CHAPTER 116--H.F.No. 4415

An act relating to education; providing for school closures and other amendments due to COVID-19; clarifying the calculation of certain school aids formulas due to COVID-19; making forecast adjustments to funding for general education, education excellence, teachers, special education, facilities, fund transfers and accounting, nutrition and libraries, early childhood, and community education and lifelong learning; clarifying the responsibilities for the Department of Education and Department of Labor and Industry for construction and skills trades career counseling services; clarifying the operation referendum calculation; adjusting base appropriations; amending Minnesota Statutes 2018, sections 126C.10, subdivision 3; 126C.17, subdivision 7b; 134.355, subdivision 8; Minnesota Statutes 2019 Supplement, sections 124D.68, subdivision 2; 126C.17, subdivision 2; Laws 2019, First Special Session chapter 11, article 1, section 25, subdivisions 2, 3, 4, 6, 7, 9; article 2, section 33, subdivisions 2, 3, 4, 5, 6, 16, 17; article 3, section 23, subdivision 3; article 4, section 11, subdivisions 2, 3, 4, 5; article 6, section 7, subdivisions 2, 3, 6; article 7, section 1, subdivisions 2, 3, 4; article 8, section 13, subdivisions 5, 6, 14; article 9, section 3, subdivisions 2, 8; article 10, sections 5, subdivision 2; 6; 7; 8, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 120B.

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

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2019 Supplement, section 124D.68, subdivision 2, is amended to read:

Subd. 2. **Eligible pupils.** (a) A pupil under the age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to participate in the graduation incentives program, if the pupil:

(1) performs substantially below the performance level for pupils of the same age in a locally determined achievement test;

(2) is behind in satisfactorily completing coursework or obtaining credits for graduation;

(3) is pregnant or is a parent;

(4) has been assessed as chemically dependent;

(5) has been excluded or expelled according to sections 121A.40 to 121A.56;

(6) has been referred by a school district for enrollment in an eligible program or a program pursuant to section 124D.69;

(7) is a victim of physical or sexual abuse;

(8) has experienced mental health problems;

(9) has experienced homelessness sometime within six months before requesting a transfer to an eligible program;

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(10) speaks English as a second language or is an English learner;

(11) has withdrawn from school or has been chronically truant; or

(12) is being treated in a hospital in the seven-county metropolitan area for cancer or other life threatening illness or is the sibling of an eligible pupil who is being currently treated, and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.

(b) ~~For fiscal years 2020 and 2021,~~ A pupil otherwise qualifying under paragraph (a) who is at least 21 years of age and not yet 22 years of age, and is an English learner with an interrupted formal education according to section 124D.59, subdivision 2a, is eligible to participate in the graduation incentives program under section 124D.68 and in concurrent enrollment courses offered under section 124D.09, subdivision 10, and is funded in the same manner as other pupils under this section.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 2. Minnesota Statutes 2018, section 126C.10, subdivision 3, is amended to read:

Subd. 3. **Compensatory education revenue.** (a) The compensatory education revenue for each building in the district equals the formula allowance minus $839 times the compensation revenue pupil units computed according to section 126C.05, subdivision 3. A district's compensatory revenue equals the sum of its compensatory revenue for each building in the district and the amounts designated under Laws 2015, First Special Session chapter 3, article 2, section 70, subdivision 8, for fiscal year 2017. Revenue shall be paid to the district and must be allocated according to section 126C.15, subdivision 2.

(b) When the district contracting with an alternative program under section 124D.69 changes prior to the start of a school year, the compensatory revenue generated by pupils attending the program shall be paid to the district contracting with the alternative program for the current school year, and shall not be paid to the district contracting with the alternative program for the prior school year.

(c) When the fiscal agent district for an area learning center changes prior to the start of a school year, the compensatory revenue shall be paid to the fiscal agent district for the current school year, and shall not be paid to the fiscal agent district for the prior school year.

~~(d) Of the amount of revenue under this subdivision, 1.7 percent for fiscal year 2018, 3.5 percent for fiscal year 2019, and for fiscal year 2020 and later, 3.5 percent plus the percentage change in the formula allowance from fiscal year 2019, must be used for extended time activities under subdivision 2a, paragraph (c).~~

EFFECTIVE DATE. This section is effective for fiscal year 2021 and later.

ARTICLE 2

SCHOOL CLOSURES DUE TO COVID-19

Section 1. **TRUANCY.**

Notwithstanding Minnesota Statutes, section 260A.02, subdivision 3, a student's absence, without valid excuse, beginning March 1, 2020, and through the end of the distance learning period or June 30, 2020, for school districts and charter schools that operate on an approved flexible learning year calendar, does not bring the student within the definition of a continuing truant.

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EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2020.

