009 and ~~\$73,825,000~~ \$59,880,000
29.26 for 2010.

29.27 The 2011 appropriation includes ~~\$37,022,000~~ \$50,967,000 for 2010 and ~~\$73,855,000~~
29.28 \$59,904,000 for 2011.

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

29.33 \$ 76,000 2010
29.34 \$ 78,000 2011

29.35 Subd. 7. **Special education out-of-state tuition.** For special education out-of-state
29.36 tuition according to Minnesota Statutes, section 125A.79, subdivision 8:

29.37 \$ 250,000 2010
29.38 \$ 250,000 2011

ARTICLE 4

FACILITIES AND TECHNOLOGY

Section 1. Laws 2009, chapter 96, article 4, section 12, is amended to read:

Sec. 12. **APPROPRIATIONS.**

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

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

	161,000		
\$	<u>131,000</u>	.....	2010
	160,000		
\$	<u>139,000</u>	.....	2011

The 2010 appropriation includes \$10,000 for 2009 and ~~\$151,000~~ \$121,000 for 2010.

The 2011 appropriation includes ~~\$16,000~~ \$44,000 for 2010 and ~~\$144,000~~ \$95,000 for 2011.

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

	7,948,000		
\$	<u>6,608,000</u>	.....	2010
	9,275,000		
\$	<u>8,466,000</u>	.....	2011

The 2010 appropriation includes \$851,000 for 2009 and ~~\$7,097,000~~ \$5,757,000 for 2010.

The 2011 appropriation includes ~~\$788,000~~ \$2,128,000 for 2010 and ~~\$8,487,000~~ \$6,338,000 for 2011.

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

	19,287,000		
\$	<u>16,008,000</u>	.....	2010
\$	19,287,000	.....	2011

The 2010 appropriation includes \$1,928,000 for 2009 and ~~\$17,359,000~~ \$14,080,000 for 2010.

The 2011 appropriation includes ~~\$1,928,000~~ \$5,207,000 for 2010 and ~~\$17,359,000~~ \$14,080,000 for 2011.

Subd. 5. **Equity in telecommunications access.** For equity in telecommunications access:

S.F. No. 3028, 1st Engrossment - 86th Legislative Session (2009-2010) [S3028-1]

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

32.3 ~~1,098,000~~
32.4 \$ 1,103,000 2010
32.5 ~~1,120,000~~
32.6 \$ 1,126,000 2011

32.7 Subd. 5. **Summer school service replacement aid.** For summer food service
32.8 replacement aid under Minnesota Statutes, section 124D.119:

32.9 \$ 150,000 2010
32.10 \$ 150,000 2011

32.11 Subd. 6. **Basic system support.** For basic system support grants under Minnesota
32.12 Statutes, section 134.355:

32.13 ~~13,570,000~~
32.14 \$ 11,264,000 2010
32.15 \$ 13,570,000 2011

32.16 The 2010 appropriation includes \$1,357,000 for 2009 and ~~\$12,213,000~~ \$9,907,000
32.17 for 2010.

32.18 The 2011 appropriation includes ~~\$1,357,000~~ \$3,663,000 for 2010 and ~~\$12,213,000~~
32.19 \$9,907,000 for 2011.

32.20 Subd. 7. **Multicounty, multitype library systems.** For grants under Minnesota
32.21 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

32.22 ~~1,300,000~~
32.23 \$ 1,079,000 2010
32.24 \$ 1,300,000 2011

32.25 The 2010 appropriation includes \$130,000 for 2009 and ~~\$1,170,000~~ \$949,000 for
32.26 2010.

32.27 The 2011 appropriation includes ~~\$130,000~~ \$351,000 for 2010 and ~~\$1,170,000~~
32.28 \$949,000 for 2011.

32.29 Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online
32.30 databases selected in cooperation with the Minnesota Office of Higher Education for
32.31 school media centers, public libraries, state government agency libraries, and public
32.32 or private college or university libraries:

32.33 \$ 900,000 2010
32.34 \$ 900,000 2011

32.35 Any balance in the first year does not cancel but is available in the second year.

32.36 Subd. 9. **Regional library telecommunications aid.** For regional library
32.37 telecommunications aid under Minnesota Statutes, section 134.355:

