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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2046

03/19/2015 Authored by Pierson

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; modifying certain pupil unit provisions; amending
1.3 Minnesota Statutes 2014, section 126C.05, subdivision 15.
1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 126C.05, subdivision 15, is amended to
1.6 read:

1.7 Subd. 15. **Learning year pupil units.** (a) ~~When~~ For purposes of computing average
1.8 daily membership under section 126C.10, subdivision 2a, a pupil is may be counted as
1.9 more than one pupil unit as provided in this paragraph and paragraph (b). To be counted
1.10 as more than one pupil unit, a pupil must:

- 1.11 (1) be enrolled in:
 - 1.12 (i) a learning year program under section 124D.128;
 - 1.13 (ii) an area learning center or an alternative learning program approved by the
1.14 commissioner under sections 123A.05 and 123A.06, or;
 - 1.15 (iii) a contract alternative program under section 124D.68, subdivision 3, paragraph
1.16 (d), or subdivision 4; or
 - 1.17 (iv) an online or independent study credit in addition to a full-time district program;

- 1.18 and
 - 1.19 (2) be enrolled for more than:
 - 1.20 (i) 1,020 hours in a school year for a secondary student, ~~more than;~~
 - 1.21 (ii) 935 hours in a school year for an elementary student, ~~more than;~~
 - 1.22 (iii) 850 hours in a school year for a kindergarten student without a disability in an
1.23 all-day kindergarten program; or ~~more than~~

2.1 (iv) 425 hours in a school year for a half-day kindergarten student without a
 2.2 disability, ~~that pupil may be counted as more than one pupil in average daily membership~~
 2.3 ~~for purposes of section 126C.10, subdivision 2a.~~

2.4 (b) The amount in excess of one pupil unit must be determined by the ratio of the
 2.5 number of hours of instruction provided to that pupil in excess of: (i) the greater of 1,020
 2.6 hours or the number of hours required for a full-time secondary pupil in the district to
 2.7 1,020 for a secondary pupil; (ii) the greater of 935 hours or the number of hours required
 2.8 for a full-time elementary pupil in the district to 935 for an elementary pupil in grades 1
 2.9 through 6; and (iii) the greater of 850 hours or the number of hours required for a full-time
 2.10 kindergarten student without a disability in the district to 850 for a kindergarten student
 2.11 without a disability. Hours that occur after the close of the instructional year in June
 2.12 shall be attributable to the following fiscal year. A student in kindergarten or grades 1
 2.13 through 12 must not be counted as more than 1.2 pupils in average daily membership
 2.14 under this subdivision.

2.15 ~~(b)(i)~~ (c) To receive general education revenue for a pupil in an area learning center
 2.16 or alternative learning program that has an independent study component, a district
 2.17 must meet the requirements in this paragraph. The district must develop, for the pupil,
 2.18 a continual learning plan consistent with section 124D.128, subdivision 3. Each school
 2.19 district that has an area learning center or alternative learning program must reserve
 2.20 revenue in an amount equal to at least 90 and not more than 100 percent of the district
 2.21 average general education revenue per pupil unit, minus an amount equal to the product of
 2.22 the formula allowance according to section 126C.10, subdivision 2, times .0466, calculated
 2.23 without basic skills revenue, local optional revenue, and transportation sparsity revenue,
 2.24 times the number of pupil units generated by students attending an area learning center
 2.25 or alternative learning program. The amount of reserved revenue available under this
 2.26 subdivision may only be spent for program costs associated with the area learning center or
 2.27 alternative learning program. Basic skills revenue generated according to section 126C.10,
 2.28 subdivision 4, by pupils attending the eligible program must be allocated to the program.

2.29 ~~(ii)~~ (d) General education revenue for a pupil in a state-approved alternative program
 2.30 without an independent study component must be prorated for a pupil participating for less
 2.31 than a full year, or its equivalent. The district must develop a continual learning plan for
 2.32 the pupil, consistent with section 124D.128, subdivision 3. Each school district that has an
 2.33 area learning center or alternative learning program must reserve revenue in an amount
 2.34 equal to at least 90 and not more than 100 percent of the district average general education
 2.35 revenue per pupil unit, minus an amount equal to the product of the formula allowance
 2.36 according to section 126C.10, subdivision 2, times .0466, calculated without basic skills

3.1 revenue, local optional revenue, and transportation sparsity revenue, times the number of
3.2 pupil units generated by students attending an area learning center or alternative learning
3.3 program. The amount of reserved revenue available under this subdivision may only be
3.4 spent for program costs associated with the area learning center or alternative learning
3.5 program. Basic skills revenue generated according to section 126C.10, subdivision 4, by
3.6 pupils attending the eligible program must be allocated to the program.

3.7 ~~(iii)~~ (e) General education revenue for a pupil in a state-approved alternative program
3.8 that has an independent study component must be paid for each hour of teacher contact
3.9 time and each hour of independent study time completed toward a credit or graduation
3.10 standards necessary for graduation. Average daily membership for a pupil shall equal the
3.11 number of hours of teacher contact time and independent study time divided by 1,020.

3.12 ~~(iv)~~ (f) For a state-approved alternative program having an independent study
3.13 component, the commissioner shall require a description of the courses in the program, the
3.14 kinds of independent study involved, the expected learning outcomes of the courses, and
3.15 the means of measuring student performance against the expected outcomes.

3.16 (g) For purposes of paragraph (a), clause (1), item (iv), "hours" under paragraphs (a)
3.17 and (b) include only hours in credited courses. For purposes of paragraph (a), clause (1),
3.18 item (iv), independent study credits must comply with the criteria in paragraph (f).

3.19 **EFFECTIVE DATE.** This section is effective for revenue in fiscal year 2016 and
3.20 later.