

## CHAPTER 129B

### GRANTS FOR EDUCATION

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**129B.01** [Repealed, 1987 c 398 art 1 s 27 subd 1; art 8 s 45]

**129B.02** [Repealed, 1987 c 398 art 1 s 27 subd 1; art 8 s 45]

**129B.04** [Repealed, 1987 c 398 art 1 s 27 subd 1; art 8 s 45]

#### **129B.041 COPYRIGHT AND SALE OF PRODUCTS.**

Subdivision 1. **Copyright.** Products of projects and programs developed with a grant or loan from the council on quality education, including curriculum and instructional materials, computer and telecommunications software, and associated manuals and reports, may be copyrighted by the department in the name of the state and may be sold. The state shall sell the products at prices that do not exceed the cost of reproduction and distribution. Products sold shall be clearly labeled as products developed pursuant to a grant or loan from the council on quality education.

Subd. 3. **Revolving fund.** The education product and loan repayment revolving account is established in the state treasury. Sale proceeds from the sale of products under this section shall be deposited in this account. All money in this account is annually appropriated to the department of education and shall be used to reproduce and distribute products of projects and programs developed with a grant or loan from the council on quality education.

Subd. 4. [Repealed, 1987 c 398 art 8 s 45]

**History:** 1987 c 398 art 8 s 31,32; 1Sp1987 c 4 art 1 s 4,11

**129B.05** [Repealed, 1987 c 398 art 1 s 27 subd 1; art 8 s 45]

#### **129B.11 PROGRAM IMPROVEMENT GRANTS.**

Subdivision 1. **Plans; grant awards.** The state board of education, with the advice of the state curriculum advisory committee and the advisory committee on technology in education for projects involving technology, shall make grants to groups of school districts to implement plans to improve education. The board may award grants to groups of districts which submit plans that include at least the following:

(1) program and curriculum changes which provide more learning opportunities for students;

(2) demonstration of a local commitment to the plan and, in the case of plans utilizing technology, local financial support including public and private partnerships;

(3) involvement of school district teaching staff in development of the plan;

(4) demonstration that the plan is consistent with school district goals established under section 126.666; and

(5) the structural criteria established in subdivision 2.

The board may establish additional criteria and shall establish time-lines and the grant application procedure for making grants:

Subd. 2. **Eligibility.** To be eligible for a grant, a group of districts must meet one of the following criteria:

(1) create a consolidated district according to section 122.23, with the consolidated school district having at least 600 pupils in average daily membership;

(2) establish an education district according to section 122.91;

(3) form a group of districts that has an agreement under section 122.535 or 122.541 for discontinuing grades when the districts entering into the agreement have a total of at least 240 pupils in average daily membership in grades ten, 11, and 12; or

(4) enter into a joint powers agreement for a technology cooperative where the school districts in the cooperative are contiguous but are significant distances apart so that other forms of cooperation are not practical.

Subd. 3. **Amounts.** The board may determine the amount of the grant, but a grant shall not exceed \$250,000 for a group of districts.

**History:** 1987 c 398 art 8 s 33; 1Sp1987 c 4 art 1 s 12

### 129B.32 DEFINITIONS.

*[For text of subd 1, see M.S.1986]*

Subd. 2. [Repealed, 1987 c 398 art 1 s 27 subd 1]

*[For text of subds 3 and 4, see M.S.1986]*

Subd. 5. [Repealed, 1987 c 398 art 1 s 27 subd 1]

*[For text of subd 6, see M.S.1986]*

129B.33 [Repealed, 1987 c 398 art 1 s 27 subd 1]

129B.35 [Repealed, 1987 c 398 art 8 s 45]

129B.36 [Repealed, 1987 c 398 art 1 s 27 subd 1]

129B.37 [Repealed, 1987 c 398 art 8 s 45]

### 129B.39 PURCHASE OF COURSEWARE PACKAGE DUPLICATION RIGHTS.

Rights to duplication of courseware packages may be purchased, and volume purchase agreements may be established by the department of education, if the department determines that the courseware packages qualify as high quality according to section 129B.37, and if the courseware packages are available to the state at a lower cost than if purchased by school districts individually. The department shall contract with any company that submits the lowest bid and that has the capability to duplicate and distribute courseware packages obtained by the department under this section. The materials shall be available to districts at cost, including nominal costs of reproduction and distribution. Money from the sale of courseware packages is annually appropriated to the department of education to purchase additional courseware packages according to this section.

