

CHAPTER 124C

GRANTS FOR EDUCATION

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124C.01 [Renumbered 120.90]

124C.02 [Repealed, 1991 c 265 art 6 s 67]

124C.03 INTERAGENCY ADULT LEARNING ADVISORY COUNCIL AND GRANTS.

Subdivision 1. **Specific goals.** The interagency adult learning initiative is intended to:

- (1) increase the number of adults improving their basic skills and completing general educational development, high school diploma, and technical skills training programs;
- (2) reduce the dropout rate in adult programs by ensuring that transportation, child care, and other barriers to learning are addressed;
- (3) be a catalyst to upgrade existing adult education programs;
- (4) expand cooperation among education, human services, and job training agencies; and
- (5) support employer, labor union, or other initiatives to improve employed workers' basic skills.

Subd. 2. **Members; meetings; officers.** The interagency adult learning advisory council shall have 15 to 17 members. Members must have experience in educating adults or in programs addressing welfare recipients and incarcerated, unemployed, and underemployed people.

The members of the interagency adult learning advisory council are appointed as follows:

- (1) one member appointed by the commissioner of economic security;
- (2) one member appointed by the commissioner of human services;
- (3) one member appointed by the director of the refugee and immigrant assistance division of the department of human services;
- (4) one member appointed by the commissioner of corrections;
- (5) one member appointed by the commissioner of education;
- (6) one member appointed by the chancellor of the state board of technical colleges;

- (7) one member appointed by the chancellor of community colleges;
- (8) one member appointed by the Minnesota adult literacy campaign or by another nonprofit literacy organization, as designated by the commissioner of education;
- (9) one member appointed by the council on Black Minnesotans;
- (10) one member appointed by the Spanish-speaking affairs council;
- (11) one member appointed by the council on Asian-Pacific Minnesotans;
- (12) one member appointed by the Indian affairs council; and
- (13) one member appointed by the disability council.

Up to four additional members of the council may be nominated by the participating agencies. Based on the council's recommendations, the commissioner of education must appoint at least two, but not more than four, additional members. Nominees shall include, but are not limited to, representatives of local education, government, nonprofit agencies, employers, labor organizations, and libraries.

The council shall elect its officers.

Subd. 3. **Staff.** The commissioner of education shall provide space and administrative services to the council. The commissioner may contract for staff for the council.

Subd. 4. **Compensation.** Compensation of members is governed by section 15.059, subdivision 6.

Subd. 5. **Expiration date.** The advisory council expires on June 30, 1995.

Subd. 6. **Council responsibilities.** The responsibilities of the council are to make recommendations to:

- (1) coordinate planning and activities of participating agencies;
- (2) assist program coordination at the local level;
- (3) develop policy recommendations on adult literacy for the state, and make recommendations to the participating commissioners and the legislature;
- (4) establish standards for effective programs and promote statewide implementation of such standards;
- (5) award grant funds;
- (6) evaluate programs funded by the state; and
- (7) provide technical assistance and staff development services, in coordination with participating agencies.

Subd. 7. **Targeted adult literacy grants.** The council may make recommendations to award grants to qualified programs to serve people who are on public assistance, are unemployed, or underemployed and who:

- (1) are functioning below the eighth grade level;
- (2) have not completed high school or a GED program;
- (3) need basic skills remediation for employment, occupational training, or post-secondary education; or
- (4) do not speak English.

The council may prioritize funding for services for people described in clause (1) or to persons with learning disabilities.

Priority must be given to qualified programs for the recipients of aid to families with dependent children who are identified for self-sufficiency services under section 256.736, and qualified programs for recipients of general assistance or work readiness assistance.