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34.1 ~~3,694,000~~
34.2 \$ 2,904,000 2010
34.3 ~~3,800,000~~
34.4 \$ 3,518,000 2011

34.5 The 2010 appropriation includes \$367,000 for 2009 and ~~\$3,327,000~~ \$2,537,000
34.6 for 2010.

34.7 The 2011 appropriation includes ~~\$369,000~~ \$938,000 for 2010 and ~~\$3,431,000~~
34.8 \$2,580,000 for 2011.

34.9 Subd. 5. **Head Start program.** For Head Start programs under Minnesota Statutes,
34.10 section 119A.52:

34.11 \$ 20,100,000 2010
34.12 \$ 20,100,000 2011

34.13 Any balance in the first year does not cancel but is available in the second year.

34.14 Subd. 6. **Educate parents partnership.** For the educate parents partnership under
34.15 Minnesota Statutes, section 124D.129:

34.16 ~~50,000~~
34.17 \$ 48,000 2010
34.18 ~~50,000~~
34.19 \$ 48,000 2011

34.20 Any balance in the first year does not cancel but is available in the second year.

34.21 Subd. 7. **Kindergarten entrance assessment initiative and intervention**
34.22 **program.** For the kindergarten entrance assessment initiative and intervention program
34.23 under Minnesota Statutes, section 124D.162:

34.24 ~~287,000~~
34.25 \$ 275,000 2010
34.26 ~~287,000~~
34.27 \$ 273,000 2011

34.28 Any balance in the first year does not cancel but is available in the second year.

34.29 Subd. 8. **Community education aid.** For community education aid under
34.30 Minnesota Statutes, section 124D.20:

34.31 ~~585,000~~
34.32 \$ 487,000 2010
34.33 ~~467,000~~
34.34 \$ 502,000 2011

34.35 The 2010 appropriation includes \$73,000 for 2009 and ~~\$512,000~~ \$414,000 for 2010.

34.36 The 2011 appropriation ~~included \$56,000~~ includes \$153,000 for 2010 and ~~\$411,000~~
34.37 \$349,000 for 2011.

S.F. No. 3028, 1st Engrossment - 86th Legislative Session (2009-2010) [S3028-1]

35.1 Subd. 9. **Adults with disabilities program aid.** For adults with disabilities
35.2 programs under Minnesota Statutes, section 124D.56:

35.3 ~~710,000~~
35.4 \$ 590,000 2010
35.5 \$ 710,000 2011

35.6 The 2010 appropriation includes \$71,000 for 2009 and ~~\$639,000~~ \$519,000 for 2010.

35.7 The 2011 appropriation includes ~~\$71,000~~ \$191,000 for 2010 and ~~\$639,000~~ \$519,000
35.8 for 2011.

35.9 Subd. 10. **Hearing-impaired adults.** For programs for hearing-impaired adults
35.10 under Minnesota Statutes, section 124D.57:

35.11 \$ 70,000 2010
35.12 \$ 70,000 2011

35.13 Subd. 11. **School-age care revenue.** For extended day aid under Minnesota
35.14 Statutes, section 124D.22:

35.15 \$ 1,000 2010
35.16 \$ 1,000 2011

35.17 The 2010 appropriation includes \$0 for 2009 and \$1,000 for 2010.

35.18 The 2011 appropriation includes \$0 for 2010 and \$1,000 for 2011.

35.19 Subd. 12. **Adult basic education aid.** For adult basic education aid under
35.20 Minnesota Statutes, section 124D.531:

35.21 ~~42,975,000~~
35.22 \$ 35,671,000 2010
35.23 ~~44,258,000~~
35.24 \$ 44,049,000 2011

35.25 The 2010 appropriation includes \$4,187,000 for 2009 and ~~\$38,788,000~~ \$31,484,000
35.26 for 2010.

35.27 The 2011 appropriation includes ~~\$4,309,000~~ \$11,644,000 for 2010 and ~~\$39,949,000~~
35.28 \$32,405,000 for 2011.

