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**ARTICLE 40**  
**STATE AGENCIES**

172.19  
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**ARTICLE 10**  
**STATE AGENCIES**

**S3086-2**

74.20 Section 1. Minnesota Statutes 2016, section 128C.03, is amended to read:

74.21 **128C.03 ELIGIBILITY BYLAWS, POLICIES, AND PROCEDURES:**

74.22 **Subdivision 1. Public input and access to proposed eligibility bylaws, policies, and**  
74.23 **procedures.** (a) The league shall adopt procedures to ensure public notice of all eligibility  
74.24 rules and bylaws, policies, and procedures that will afford the opportunity for public hearings  
74.25 on proposed eligibility rules bylaws, policies, and procedures. If requested by 100 25 or  
74.26 more parents or guardians of students, the public hearing must be conducted by an  
74.27 administrative law judge from the Office of Administrative Hearings, or by a person hired  
74.28 under contract by the Office of Administrative Hearings, or by an independent hearing  
74.29 officer appointed by the commissioner of education from a list maintained for that purpose.  
74.30 At the conclusion of a public hearing requested by 100 or more parents or guardians of  
74.31 students, the person conducting the hearing shall write a report evaluating the extent to  
74.32 which the league has shown that the proposed rule is bylaws, policies, and procedures are  
75.1 needed and reasonable and the legality of the proposed rule bylaws, policies, and procedures.  
75.2 The league shall pay for hearings under this section.

75.3 **(b) The league shall:**

75.4 **(1) maintain a public docket on the league's Web site that includes historical and proposed**  
75.5 **changes in eligibility bylaws, policies, and procedures;**

75.6 **(2) post notice and final versions of all proposed changes to eligibility policies,**  
75.7 **procedures, and definitions to the league Web site for at least 30 days prior to board meetings;**

75.8 **(3) include publication dates on all versions of the league's official handbook or other**  
75.9 **advisory documents regarding league eligibility bylaws, policies, procedures, and definitions;**  
75.10 **and**

75.11 **(4) reconcile and remove duplicate eligibility policies and procedures.**

75.12 **Subd. 2. Eligibility review process.** (a) The league must establish a process for student  
75.13 eligibility review that provides students and parents with a reasonable opportunity to present  
75.14 information regarding the student's eligibility. The league must:

- 75.15 (1) publish general criteria by which a request for review may qualify for a review by  
 75.16 the league's eligibility committee;
- 75.17 (2) publish general criteria by which a review may qualify for further review by an  
 75.18 independent hearing officer;
- 75.19 (3) indicate the conditions, timelines, and procedures for administering any review under  
 75.20 clause (1) or (2); and
- 75.21 (4) provide specific reasons for denying the request for reviews for which the league  
 75.22 denies a request.
- 75.23 (b) The eligibility review process contained in this section does not create a property  
 75.24 right or liberty interest in extracurricular varsity athletic competition.
- 75.25 Sec. 2. Minnesota Statutes 2016, section 128C.20, is amended to read:  
 75.26 **128C.20 LEAGUE INFORMATION REVIEW AND REPORT; COMMISSIONER**  
 75.27 **REVIEW OF LEAGUE RECOMMENDATIONS.**
- 75.28 Subdivision 1. **Annually. (a) Each year the commissioner of education league shall**  
 75.29 **obtain and review the following information about the league:**
- 76.1 (1) an accurate and concise summary of the annual financial and compliance audit  
 76.2 prepared by the state auditor that includes information about the compensation of and the  
 76.3 expenditures by the executive director of the league and league staff;
- 76.4 (2) a list of all complaints filed with the league and all lawsuits filed against the league  
 76.5 and the disposition of those complaints and lawsuits;
- 76.6 (3) an explanation of the executive director's performance review;
- 76.7 (4) information about the extent to which the league has implemented its affirmative  
 76.8 action policy, its comparable worth plan, and its sexual harassment and violence policy and  
 76.9 rules; and
- 76.10 (5) an evaluation of any proposed changes in league policy bylaws, policies, procedures,  
 76.11 and definitions, including those that have been proposed, for compliance with Department  
 76.12 of Education programs and applicable state and federal law; and
- 76.13 (6) an explanation of recent and proposed changes to eligibility bylaws, policies, and  
 76.14 procedures, including the eligibility review process under section 128C.03, subdivision 2.