Subd. 8. **Standards for qualified programs.** (a) Except as provided in paragraph (b) and subdivision 9, a program qualifying for a grant must:

- (1) be directed to the unemployed, the underemployed, the incarcerated, public assistance recipients, or to non-English speaking immigrants;
- (2) integrate learning and support services such as child care, transportation, and counseling;

- (3) have intensive learning that maximizes the weekly hours available to learners;
 - (4) be accessible year-round and during daytime or evening hours as needed, except where otherwise appropriate to learners' needs;
 - (5) have individualized learning plans and outcome based learning;
 - (6) provide instruction in transferable basic skills;
 - (7) have context based learning linked to individual occupational or self-sufficiency goals;
 - (8) provide for reporting and evaluation;
 - (9) have appropriate coordination and differentiation of services among adult literacy services and agencies in the local area;
 - (10) be coordinated with human services and employment and training agencies, as appropriate to the target population; and
 - (11) maximize use of available local resources.
- (b) The commissioner of education may waive a standard because of client need or local conditions. The reason for the waiver must be documented.

Subd. 9. **Innovation grants.** The commissioner of education may award grants for innovative programs. An innovation grant need not comply with the standards in subdivision 8. The nature and extent of the proposed innovation must be described in the award.

Subd. 10. **No funding required.** The commissioner of education need not award a grant for any proposal that, in the determination of the commissioner does not meet the standards in subdivision 8.

Subd. 11. **Eligible grantees.** To be eligible for a grant, one or more public agencies, or public or private nonprofit organizations, must submit a plan to create or maintain a qualified program. A profit-making organization cannot receive a grant but may be a subcontractor on a grant.

Grantees may not reduce existing expenditure levels for the target population.

Subd. 12. **Geographic distribution.** The commissioner of education shall seek to award grants throughout the state, taking into account the incidence of the target population. It shall provide technical assistance to local agencies to enhance fulfillment of this subdivision.

Subd. 13. **Supplemental grants.** A grant may supplement existing local programs by financing additional services or hours of instruction.

Subd. 14. **Grant schedule.** Grants must be awarded by July 1 of each year. Grants may be awarded for a period not to exceed 24 months.

Subd. 15. **Local and regional joint planning.** The commissioner of education may require grant applicants and existing adult basic education providers in a locality to present a joint services plan as a condition of receiving a grant under this section.

Subd. 16. **Reporting and evaluation.** The commissioner of education shall evaluate the performance of the grantees each year.

History: 1989 c 329 art 4 s 15; 1990 c 375 s 3; 1991 c 130 s 24; 1991 c 265 art 4 s 19; art 11 s 9; 1991 c 345 art 2 s 25-33; 1994 c 465 art 3 s 47,51; 1994 c 483 s 1

NOTE: This section is repealed effective June 30, 1995. See Laws 1989, chapter 329, article 4, section 20.

COMPREHENSIVE ARTS IN EDUCATION PLANNING GRANTS

124C.07 COMPREHENSIVE ARTS PLANNING PROGRAM.

The department of education shall prescribe the form and manner of application by one or more school districts to be designated as a site to participate in the comprehensive arts planning program. Up to 30 sites may be selected. The department of education shall designate sites in consultation with the Minnesota alliance for arts in education, the Minnesota center for arts education, and the Minnesota state arts board.

History: 1983 c 314 art 6 s 19; 1Sp1985 c 12 art 5 s 3; 1992 c 499 art 11 s 2

124C.08 COMPREHENSIVE ARTS PLANNING PROGRAM SITES.

Subdivision 1. **Funding.** Each site shall receive \$1,250 each year for two years. If fewer than 30 sites are selected, each site shall receive an additional proportionate share of money appropriated and not used. Before receiving money for the second year, a long-range plan for arts education must be submitted to the Minnesota center for arts education.

Subd. 2. **Criteria.** The center, in consultation with the comprehensive arts planning program state steering committee, shall establish criteria for site selection. Criteria shall include at least the following:

(1) a willingness by the district or group of districts to designate a program chair for comprehensive arts planning with sufficient authority to implement the program;

(2) a willingness by the district or group of districts to create a committee comprised of school district and community people whose function is to promote comprehensive arts education in the district;

(3) commitment on the part of committee members to participate in training offered by the department of education;

(4) a commitment of the committee to conduct a needs assessment of arts education;

(5) commitment by the committee to evaluate its involvement in the program;

(6) a willingness by the district to adopt a long-range plan for arts education in the district;

(7) no previous involvement of the district in the comprehensive arts planning program, unless that district has joined a new group of districts; and

(8) location of the district or group of districts to assure representation of urban, suburban, and rural districts and distribution of sites throughout the state.