Sec. 2. **PROBATIONARY TEACHERS.**

For the 2019-2020 school year only, for purposes of Minnesota Statutes, sections 122A.40, subdivision 5, paragraph (e), and 122A.41, subdivision 2, paragraph (d), the minimum number of days of teacher service that a probationary teacher must complete equals the difference between 120 days and the number of scheduled instructional days that were canceled for COVID-19-related reasons.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2020.

Sec. 3. **INSTRUCTION TO COMMISSIONER; FEDERAL EDUCATION STABILIZATION FUND APPLICATION.**

In applying for education stabilization fund grants authorized under the federal Coronavirus Aid, Relief, and Economic Security Act, the Department of Education must prioritize distribution and expenditure of funds that enable a school to comply with Executive Order 20-19 and any future executive order on kindergarten through grade 12 education that relates to the infectious disease known as COVID-19, as well as the corresponding Department of Education guidance related to the COVID-19 pandemic, including employee compensation.

EFFECTIVE DATE. This section is effective the day following final enactment and expires June 30, 2020.

ARTICLE 3

FORMULA ADJUSTMENTS

Section 1. Minnesota Statutes 2018, section 134.355, subdivision 8, is amended to read:

Subd. 8. **Eligibility.** (a) A regional public library system may apply for regional library telecommunications aid on behalf of itself and member public libraries.

(b) The aid must be used for connections and other eligible non-voice-related e-rate program category one services. Aid may be used for e-rate program category two services as identified in the Federal Communication Commission's eligible services list for the current and preceding four funding years, or to improve Internet access and access to technology with items that are not e-rated, including but not limited to digital or online resources, if sufficient funds remain once category one needs are met in each funding year.

(c) To be eligible, a regional public library system must be officially designated by the commissioner of education as a regional public library system as defined in section 134.34, subdivision 3, and each of its participating cities and counties must meet local support levels defined in section 134.34, subdivision 1. A public library building that receives aid under this section must be open a minimum of 20 hours per week. Exceptions to the minimum open hours requirement may be granted by the Department of Education on request of the regional public library system for the following circumstances: short-term closing for emergency maintenance and repairs following a natural disaster; in response to exceptional economic circumstances;

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building repair or maintenance that requires public services areas to be closed; or to adjust hours of public service to respond to documented seasonal use patterns.

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

Sec. 2. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 2, is amended to read:

Subd. 2. **Achievement and integration aid.** For achievement and integration aid under Minnesota Statutes, section 124D.862:

$	~~80,424,000~~ 77,247,000	.....	2020
$	~~83,256,000~~ 81,233,000	.....	2021

The 2020 appropriation includes $7,058,000 for 2019 and ~~$73,366,000~~ $70,189,000 for 2020.

The 2021 appropriation includes ~~$8,151,000~~ $7,763,000 for 2020 and ~~$75,105,000~~ $73,470,000 for 2021.

Sec. 3. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 17, is amended to read:

Subd. 17. **Statewide testing and reporting system.** (a) For the statewide testing and reporting system under Minnesota Statutes, section 120B.30:

$	~~10,892,000~~ 10,712,000	.....	2020
$	10,892,000	.....	2021

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

(c) $180,000 of the initial fiscal year 2020 appropriation is canceled to the general fund on June 30, 2020.

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

Sec. 4. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 6, is amended to read:

Subd. 6. **Developmental screening aid.** (a) For developmental screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

$	~~3,639,000~~ 3,611,000	.....	2020
$	~~3,625,000~~ 3,608,000	.....	2021

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(b) The 2020 appropriation includes $363,000 for 2019 and ~~$3,276,000~~ $3,248,000 for 2020.

(c) The 2021 appropriation includes ~~$364,000~~ $360,000 for 2020 and ~~$3,261,000~~ $3,248,000 for 2021.

Sec. 5. Laws 2019, First Special Session chapter 11, article 10, section 8, subdivision 1, is amended to read:

Subdivision 1. **Professional Educator Licensing and Standards Board.** (a) The sums indicated in this section are appropriated from the general fund to the Professional Educator Licensing and Standards Board for the fiscal years designated:

$	2,744,000	.....	2020
$~~2,719,000~~	2,768,000	.....	2021

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

(c) This appropriation includes funds for information technology project services and support subject to Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into an interagency agreement and will be paid to the Office of MN.IT Services by the Professional Educator Licensing and Standards Board under the mechanism specified in that agreement.

(d) The base for fiscal year 2022 and later is $2,719,000.

(e) Of the amount appropriated in fiscal year 2021, $49,000 is for IT costs related to modifying the teacher licensure system to issue and renew conditional teacher licenses.