**History:** 1987 c 398 art 7 s 37

### 129B.43 PROGRAM SELECTION.

Subdivision 1. **Authorization.** A school district or group of districts may establish an improved learning program.

Subd. 2. [Repealed, 1987 c 398 art 1 s 27 subd 3; art 8 s 45]

Subd. 3. [Repealed, 1987 c 398 art 1 s 27 subd 3; art 8 s 45]

Subd. 4. **Rules and rights.** The state board of education may waive school district compliance with its rules which would prevent implementation of an improved learning program. Participation in an improved learning program as a principal-teacher, counselor-teacher, or career teacher shall not affect seniority in the district or rights under the applicable collective bargaining agreement.

[For text of subd 5, see M.S.1986]

Subd. 6. [Repealed, 1987 c 398 art 1 s.27 subd 3; art 8 s 45]

**History:** 1987 c 398 art 1 s 19,20

**NOTE:** Subdivisions 2, 3, and 6 are repealed by Laws 1987, chapter 398, article 1, section 27, subdivision 3, effective June 30, 1988. See Laws 1987, chapter 398, article 1, section 27, subdivision 3.

## AREA LEARNING AND REPORTING PROCESS

### 129B.52 AREA LEARNING CENTER ORGANIZATION.

Subdivision 1. **Governance.** A school district may establish an area learning center either by itself or in cooperation with other districts, an ECSU, an intermediate school district, public and private secondary and post-secondary institutions, public agencies, businesses, and foundations. Except for a district located in a city of the first class, a center must serve the geographic area of at least two districts.

Subd. 2. **Access to services.** A center shall have access to the district's regular education programs, technology facilities, and staff. It may contract with individuals or post-secondary institutions. It shall seek the involvement of community education programs, post-secondary institutions, community resources, businesses, and other federal, state, and local public agencies.

Subd. 3. **Nonresident pupils.** A pupil who does not reside in the district may attend a center without consent of the school board of the district of residence.

**History:** 1987 c 398 art 8 s 34

### 129B.53 CENTER PROGRAMS AND SERVICES.

Subdivision 1. **Program focus.** The programs and services of a center must focus on academic and learning skills, trade and vocational skills, work experience, and transition services.

Subd. 2. **People to be served.** A center shall provide programs for secondary pupils and adults. Secondary pupils to be served are those who are chemically dependent, not likely to graduate from high school, need assistance in vocational and basic skills, can benefit from employment experiences, and need assistance in transition from school to employment. Adults to be served are dislocated homemakers and workers and others who need basic educational and social services. In addition to offering programs, the center shall coordinate the use of other available educational services, social services, and post-secondary institutions in the community. The center may also provide programs for elementary and secondary pupils who are not attending the center to assist them in completing high school.

Subd. 3. **Rules exemption.** Notwithstanding any law to the contrary, the center programs must be available throughout the entire year. Pupils in a center may receive instruction for more than or less than the daily number of hours required by the rules of the state board of education. However, a pupil must receive instruction each year for at least the total number of instructional hours required by statutes and rules. A center may petition the state board under Minnesota Rules, part 3500.1000, for exemption from other rules.

Subd. 4. **Graduation.** Upon successful completion of the center program, a pupil is entitled to receive a high school diploma. The pupil may elect to receive a diploma from either the district of residence or the district in which the center is located.

**History:** 1987 c 398 art 8 s 35

### 129B.54 RESOURCE CENTER FOR OTHER PROGRAMS.

An area learning center must serve as a resource for other districts, educational, community, and business organizations. The center may charge a fee for these services. The following services shall be provided for a region or the state:

- (1) information and research for alternative programs;

(2) regional or state workshops on awareness, identification, programs, and support for these pupils; and

(3) recommendations for staff qualifications to ensure the most qualified staff can be selected for the programs.