Subd. 3. **Program accounts.** A district receiving funds shall maintain a separate account for the receipt and disbursement of all funds relating to the program. The funds shall be spent only for the purpose of arts education programs, including teacher release time.

Subd. 4. **Additional funding.** A district receiving funds may receive funds for the program from private sources and from other governmental agencies, including any state or federal funds available for arts education.

History: 1983 c 314 art 6 s 22; 1Sp1985 c 12 art 5 s 4; 1988 c 718 art 6 s 14; 1992 c 499 art 11 s 3; 1993 c 224 art 11 s 2,3

124C.09 MATERIALS, TRAINING, AND ASSISTANCE.

The Minnesota center for arts education, in cooperation with the Minnesota alliance for arts in education and the Minnesota state arts board shall provide materials, training, and assistance to the arts education committees in the school districts. The center may contract with the Minnesota alliance for arts in education for its involvement in providing services, including staff assistance, to the program.

History: 1983 c 314 art 6 s 23; 1Sp1985 c 12 art 5 s 5; 1992 c 499 art 11 s 4; 1993 c 224 art 11 s 4

MINNESOTA LOCAL PARTNERSHIP ACT**124C.10 CITATION.**

Sections 124C.11 and 124C.12 may be cited as the Minnesota local partnership act.

History: 1991 c 265 art 7 s 14

124C.11 PURPOSE OF THE MINNESOTA LOCAL PARTNERSHIP ACT.

The purpose of the Minnesota local partnership act is to design methods to focus

on the development and learning of children and youth in Minnesota in the 1990's and the next century. Cooperation and collaboration of all services, including education, health, and human services for children and youth will be encouraged at the local and state level. The program will provide incentives to design a system of child-focused coordinated services to enhance the learning and development of individual children and youth.

History: 1991 c 265 art 7 s 15

124C.12 MINNESOTA LOCAL PARTNERSHIP PROGRAM.

Subdivision 1. Establishment. A program is established under the direction of the state board of education, with the cooperation of the commissioners of education, health, and human services. It is expected that participants and other districts will become exemplary districts by the year 2000.

Subd. 2. Eligibility. An applicant for revenue may be any one of the following:

- (1) a school district located in a city of the first class offering a program in cooperation with other districts or by itself, in one or more areas in the district or in the entire district;
- (2) at least two cooperating school districts located in the seven-county metropolitan area but not located in a city of the first class;
- (3) a group of school districts that are all members of the same education district;
- (4) an education district;
- (5) a group of cooperating school districts none of which are members of any education district; or
- (6) a school district.

Subd. 3. Community education council. Each revenue recipient must establish one or more community education councils. A community education council may be composed of elected representatives of local governments, an education district board, school boards, human service providers, health providers, education providers, community service organizations, clergy, local education sites, and local businesses. The community education council shall plan for the education, human service, and health needs of the community and collaborative ways to modify or build facilities for use by all community residents. A council formed under this subdivision may be an expansion of and replace the community education advisory council required by section 121.88, subdivision 2.

Subd. 4. Application process. To obtain revenue, a district or districts must submit an application to the state board in the form and manner established by the state board. Additional information may be required by the state board.

Subd. 5. Revenue. The state board may award revenue to up to four applicants. The board may determine the size of the award based upon the application. Recipients must be located throughout the state.

Subd. 6. Proceeds of revenue. Revenue may be used for initial planning expenses and for implementing child-focused learning and development programs.