Sec. 6. **SCHOOL AID FORMULAS ADJUSTED.**

Subdivision 1. **Special education.** Notwithstanding any law to the contrary, fiscal year 2020 expenditures for employees and contracted services that would have been eligible for state special education aid under Minnesota Statutes, section 125A.76, and for special education tuition billing under Minnesota Statutes, sections 125A.11 and 127A.47, in the absence of school closures or learning plan modifications due to COVID-19 must be included as eligible expenditures for the calculation of state special education aid and special education tuition billing.

Subd. 2. **School meals.** (a) Notwithstanding any law to the contrary, for school meals served beginning on or after March 16, 2020, the commissioner of education may adjust the appropriations remaining under Laws 2019, First Special Session chapter 11, article 7, section 1, subdivisions 2, 3, and 4, as specified in paragraph (b).

(b) On June 30, 2020, the commissioner must subtract the amount actually paid to participants for the 2019-2020 school year under Laws 2019, First Special Session chapter 11, article 7, section 1, subdivisions 2, 3, and 4, through March 15, 2020, from the total appropriations for each program. The commissioner must then allocate the remaining funds under each appropriation to participants in the summer food service program on a per meal basis for meals served on or after March 16, 2020, and before July 1, 2020.

Subd. 3. **Career and technical aid.** Notwithstanding any law to the contrary, for fiscal years 2020 and 2021, the commissioner of education may recalculate career and technical revenue for school districts, cooperative units, and charter schools to ensure that the total statewide career and technical revenue does not fall below the amount estimated for fiscal years 2020 and 2021 based on the February 2020 forecast.

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For expenses incurred on or after March 18, 2020, the commissioner may recalculate school district, cooperative unit, and charter school amounts based on any other mechanism that allows for the full amount of this appropriation to be equitably paid to school districts, cooperative units, and charter schools. These amounts must be prorated at the end of each fiscal year if career and technical revenue were to exceed the February 2020 forecast estimate of this revenue for these fiscal years.

Subd. 4. **Nonpublic pupil transportation aid.** Notwithstanding any law to the contrary, the commissioner of education may adjust the fiscal year 2020 pupil transportation expenditures used to determine nonpublic pupil transportation aid for fiscal year 2022 based on any mechanism that allows for the full amount of the state total fiscal year 2020 expenditure estimated in the February 2020 forecast to be equitably allocated among school districts.

Subd. 5. **Interdistrict desegregation or integration transportation grants.** Notwithstanding any law to the contrary, the commissioner of education may adjust the fiscal year 2020 pupil transportation expenditures used to determine interdistrict desegregation and integration aid for fiscal year 2021 based on any mechanism that allows for the full amount of the state total fiscal year 2020 expenditure estimated in the February 2020 forecast to be equitably allocated among school districts.

Subd. 6. **Adult basic education aid.** Notwithstanding any law to the contrary, for the 2020-2021 school year only, the commissioner of education may recalculate adult basic education aid to ensure that the total aid does not fall below the amount estimated for the 2020-2021 school year based on the February 2020 forecast. The commissioner may recalculate contract hourly rates or otherwise adjust the formula based on any mechanism that allows for the full amount of this appropriation to be equitably paid to aid recipients. These amounts must be prorated at the end of the fiscal year if adult basic education aid were to exceed the February 2020 forecast estimate of this aid.

Subd. 7. **School employees; ensuring state revenue.** Notwithstanding any law to the contrary, for purposes of state aid formulas under subdivisions 1 and 3, the commissioner of education may include in any counts and costs of essential personnel the services provided by individuals who were essential personnel prior to March 13, 2020, for the purpose of ensuring state aid payments to school districts, cooperative units, and charter schools are consistent with the February 2020 forecast.

Subd. 8. **Literacy incentive aid.** Notwithstanding Minnesota Statutes, section 124D.98, for purposes of calculating proficiency aid and growth aid for fiscal years 2021, 2022, and 2023 only, tests administered during the 2019-2020 school year must be excluded from the three-year average proficiency percentage and from the three-year average growth percentage. The commissioner may adjust the dollar amounts for proficiency aid and growth aid for fiscal years 2021, 2022, and 2023 only, to ensure that the total statewide literacy incentive aid amount does not fall below the amount estimated for these fiscal years based on the February 2020 forecast.

Subd. 9. **School-age care revenue.** Notwithstanding Minnesota Statutes, section 124D.22, for fiscal years 2020 and 2021 only, for spending on or after March 18, 2020, each district's school-age care revenue continues at its approved amounts and program funds may be spent consistent with the process and limitations of section 8.

Subd. 10. **Early childhood screening revenue.** Notwithstanding any law to the contrary, for fiscal years 2020 and 2021 only, the commissioner of education must calculate each school district's early childhood screening revenue under Minnesota Statutes, section 121A.19, using the formula amounts set in statute for each age group and the 2018-2019 school year counts of children screened for each age group.