**History:** 1987 c 398 art 8 s 36

#### 129B.55 CENTER FUNDING.

Subdivision 1. **Outside sources.** A center may accept:

(1) resources and services from post-secondary institutions serving center pupils;

(2) resources from job training partnership act programs, including funding for jobs skills training for various groups and the percentage reserved for education;

(3) resources from the department of human services and county welfare funding; or

(4) private resources, foundation grants, gifts, corporate contributions, and other grants.

Subd. 2. **Foundation revenue.** Payment of foundation or general education aid for nonresident pupils enrolled in the center must be made according to section 124A.036, subdivision 5.

**History:** 1987 c 398 art 8 s 37

### DESEGREGATION CAPITAL IMPROVEMENT GRANT ACT

#### 129B.71 CITATION.

Sections 129B.71 to 129B.75 may be cited as the "desegregation capital improvement grant act."

**History:** 1987 c 400 s 39

#### 129B.72 APPROVAL AUTHORITY; APPLICATION FORMS.

Subdivision 1. **Approval by commissioner.** The commissioner of education may approve or disapprove applications under section 129B.73. The grant money must be used only to remodel or improve a building or site under contracts to be entered into within 15 months after the date each grant is awarded.

Subd. 2. **Application forms; rules.** The commissioner of education shall prepare application forms. The state board of education shall adopt rules under chapter 14 to govern the application process set out in section 129B.73.

**History:** 1987 c 400 s 40

#### 129B.73 GRANT APPLICATION PROCESS.

Subdivision 1. **Qualification.** A school district that meets the criteria required under subdivision 2 may apply for a grant in an amount up to 50 percent of the approved costs of remodeling or improvement.

Subd. 2. **Review by commissioner.** (a) A school district that submits an application for a grant shall submit a proposal to the commissioner for review and comment under section 121.15, and the commissioner shall prepare a review and comment on the proposed facility, regardless of the amount of the capital expenditure required to remodel or improve the building or site. The commissioner must not approve an application for a grant for a building or site unless the building or site receives a favorable review and comment under section 121.15 and is recommended by the commissioner as part of the district's approved desegregation plan.

Subd. 3. **Award of grants.** The commissioner shall examine and consider all applications for grants, and if a district is found not qualified, the commissioner shall promptly notify the district board. If the total amount of the applications exceeds the amount that is or can be made available, the commissioner shall prorate the available

amount among the qualified applicant districts, according to the commissioner's judgment and discretion based upon their respective needs. The commissioner shall promptly certify to each district the amount, if any, of the grant awarded to it.

**Subd. 4. Matching revenue.** Upon being awarded a grant under subdivision 3, the board shall determine the need to bond for additional revenue. If the board determines that there is no need to bond, it shall certify to the commissioner of education that other funds are available for the purpose. If a bond issue is required, the board shall submit, within 90 days, the question of authorizing the borrowing of funds for remodeling or improvements to the voters of the district at a special election, that may be held in conjunction with the annual election of the school board members. If a majority of those voting on the question do not vote in the affirmative, the grant must be canceled.

**History:** 1987 c 400 s 41

#### **129B.74 STATE BOND AUTHORIZATION.**

To provide money for the desegregation capital improvement grant program, the commissioner of finance, upon the request of the commissioner of education, shall issue and sell bonds of the state up to the amount of \$900,000 in the manner, upon the terms and with the effect prescribed by sections 16A.631 to 16A.675 and the Minnesota Constitution, article XI, sections 4 to 7.

**History:** 1987 c 400 s 42

#### **129B.75 REPORT TO THE LEGISLATURE.**

By January 15 of each year, the commissioner of education shall report to the legislature on the implementation of the desegregation capital improvement grant program established in sections 129B.71 to 129B.74.

**History:** 1987 c 400 s 43