History: 1991 c 265 art 7 s 16

124C.21 [Repealed, 1991 c 130 s 38]

124C.22 [Renumbered 121.94]

124C.23 [Renumbered 121.941]

124C.24 [Renumbered 121.942]

124C.25 [Renumbered 121.943]

124C.26 [Renumbered 125.70]

124C.27 [Renumbered 125.701]

124C.28 [Renumbered 125.702]

124C.29 [Renumbered 125.703]

124C.30 [Renumbered 125.704]

124C.31 [Renumbered 125.705]

TEACHER CENTERS

124C.41 TEACHER CENTERS.

Subdivision 1. **Definition.** For the purposes of this section, "teacher" has the meaning given it in section 179A.03, subdivision 18.

Subd. 2. **Establishment.** A teacher center may be established by one or more school boards and the exclusive representatives of the teachers. The teacher center shall serve at least ten districts or 3,000 teachers.

Subd. 3. **Policy board membership.** Representatives of exclusive representatives and representatives of the school boards shall mutually determine the composition of the policy board according to the guidelines in this subdivision. A majority of the policy board must be teachers. The number of policy board members from each participating district must be in proportion to the number of teachers in each district. The board shall be composed of elementary teachers, secondary teachers, and other teachers, parents, and representatives of school boards, post-secondary education, business, and labor. At least one teacher from each participating district shall be a member of the board.

Subd. 4. **Board powers and duties.** The board shall develop policy, designate a fiscal agent, adopt a budget, expend funds to accomplish the purposes of the center, contract for technical and other assistance, and perform other managerial or supervisory activities consistent with the rules of the state board of education. The board may employ staff or contract with consultants for services.

Subd. 5. **Center functions.** A teacher center shall perform functions according to this subdivision. The center shall assist teachers, diagnose learning needs, experiment with the use of multiple instructional approaches, assess pupil outcomes, assess staff development needs and plans, and teach school personnel about effective pedagogical approaches. The center shall develop and produce curricula and curricular materials designed to meet the educational needs of pupils being served, by applying educational research and new and improved methods, practices, and techniques. The center shall provide programs to improve the skills of teachers to meet the special educational needs of pupils. The center shall provide programs to familiarize teachers with developments in curriculum formulation and educational research, including how research can be used to improve teaching skills. The center shall facilitate sharing of resources, ideas, methods, and approaches directly related to classroom instruction and improve teachers' familiarity with current teaching materials and products for use in their classrooms. The center shall provide in-service programs.

Subd. 6. [Repealed, 1991 c 265 art 7 s 43]

Subd. 7. [Repealed, 1991 c 265 art 7 s 43; art 8 s 20]

History: 1989 c 329 art 11 s 11

AREA LEARNING CENTERS

124C.45 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

124C.46 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-based learning opportunities, work experience, youth service to the community, and transition services.

Subd. 2. **People to be served.** A center shall provide programs for secondary pupils and adults, giving priority to serving persons between 16 and 21 years of age. 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; 1988 c 718 art 6 s 15; 1993 c 146 art 5 s 16

124C.47 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

124C.48 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. **General education aid.** Payment of 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; 1988 c 486 s 78

124C.49 DESIGNATION AS CENTER.

The commissioner of education, in cooperation with the state board of education, shall establish a process for state designation and approval of area learning centers that meet the provisions of sections 124C.45 to 124C.48. Any process for designating and approving an area learning center must emphasize the importance of having the area learning center serve students who have dropped out of school, are homeless, are eligible to receive free or reduced priced lunch, have been suspended or expelled, have been declared truant or are pregnant or parents.

History: 1988 c 718 art 7 s 52; 1991 c 130 s 25; 1994 c 647 art 4 s 27

MAGNET SCHOOLS**124C.498 METROPOLITAN MAGNET SCHOOL GRANTS.**

Subdivision 1. Policy and purpose. A metropolitan magnet school grant program is established for the purpose of promoting integrated education for students in pre-kindergarten through grade 12, increase mutual understanding among all students, and address the inability of local school districts to provide required construction funds through local property taxes. The program seeks to encourage school districts located in whole or in part within the seven-county metropolitan area to make available to school age children residing in the metropolitan area those educational programs, services, and facilities that are essential to meeting all children's needs and abilities. The program anticipates using the credit of the state, to a limited degree, to provide grants to metropolitan area school districts to improve the educational opportunities and academic achievement of disadvantaged children and the facilities that are available to those children.