35.29 Subd. 13. **GED tests.** For payment of 60 percent of the costs of GED tests under
35.30 Minnesota Statutes, section 124D.55:

35.31 \$ 125,000 2010
35.32 \$ 125,000 2011

35.33 Any balance in the first year does not cancel but is available in the second year.

ARTICLE 7

STATE AGENCIES

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Section 1. Laws 2009, chapter 96, article 7, section 3, subdivision 2, is amended to read:

Subd. 2. **Department.** (a) For the Department of Education:

	20,943,000		
\$	<u>20,133,000</u>	.....	2010
	20,943,000		
\$	<u>20,005,000</u>	.....	2011

Any balance in the first year does not cancel but is available in the second year.

(b) \$260,000 each year is for the Minnesota Children's Museum.

(c) \$41,000 each year is for the Minnesota Academy of Science.

~~(d) \$632,000 each year is for the Board of Teaching.~~ \$607,000 in fiscal year 2010 and \$655,000 in fiscal year 2011 is for the Board of Teaching. Of the \$655,000 in fiscal year 2011, \$55,000 is for rulemaking costs outlined in article 2. Additional rulemaking costs of \$30,000 in fiscal year 2012 and \$20,000 in fiscal year 2013 are added to the base of \$600,000. Any balance in the first year does not cancel but is available in the second year.

~~(e) \$171,000 each year is for the Board of School Administrators.~~ \$164,000 in fiscal year 2010 and \$262,000 in fiscal year 2011 is for the Board of School Administrators. Of the \$262,000 in fiscal year 2011, \$100,000 is for rulemaking costs outlined in article 2.

Any balance in the first year does not cancel but is available in the second year.

The base appropriation for fiscal year 2012 is \$162,000.

~~(f) \$40,000 each year \$10,000 in fiscal year 2010 is for an early hearing loss intervention coordinator under Minnesota Statutes, section 125A.63, subdivision 5. If the department expends federal funds to employ a hearing loss coordinator under Minnesota Statutes, section 125A.63, subdivision 5, then the appropriation under this paragraph is reallocated for purposes of employing a world languages coordinator.~~

(g) \$50,000 each year is for the Duluth Children's Museum.

(h) None of the amounts appropriated under this subdivision may be used for Minnesota's Washington, D.C., office.

(i) The expenditures of federal grants and aids as shown in the biennial budget document and its supplements are approved and appropriated and shall be spent as indicated. The commissioner must provide, to the K-12 Education Finance Division in the house of representatives and the E-12 Budget Division in the senate, details about the distribution of state incentive grants, education technology state grants, teacher incentive funds, and statewide data system funds as outlined in the supplemental federal funds submission dated March 25, 2009.

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37.1 (j) \$24,000 in fiscal year 2010 and \$23,000 in fiscal year 2011 shall be transferred
37.2 from the department's special revenue fund to the general fund.

37.3 Sec. 2. Laws 2009, chapter 96, article 7, section 5, is amended to read:

37.4 Sec. 5. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

37.5 The sums indicated in this section are appropriated from the general fund to the
37.6 Perpich Center for Arts Education for the fiscal years designated:

37.7		7,087,000		
37.8	\$	<u>6,949,000</u>	.....	2010
37.9		7,087,000		
37.10	\$	<u>6,867,000</u>	.....	2011

37.11 Any balance in the first year does not cancel but is available in the second year.

37.12 The base appropriation for later fiscal years is \$6,867,000.

37.13 \$19,000 in fiscal year 2010 and \$11,000 in fiscal year 2011 shall be transferred from
37.14 the Perpich Center's special revenue fund to the general fund.

37.15 Sec. 3. **APPROPRIATION REDUCTIONS.**

37.16 The appropriation reductions in this article include, and are not in addition to,
37.17 appropriation changes and reductions that have been implemented under the commissioner
37.18 of management and budget's unallotment actions that commenced in July 2009.

APPENDIX
Article locations in S3028-1

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ARTICLE 2	EDUCATION EXCELLENCE	Page.Ln 10.16
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ARTICLE 5	LIBRARIES, NUTRITION, AND ACCOUNTING	Page.Ln 31.17
ARTICLE 6	EARLY CHILDHOOD EDUCATION, PREVENTION, SELF-SUFFICIENCY, AND LIFELONG LEARNING	Page.Ln 33.8
ARTICLE 7	STATE AGENCIES	Page.Ln 36.1