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Subd. 11. **Achievement and integration revenue.** Notwithstanding Minnesota Statutes, section 124D.861 or 124D.862, or any other law to the contrary, for fiscal year 2020 only, a school district that has not spent the full approved amount of its achievement and integration revenue may carry the unspent portion of that revenue forward into fiscal year 2021.

Subd. 12. **Report.** The commissioner of education must notify school districts and charter schools of these formula changes as soon as practicable. The commissioner must issue a report by January 15, 2021, to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over kindergarten through grade 12 education describing the formula changes and the distributional impact on school districts and charter schools.

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

Sec. 7. **ACCOUNTING.**

Notwithstanding any law to the contrary, services paid under section 6, including expenses recorded in the food service fund, may be charged to the same Uniform Financial Accounting and Reporting Standards codes to which the service is otherwise charged for an instructional day.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive from the beginning of the 2019-2020 school year. This section expires June 30, 2020.

Sec. 8. **FUND TRANSFERS; FISCAL YEARS 2020 AND 2021 ONLY.**

Subdivision 1. **Fund and account transfers allowed.** Notwithstanding Minnesota Statutes, section 123B.80, subdivision 3, for fiscal years 2020 and 2021 only, a school district, charter school, or cooperative unit may transfer any funds not already assigned to or encumbered by staff salary and benefits, or otherwise encumbered by federal law, from any accounts or operating fund to the undesignated balance in any other operating fund.

Subd. 2. **No aid or levy effect.** A fund or account transfer is allowed under this section if the transfer does not increase state aid obligations to the district or school, or result in additional property tax authority for the district. A fund or account transfer is limited to the operating funds and accounts of a school district, charter school, or cooperative unit.

Subd. 3. **Board approval required; reporting; audit trail.** A fund or account transfer under this section for fiscal year 2020 is effective June 30, 2020, and a fund or account transfer under this section for fiscal year 2021 is effective June 30, 2021. The school board must approve any fund or account transfer before the reporting deadline for the respective fiscal year. A school district, charter school, or cooperative unit must maintain accounting records for the purposes of this section that are sufficient to document both the specific funds transferred and use of those funds. The accounting records are subject to auditor review. Any execution of flexibility must not interfere with or jeopardize funding per federal requirements. Any transfer must not interfere with the equitable delivery of distance learning or social distancing models.

Subd. 4. **Commissioner's guidance.** The commissioner must prepare and post to the department's website a document providing guidance on the process for approval of fund and account balance transfers authorized under this section.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively from March 18, 2020.

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Sec. 9. **REVENUE RESTRICTIONS; FISCAL YEARS 2020 AND 2021 ONLY.**

Notwithstanding Minnesota Statutes, section 124D.19, subdivision 12, for fiscal years 2020 and 2021 only, for spending occurring on or after March 18, 2020, after-school enrichment revenue under Minnesota Statutes, section 124D.20, subdivision 4a, may be spent consistent with the process and limitations of section 8.

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

Sec. 10. **CASH FLOW ADJUSTMENT; FISCAL YEAR 2021 ONLY.**

Notwithstanding any law to the contrary, for fiscal year 2021 only, a school district unable to make a required payment from its debt service fund because of a delay in receipt of its anticipated property tax proceeds may apply for modified cash flow payments under Minnesota Statutes, section 127A.45. The school district must apply in the form and manner specified by the commissioner of education and the commissioner must adjust the state aid cash flow payments accordingly.

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

ARTICLE 4

STATE AGENCY COVID-19 EMERGENCY POWERS

Section 1. **COMMISSIONER OF EDUCATION AND PROFESSIONAL EDUCATOR LICENSING AND STANDARDS BOARD COVID-19 EMERGENCY POWERS.**

(a) Notwithstanding Minnesota Statutes, section 120B.30, for the 2019-2020 school year only, the commissioner of education is granted authority to waive the state requirements on statewide assessments, including requirements allowing students to take a college entrance exam in school on a regular school day. The commissioner must waive any state accountability and reporting requirements linked to the statewide assessments.

(b) Notwithstanding Minnesota Statutes, section 122A.183, Minnesota Rules, part 8710.0313, or any other law to the contrary, the Professional Educator Licensing and Standards Board must issue a one-year conditional Tier 3 license to an applicant that is otherwise qualified under Minnesota Statutes, section 122A.183, but was unable to complete a required licensure exam under Minnesota Statutes, section 122A.185, because of a COVID-19-related disruption. As a condition of renewing the Tier 3 license, the applicant must pass the required licensure exams under Minnesota Statutes, section 122A.185. The term of the renewed Tier 3 license under this section must be two years. The board must waive the licensure renewal fee.