Subd. 2. Approval authority; application forms. To the extent money is available, the commissioner of education may approve projects from applications submitted under this section. The grant money must be used only to acquire, construct, remodel, or improve the building or site of a magnet school facility according to contracts entered into within 15 months after the date on which a grant is awarded.

Subd. 3. Grant application process. (a) Any group of school districts that meets the criteria required under paragraph (b)(i) may apply for a magnet school grant in an amount not to exceed \$10,000,000 for the approved construction costs of a magnet school facility.

(b)(i) Any group of districts 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 magnet school facility, regardless of the amount of the capital expenditure required to acquire, construct, remodel, or improve the facility. The commissioner must not approve an application for a magnet school grant for any facility unless the facility receives a favorable review and comment under section 121.15 and the participating districts:

- (1) establish a joint powers board under section 471.59 to represent all participating districts and govern the magnet school facility;
- (2) design the planned magnet school facility to meet the applicable requirements contained in Minnesota Rules, chapter 3535;
- (3) submit a statement of need, including reasons why the magnet school will facilitate integration and improve learning;
- (4) prepare an educational plan that includes input from both community and professional staff; and
- (5) develop an education program that will improve learning opportunities for students attending the magnet school.

(ii) The districts may develop a plan that permits social service, health, and other programs serving students and community residents to be located within the magnet school facility. The commissioner shall consider this plan when preparing a review and comment on the proposed facility.

(c) When two or more districts enter into an agreement establishing a joint powers board to govern the magnet school facility, all member districts shall have the same powers.

(d) A joint powers board of participating school districts established under paragraphs (b) and (c) that intends to apply for a grant shall adopt a resolution stating the costs of the proposed project, the purpose for which the debt is to be incurred, and an estimate of the dates when the contracts for the proposed project will be completed. A copy of the resolution must accompany any application for a state grant under this section.

(e)(i) The commissioner shall examine and consider all grant applications. If the commissioner finds that any joint powers district is not a qualified grant applicant, the commissioner shall promptly notify that joint powers board. The commissioner shall make awards to no more than two qualified applicants whose applications have been on file with the commissioner more than 30 days.

(ii) A grant award is subject to verification by the joint powers board under paragraph (f). A grant award must not be made until the participating districts determine the site of the magnet school facility. If the total amount of the approved applications exceeds the amount of grant funding that is or can be made available, the commissioner shall allot the available amount equally between the approved applicant districts. The commissioner shall promptly certify to each qualified joint powers board the amount, if any, of the grant awarded to it.

(f) Each grant must be evidenced by a contract between the joint powers board and the state acting through the commissioner. The contract obligates the state to pay to the joint powers board an amount computed according to paragraph (e)(ii) and a schedule, and terms and conditions acceptable to the commissioner of finance.

History: 1994 c 643 s 62

DESEGREGATION CAPITAL IMPROVEMENT GRANT ACT

124C.55 CITATION.

Sections 124C.55 to 124C.57 may be cited as the "desegregation capital improvement grant act."

History: 1987 c 400 s 39; 1989 c 209 art 2 s 1

124C.56 APPROVAL AUTHORITY; APPLICATION FORMS.

Subdivision 1. **Approval by commissioner.** The commissioner of education may approve or disapprove applications under section 124C.57. 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.** The commissioner of education shall prepare application forms and establish application dates.

Subd. 3. **Criteria.** A district applying for a grant under this section must match with local district funds to be used for construction, enlarging, or modifying school buildings. The commissioner of education must determine that the costs are directly related to reducing or eliminating racial imbalance and are part of an approved desegregation plan. The district must also certify that the district has sought all available federal funds before submitting a grant application.