76.15 The league shall post the review on the league's Web site and present written copies of  
 76.16 the review to the commissioner of education and the chairs and ranking minority members  
 76.17 of the legislative committees with jurisdiction over kindergarten through grade 12 education.

76.18 (b) The commissioner may examine any league activities or league-related issues when  
 76.19 the commissioner believes this review is warranted.

76.20 Subd. 2. **Recommend laws.** The commissioner may recommend to the legislature  
 76.21 whether any legislation is made necessary by league activities.

**S3656-2**

579.3 Section 1. Laws 2017, First Special Session chapter 5, article 11, section 9, subdivision  
 579.4 2, is amended to read:

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

579.6 \$ 27,158,000 ..... 2018

579.7 ~~24,874,000~~

579.8 \$ 24,673,000 ..... 2019

579.9 Of these amounts:

579.10 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal  
 579.11 year 2020, the amount indicated is from the educator licensure account in the special revenue  
 579.12 fund;

579.13 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 579.14 section 120B.115;

579.15 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota  
 579.16 Statutes, section 127A.052;

579.17 (4) \$250,000 each year is for the School Finance Division to enhance financial data  
 579.18 analysis;

172.21 Section 1. Laws 2017, First Special Session chapter 5, article 11, section 9, is amended  
 172.22 to read:

172.23 Sec. 9. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

172.24 Subdivision 1. **Department of Education.** Unless otherwise indicated, the sums indicated  
 172.25 in this section are appropriated from the general fund to the Department of Education for  
 172.26 the fiscal years designated.

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

172.28 \$ 27,158,000 ..... 2018

172.29 \$ 24,874,000 ..... 2019

172.30 Of these amounts:

173.1 (1) \$231,000 each year is for the Board of School Administrators, and beginning in fiscal  
 173.2 year 2020, the amount indicated is from the educator licensure account in the special revenue  
 173.3 fund;

173.4 (2) \$1,000,000 each year is for regional centers of excellence under Minnesota Statutes,  
 173.5 section 120B.115;

173.6 (3) \$500,000 each year is for the school safety technical assistance center under Minnesota  
 173.7 Statutes, section 127A.052;

173.8 (4) \$250,000 each year is for the School Finance Division to enhance financial data  
 173.9 analysis;

- 579.19 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
579.20 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;
- 579.21 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department  
579.22 of Education's mainframe update;
- 579.23 (7) \$123,000 each year is for a dyslexia specialist; ~~and~~
- 579.24 (8) \$2,000,000 each year is for legal fees and costs associated with litigation; and
- 579.25 (9) \$185,000 in fiscal year 2019 is for the Turnaround Arts program.
- 579.26 (b) Any balance in the first year does not cancel but is available in the second year.
- 579.27 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's  
579.28 Washington, D.C. office.
- 579.29 (d) The expenditures of federal grants and aids as shown in the biennial budget document  
579.30 and its supplements are approved and appropriated and shall be spent as indicated.
- 580.1 (e) This appropriation includes funds for information technology project services and  
580.2 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing  
580.3 information technology costs will be incorporated into the service level agreement and will  
580.4 be paid to the Office of MN.IT Services by the Department of Education under the rates  
580.5 and mechanism specified in that agreement.
- 580.6 (f) The agency's base is ~~\$22,054,000~~ \$22,014,000 for fiscal year 2020 and \$21,965,000  
580.7 for 2021.
- 580.8 Sec. 2. Laws 2017, First Special Session chapter 5, article 11, section 12, is amended to  
580.9 read:  
580.10 Sec. 12. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**
- 580.11 (a) The sums in this section are appropriated from the general fund to the Perpich Center  
580.12 for Arts Education for the fiscal years designated:

- 173.10 (5) \$720,000 each year is for implementing Minnesota's Learning for English Academic  
173.11 Proficiency and Success Act under Laws 2014, chapter 272, article 1, as amended;
- 173.12 (6) \$2,750,000 in fiscal year 2018 and \$500,000 in fiscal year 2019 are for the Department  
173.13 of Education's mainframe update;
- 173.14 (7) \$123,000 each year is for a dyslexia specialist; ~~and~~
- 173.15 (8) \$2,000,000 each year is for legal fees and costs associated with litigation; and
- 173.16 (9) \$519,000 in fiscal year 2019 and later is for prekindergarten administration.
- 173.17 (b) Any balance in the first year does not cancel but is available in the second year.
- 173.18 (c) None of the amounts appropriated under this subdivision may be used for Minnesota's  
173.19 Washington, D.C. office.
- 173.20 (d) The expenditures of federal grants and aids as shown in the biennial budget document  
173.21 and its supplements are approved and appropriated and shall be spent as indicated.
- 173.22 (e) This appropriation includes funds for information technology project services and  
173.23 support subject to the provisions of Minnesota Statutes, section 16E.0466. Any ongoing  
173.24 information technology costs will be incorporated into the service level agreement and will  
173.25 be paid to the Office of MN.IT Services by the Department of Education under the rates  
173.26 and mechanism specified in that agreement.
- 173.27 (f) The agency's base is ~~\$22,054,000~~ \$21,054,000 for fiscal year 2020 and ~~\$21,965,000~~  
173.28 \$20,965,000 for 2021.
- 173.29 Sec. 2. Laws 2017, First Special Session chapter 5, article 11, section 12, is amended to  
173.30 read:  
173.31 Sec. 12. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**
- 174.1 (a) The sums in this section are appropriated from the general fund to the Perpich Center  
174.2 for Arts Education for the fiscal years designated:

580.13            ~~8,173,000~~  
 580.14        \$     7,388,000     ..... 2018  
  
 580.15            ~~6,973,000~~  
 580.16        \$     6,396,000     ..... 2019

580.17        (b) Of the amounts appropriated in paragraph (a), \$370,000 is for fiscal ~~years~~ year 2018  
 580.18 or 2019 only for arts integration and Turnaround Arts programs.

580.19        (c) ~~\$1,200,000~~ \$415,000 in fiscal year 2018 is for severance payments related to the  
 580.20 closure of Crosswinds school and is available until June 30, 2019.

580.21        (d) The base in fiscal year 2020 is \$6,521,000.

174.3            ~~8,173,000~~  
 174.4        \$     7,298,000     ..... 2018  
  
 174.5        \$     6,973,000     ..... 2019

174.6        (b) Of the amounts appropriated in paragraph (a), \$370,000 is for fiscal ~~years~~ 2018 or  
 174.7 2019 only for arts integration and Turnaround Arts programs.

174.8        (c) ~~\$1,200,000~~ \$325,000 in fiscal year 2018 is for severance payments related to the  
 174.9 closure of Crosswinds school and is available until June 30, ~~2019~~ 2018.

174.10        (d) For fiscal year 2020 and later, the base for the Perpich Center for Arts Education is  
 174.11 \$5,373,000. This base is calculated with an operational fixed cost of \$2,518,000 and a  
 174.12 variable cost of \$16,000 times the estimated number of pupil units served times the ratio of  
 174.13 the basic formula allowance for the current year to the formula allowance for fiscal year  
 174.14 2019.

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

174.16 Sec. 3. Laws 2017, First Special Session chapter 5, article 11, section 13, is amended to  
 174.17 read:

174.18 Sec. 13. **CROSSWINDS DISPOSITION COSTS.**

174.19        ~~\$162,000~~ \$21,000 in fiscal year 2018 only is appropriated from the general fund to the  
 174.20 Perpich Center for Arts Education. The amount appropriated in this section is for transfer  
 174.21 to the commissioner of administration for costs related to the sale of the Crosswinds school  
 174.22 and is available until June 30, 2019.

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

**S3086-2**

76.22 Sec. 3. **REPEALER**

76.23        Minnesota Statutes 2016, section 128C.02, subdivision 6, is repealed.