(c) Notwithstanding any law to the contrary, the Professional Educator Licensing and Standards Board must extend by six months any calendar year 2020 deadline for completion of license renewal requirements for licenses under their jurisdiction.

EFFECTIVE DATE. Paragraph (a) expires June 30, 2020. Paragraph (b) expires October 31, 2020.

Sec. 2. **REPORTING; RIGHT OF ACTION.**

(a) A court must not construe anything in this article as creating a right of action for a student, parent, teacher license applicant, or any other individual or entity to enforce any provisions of this article.

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(b) By December 15, 2020, the Professional Educator Licensing and Standards Board must report on all conditional licenses issued under section 1, paragraph (b), to the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over kindergarten through grade 12 education.

ARTICLE 5

MISCELLANEOUS CORRECTIONS

Section 1. **[120B.126] CONSTRUCTION AND SKILLED TRADES COUNSELING.**

The commissioner of education must collaborate with the commissioner of labor and industry to incorporate construction and skilled trades into career counseling services for middle and high school aged students. Career advisement should identify high-growth, in-demand skilled trades and include information on various career paths and associated jobs, the salary profiles of those jobs, and the credentials and other training desired by employers for those jobs.

Sec. 2. Minnesota Statutes 2019 Supplement, section 126C.17, subdivision 2, is amended to read:

Subd. 2. **Referendum allowance limit.** (a) Notwithstanding subdivision 1, for fiscal year 2021 and later, a district's referendum allowance must not exceed the greater of:

(1) the product of the annual inflationary increase as calculated under paragraph (b), and $2,079.50, minus $300;

(2) the product of the annual inflationary increase as calculated under paragraph (b), and ~~the sum of~~ the referendum ~~revenue~~ allowance limit the district would have received for fiscal year ~~2015~~ 2021 under Minnesota Statutes ~~2012~~ 2018, section 126C.17, subdivision ~~4~~ 2, paragraph (a), clause (2), ~~based on elections held before July 1, 2013, and the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (e), based on elections held before July 1, 2013, divided by the district's adjusted pupil units for fiscal year 2015,~~ minus $300;

(3) for a newly reorganized district created on July 1, 2020, the referendum revenue authority for each reorganizing district in the year preceding reorganization divided by its adjusted pupil units for the year preceding reorganization, minus $300; or

(4) for a newly reorganized district created after July 1, ~~2021~~ 2020, the referendum revenue authority for each reorganizing district in the year preceding reorganization divided by its adjusted pupil units for the year preceding reorganization.

(b) For purposes of this subdivision, for fiscal year 2022 and later, "inflationary increase" means one plus the percentage change in the Consumer Price Index for urban consumers, as prepared by the United States Bureau of Labor Statistics, for the current fiscal year to fiscal year 2021.

EFFECTIVE DATE. This section is effective for revenue for fiscal year 2021 and later.

Sec. 3. Minnesota Statutes 2018, section 126C.17, subdivision 7b, is amended to read:

Subd. 7b. **Referendum aid guarantee.** (a) Notwithstanding subdivision 7, the sum of a district's referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2015 must not be less than the sum of the referendum equalization aid the district would have received for

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fiscal year 2015 under Minnesota Statutes 2012, section 126C.17, subdivision 7, and the adjustment the district would have received under Minnesota Statutes 2012, section 127A.47, subdivision 7, paragraphs (a), (b), and (c).

(b) Notwithstanding subdivision 7, the sum of referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2016 and later, for a district qualifying for additional aid under paragraph (a) for fiscal year 2015, must not be less than the product of (1) the sum of the district's referendum equalization aid and local optional aid under section 126C.10, subdivision 2e, for fiscal year 2015, times (2) the lesser of one or the ratio of the sum of the district's referendum revenue and local optional revenue for that school year to the sum of the district's referendum revenue and local optional revenue for fiscal year 2015, times (3) the lesser of one or the ratio of the district's referendum market value used for fiscal year 2015 referendum equalization calculations to the district's referendum market value used for that year's referendum equalization calculations.

EFFECTIVE DATE. This section is effective for fiscal year 2016 and later.

Sec. 4. Laws 2019, First Special Session chapter 11, article 10, section 5, subdivision 2, is amended to read:

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

$	29,196,000	.....	2020
$	24,911,000	.....	2021

Of these amounts:

(1) $319,000 each year is for the Board of School Administrators;

(2) $1,000,000 each year is for regional centers of excellence under Minnesota Statutes, section 120B.115;

(3) $250,000 each year is for the School Finance Division to enhance financial data analysis;

(4) $720,000 each year is for implementing Minnesota's Learning for English Academic Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;

(5) $123,000 each year is for a dyslexia specialist;

(6) $4,700,000 in fiscal year 2020 only is for legal fees and costs associated with litigation; and

(7) $400,000 in fiscal year 2020 and $480,000 in fiscal year 2021 and later are for the Department of Education's mainframe update.