History: 1987 c 400 s 40; 1989 c 300 art 2 s 6,7

CAPITAL FACILITIES GRANTS

124C.57 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, and the district does not have other funds available, the grant must be canceled.

Subd. 5. Project budget. A district that receives a grant must provide the commissioner with the project budget and any other information the commissioner requests.

History: 1987 c 400 s 41; 1989 c 300 art 2 s 8,9

124C.58 ISSUANCE AND SALE OF BONDS.

To provide money for grants under the desegregation capital improvement grant act, 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 \$2,000,000 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: 1989 c 300 art 2 s 10

124C.60 CAPITAL FACILITIES GRANTS FOR COOPERATION AND COMBINATION.

Subdivision 1. Eligibility. Two or more districts that have consolidated under section 122.23 or combined under sections 122.241 to 122.248, are eligible for a capital facilities grant of up to \$100,000 under this section. To qualify the following criteria must be met:

(1) the proposed facility changes are part of the plan according to section 122.242, subdivision 10, or the plan adopted by the reorganized district according to section 124.243, subdivision 1;

(2) the changes proposed to a facility must be needed to accommodate changes in the educational program due to the reorganization;

(3) the utilization of the facility for educational programs is at least 85 percent of capacity; and

(4) the grant will be used only to remodel or improve existing facilities.

Subd. 2. Procedures. The state board shall establish procedures and deadlines for the grant application. The state board shall review each application and may require modifications consistent with sections 122.241 to 122.248.

Subd. 3. Use of grant money. The grant money may be used for any capital expenditures specified in section 124.243, subdivision 6, clauses (4), (6), (7), (8), (9), and (10).

History: 1993 c 224 art 5 s 36; 1994 c 647 art 6 s 30

124C.61 [Renumbered 126.69]

124C.62 [Renumbered 144.1464]

**SCHOOL BUILDING ACCESSIBILITY
CAPITAL IMPROVEMENT GRANT ACT**

124C.71 SCHOOL BUILDING ACCESSIBILITY CAPITAL IMPROVEMENT GRANT ACT.

Sections 124C.71 to 124C.73 may be cited as the "school building accessibility capital improvement grant act."

History: 1993 c 373 s 20

124C.72 APPROVAL; APPLICATION FORMS.

Subdivision 1. **Approval by commissioner.** The commissioner of education may approve or disapprove applications under section 124C.73. The grant money must be used only to remove architectural barriers from a building or site.

Subd. 2. **Application forms.** The commissioner of education shall prepare application forms and establish application dates.

Subd. 3. **Match.** A district applying for a grant under this section must match the grant with local district funds.

History: 1993 c 373 s 21

124C.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 removing architectural barriers from a building or site.

Subd. 2. **Project review.** The commissioner, in consultation with the Minnesota state council on disability, shall review applications for grants. A school district must apply by July 1 of each year in order to be considered for a grant.

Subd. 3. **Award of grants.** (a) 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. The commissioner shall give first priority to school districts that have entered into the cooperation and combination process under sections 122.241 to 122.248, or that have consolidated since January 1, 1987. The commissioner shall further prioritize grants on the basis of the following: the district's tax burden, the long-term feasibility of the project, the suitability of the project, and the district's need for the project. If the total amount of the applications exceeds the amount that is or can be made available, the commissioner shall award grants according to the commissioner's judgment and discretion and based upon a ranking of the projects according to the factors listed in this paragraph. The commissioner shall promptly certify to each district the amount, if any, of the grant awarded to it.

(b) For fiscal year 1994, the commissioner may develop criteria in addition to the factors listed in paragraph (a), in order to award demonstration grants.

Subd. 4. **Matching revenue.** Upon being awarded a grant under subdivision 3, the board shall determine the need for additional revenue. If the board determines that the local match cannot be made from existing revenue, the board may levy according to section 124.84.

Subd. 5. **Project budget.** A district that receives a grant must provide the commissioner with the project budget and any other information the commissioner requests.

History: 1993 c 373 s 22