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

(c) 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.

(d) This appropriation includes funds for information technology project services and support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing information technology costs will be incorporated into the service level agreement and will be paid to the Office of MN.IT Services by the Department of Education under the rates and mechanism specified in that agreement.

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(e) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (a), the base for fiscal year 2022 is $24,591,000. The base for fiscal year 2023 is $24,611,000. The base for fiscal year 2024 is $24,629,000.

Sec. 5. Laws 2019, First Special Session chapter 11, article 10, section 6, is amended to read:

Sec. 6. **APPROPRIATIONS; MINNESOTA STATE ACADEMIES.**

(a) The sums indicated in this section are appropriated from the general fund to the Minnesota State Academies for the Deaf and the Blind for the fiscal years designated:

$	13,746,000	.....	2020
$	13,787,000	.....	2021

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

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (b), the base for fiscal year 2022 is $13,794,000 and the base for fiscal year 2023 is $13,801,000. The base for fiscal year 2024 is $13,807,000.

Sec. 6. Laws 2019, First Special Session chapter 11, article 10, section 7, is amended to read:

Sec. 7. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

(a) The sums in this section are appropriated from the general fund to the Perpich Center for Arts Education for the fiscal years designated:

$	7,292,000	.....	2020
$	7,283,000	.....	2021

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

(c) To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), and section 3, paragraph (c), the base for fiscal year 2022 is $7,288,000. The base for fiscal year 2023 is $7,294,000. The base for fiscal year 2024 is $7,299,000.

(d) Of the amount appropriated in fiscal year 2020, $80,000 is for severance payments related to the closure of the Crosswinds school and is available until June 30, 2021.

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ARTICLE 6

FORECAST ADJUSTMENTS

A. GENERAL EDUCATION

Section 1. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 2, is amended to read:

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

$	~~7,383,162,000~~ 7,347,424,000	.....	2020
$	~~7,566,309,000~~ 7,509,639,000	.....	2021

The 2020 appropriation includes $700,383,000 for 2019 and ~~$6,682,779,000~~ $6,647,041,000 for 2020.

The 2021 appropriation includes ~~$715,184,000~~ $711,885,000 for 2020 and ~~$6,851,125,000~~ $6,797,754,000 for 2021.

Sec. 2. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 3, is amended to read:

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

$	~~24,000~~ 19,000	.....	2020
$	~~26,000~~ 20,000	.....	2021

Sec. 3. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 4, is amended to read:

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

	~~$2,897,000~~ 1,770,000	.....	2020
	~~$2,971,000~~ 2,827,000	.....	2021

The 2020 appropriation includes $274,000 for 2019 and ~~$2,623,000~~ $1,496,000 for 2020.

The 2021 appropriation includes ~~$291,000~~ $166,000 for 2020 and ~~$2,680,000~~ $2,661,000 for 2021.

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Sec. 4. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 6, is amended to read:

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

$	~~18,083,000~~ 17,925,000	.....	2020
$	~~18,670,000~~ 18,917,000	.....	2021

The 2020 appropriation includes $1,806,000 for 2019 and ~~$16,277,000~~ $16,119,000 for 2020.

The 2021 appropriation includes ~~$1,808,000~~ $1,790,000 for 2020 and ~~$16,862,000~~ $17,127,000 for 2021.

Sec. 5. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 7, is amended to read:

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

$	~~19,478,000~~ 19,168,000	.....	2020
$	~~19,728,000~~ 20,100,000	.....	2021

The 2020 appropriation includes $1,961,000 for 2019 and ~~$17,517,000~~ $17,207,000 for 2020.

The 2021 appropriation includes ~~$1,946,000~~ $1,911,000 for 2020 and ~~$17,782,000~~ $18,189,000 for 2021.

Sec. 6. Laws 2019, First Special Session chapter 11, article 1, section 25, subdivision 9, is amended to read:

Subd. 9. **Career and technical aid.** For career and technical aid under Minnesota Statutes, section 124D.4531, subdivision 1b:

$~~3,751,000~~ 3,857,000	.....	2020
$~~3,321,000~~ 3,433,000	.....	2021

The 2020 appropriation includes $422,000 for 2019 and ~~$3,329,000~~ $3,435,000 for 2020.

The 2021 appropriation includes ~~$369,000~~ $378,000 for 2020 and ~~$2,952,000~~ $3,055,000 for 2021.

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B. EDUCATION EXCELLENCE

Sec. 7. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 3, is amended to read:

Subd. 3. **Interdistrict desegregation or integration transportation grants.** For interdistrict desegregation or integration transportation grants under Minnesota Statutes, section 124D.87:

$	~~13,874,000~~ 14,231,000	.....	2020
$	~~14,589,000~~ 14,962,000	.....	2021

Sec. 8. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 4, is amended to read:

Subd. 4. **Literacy incentive aid.** For literacy incentive aid under Minnesota Statutes, section 124D.98:

$	~~45,304,000~~ 44,985,000	.....	2020
$	~~45,442,000~~ 44,658,000	.....	2021

The 2020 appropriation includes $4,582,000 for 2019 and ~~$40,722,000~~ $40,403,000 for 2020.

The 2021 appropriation includes ~~$4,524,000~~ $4,489,000 for 2020 and ~~$40,918,000~~ $40,169,000 for 2021.

Sec. 9. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 5, is amended to read:

Subd. 5. **Tribal contract school aid.** For tribal contract school aid under Minnesota Statutes, section 124D.83:

	~~$3,275,000~~ 2,766,000	.....	2020
	~~$3,763,000~~ 3,106,000	.....	2021

The 2020 appropriation includes $299,000 for 2019 and ~~$2,976,000~~ $2,467,000 for 2020.

The 2021 appropriation includes ~~$330,000~~ $274,000 for 2020 and ~~$3,433,000~~ $2,832,000 for 2021.

Sec. 10. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 6, is amended to read:

Subd. 6. **American Indian education aid.** For American Indian education aid under Minnesota Statutes, section 124D.81, subdivision 2a:

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	~~9,515,000~~		
$	10,113,000	.....	2020
	~~9,673,000~~		
$	10,696,000	.....	2021

The 2020 appropriation includes $960,000 for 2019 and ~~$8,555,000~~ $9,153,000 for 2020.

The 2021 appropriation includes ~~$950,000~~ $1,016,000 for 2020 and ~~$8,723,000~~ $9,680,000 for 2021.

Sec. 11. Laws 2019, First Special Session chapter 11, article 2, section 33, subdivision 16, is amended to read:

Subd. 16. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124E.22:

	~~85,450,000~~		
$	83,214,000	.....	2020
	~~91,064,000~~		
$	88,454,000	.....	2021

The 2020 appropriation includes $8,021,000 for 2019 and ~~$77,429,000~~ $75,193,000 for 2020.

The 2021 appropriation includes ~~$8,603,000~~ $8,354,000 for 2020 and ~~$82,461,000~~ $80,100,000 for 2021.

C. TEACHERS

Sec. 12. Laws 2019, First Special Session chapter 11, article 3, section 23, subdivision 3, is amended to read:

Subd. 3. **Alternative teacher compensation aid.** (a) For alternative teacher compensation aid under Minnesota Statutes, section 122A.415, subdivision 4:

	~~89,211,000~~		
$	89,166,000	.....	2020
	~~88,853,000~~		
$	88,851,000	.....	2021

(b) The 2020 appropriation includes $8,974,000 for 2019 and ~~$80,237,000~~ $80,192,000 for 2020.

(c) The 2021 appropriation includes ~~$8,915,000~~ $8,887,000 for 2020 and ~~$79,938,000~~ $79,964,000 for 2021.

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D. SPECIAL EDUCATION

Sec. 13. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 2, is amended to read:

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

$	~~1,619,065,000~~ 1,600,889,000	.....	2020
$	~~1,773,125,000~~ 1,747,701,000	.....	2021

The 2020 appropriation includes $184,363,000 for 2019 and ~~$1,434,702,000~~ $1,416,526,000 for 2020.

The 2021 appropriation includes ~~$201,964,000~~ $199,406,000 for 2020 and ~~$1,571,161,000~~ $1,548,295,000 for 2021.

Sec. 14. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 3, is amended to read:

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

	~~$1,382,000~~ 1,109,000	.....	2020
	~~$1,564,000~~ 1,267,000	.....	2021

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

Sec. 15. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 4, is amended to read:

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

$	~~422,000~~ 445,000	.....	2020
$	~~442,000~~ 467,000	.....	2021

The 2020 appropriation includes $40,000 for 2019 and ~~$382,000~~ $405,000 for 2020.

The 2021 appropriation includes ~~$42,000~~ $44,000 for 2020 and ~~$400,000~~ $423,000 for 2021.

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Sec. 16. Laws 2019, First Special Session chapter 11, article 4, section 11, subdivision 5, is amended to read:

Subd. 5. **Court-placed special education revenue.** For reimbursing serving school districts for unreimbursed eligible expenditures attributable to children placed in the serving school district by court action under Minnesota Statutes, section 125A.79, subdivision 4:

$	~~31,000~~ -0-	.....	2020
$	~~32,000~~ 23,000	.....	2021

E. FACILITIES, FUND TRANSFERS, AND ACCOUNTING

Sec. 17. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 2, is amended to read:

Subd. 2. **Debt service equalization aid.** For debt service equalization aid under Minnesota Statutes, section 123B.53, subdivision 6:

$	20,684,000	.....	2020
$	~~20,363,000~~ 25,398,000	.....	2021

The 2020 appropriation includes $2,292,000 for 2019 and $18,392,000 for 2020.

The 2021 appropriation includes $2,043,000 for 2020 and ~~$18,320,000~~ $23,355,000 for 2021.

Sec. 18. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 3, is amended to read:

Subd. 3. **Long-term facilities maintenance equalized aid.** For long-term facilities maintenance equalized aid under Minnesota Statutes, section 123B.595, subdivision 9:

$	~~105,315,000~~ 104,690,000	.....	2020
$	~~108,042,000~~ 107,820,000	.....	2021

The 2020 appropriation includes $10,464,000 for 2019 and ~~$94,851,000~~ $94,226,000 for 2020.

The 2021 appropriation includes ~~$10,539,000~~ $10,412,000 for 2020 and ~~$97,503,000~~ $97,408,000 for 2021.

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Sec. 19. Laws 2019, First Special Session chapter 11, article 6, section 7, subdivision 6, is amended to read:

Subd. 6. **Maximum effort loan aid.** For aid payments to schools under Minnesota Statutes, section 477A.09~~.~~:

$	3,291,000	.....	2020
$	~~$3,291,000~~ 3,265,000	.....	2021

The base for fiscal year 2022 is ~~$3,291,000~~ $3,265,000 and the base for fiscal year 2023 is $0.

F. NUTRITION AND LIBRARIES

Sec. 20. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 2, is amended to read:

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

$	~~16,306,000~~ 16,245,000	.....	2020
$	~~16,575,000~~ 16,514,000	.....	2021

Sec. 21. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 3, is amended to read:

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

$	~~11,310,000~~ 11,428,000	.....	2020
$	~~11,771,000~~ 11,846,000	.....	2021

Sec. 22. Laws 2019, First Special Session chapter 11, article 7, section 1, subdivision 4, is amended to read:

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

$	~~691,000~~ 658,000	.....	2020
$	~~691,000~~ 658,000	.....	2021

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G. EARLY CHILDHOOD

Sec. 23. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 5, is amended to read:

Subd. 5. **Early childhood family education aid.** (a) For early childhood family education aid under Minnesota Statutes, section 124D.135:

$	~~32,176,000~~ 32,151,000	.....	2020
$	~~33,531,000~~ 33,540,000	.....	2021

(b) The 2020 appropriation includes $3,098,000 for 2019 and ~~$29,078,000~~ $29,053,000 for 2020.

(c) The 2021 appropriation includes ~~$3,230,000~~ $3,133,000 for 2020 and ~~$30,301,000~~ $30,407,000 for 2021.

Sec. 24. Laws 2019, First Special Session chapter 11, article 8, section 13, subdivision 14, is amended to read:

Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section 124D.135:

$	521,000	.....	2020
$	~~503,000~~ 528,000	.....	2021

(b) The 2020 appropriation includes $54,000 for 2019 and $467,000 for 2020.

(c) The 2021 appropriation includes $51,000 for 2020 and ~~$452,000~~ $477,000 for 2021.

H. COMMUNITY EDUCATION AND LIFELONG LEARNING

Sec. 25. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 2, is amended to read:

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

$	~~330,000~~ 327,000	.....	2020
$	~~257,000~~ 249,000	.....	2021

The 2020 appropriation includes $40,000 for 2019 and ~~$290,000~~ $287,000 for 2020.

The 2021 appropriation includes ~~$32,000~~ $31,000 for 2020 and ~~$225,000~~ $218,000 for 2021.

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Sec. 26. Laws 2019, First Special Session chapter 11, article 9, section 3, subdivision 8, is amended to read:

Subd. 8. **Adult basic education aid.** For adult basic education aid under Minnesota Statutes, section 124D.531:

$	~~50,106,000~~ 50,052,000	.....	2020
$	~~51,620,000~~ 51,613,000	.....	2021

The 2020 appropriation includes $4,868,000 for 2019 and ~~$45,238,000~~ $45,184,000 for 2020.

The 2021 appropriation includes ~~$5,026,000~~ $5,020,000 for 2020 and ~~$46,594,000~~ $46,593,000 for 2021.

Presented to the governor May 18, 2020

Signed by the governor May 27, 2020, 11:20 a.m.

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