

1.1 moves to amend H.F. No. 2397 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 GENERAL EDUCATION

1.5 Section 1. Minnesota Statutes 2012, section 123B.88, subdivision 1, is amended to read:

1.6 Subdivision 1. **Providing transportation.** The board may provide for the
1.7 transportation of pupils to and from school and for any other purpose. The board may
1.8 also provide for the transportation of pupils to schools in other districts for grades and
1.9 departments not maintained in the district, including high school, at the expense of
1.10 the district, when funds are available therefor and if agreeable to the district to which
1.11 it is proposed to transport the pupils, for the whole or a part of the school year, as it
1.12 may deem advisable, and subject to its rules. In any district, the board must arrange
1.13 for the attendance of all pupils living two miles or more from the school, except pupils
1.14 whose transportation privileges have been voluntarily surrendered under subdivision 2,
1.15 or whose privileges have been revoked under section 123B.91, subdivision 1, clause
1.16 (6), or 123B.90, subdivision 2. The district may provide for the transportation of or the
1.17 boarding and rooming of the pupils who may be more economically and conveniently
1.18 provided for by that means. Arrangements for attendance may include a requirement
1.19 that parents or guardians request transportation before it is provided. The board must
1.20 provide transportation to and from the home of a child with a disability not yet enrolled in
1.21 kindergarten when special instruction and services under sections 125A.03 to 125A.24,
1.22 125A.26 to 125A.48, and 125A.65 are provided in a ~~location other than in the child's home~~
1.23 district facility, a placement contracted for by the district, or a Head Start program if the
1.24 Head Start program does not otherwise provide transportation. When transportation is
1.25 provided, scheduling of routes, establishment of the location of bus stops, manner and
1.26 method of transportation, control and discipline of school children, the determination of

2.1 fees, and any other matter relating thereto must be within the sole discretion, control, and
 2.2 management of the board. The district may provide for the transportation of pupils or
 2.3 expend a reasonable amount for room and board of pupils whose attendance at school can
 2.4 more economically and conveniently be provided for by that means or who attend school
 2.5 in a building rented or leased by a district within the confines of an adjacent district.

2.6 Sec. 2. Minnesota Statutes 2012, section 124D.08, is amended by adding a subdivision
 2.7 to read:

2.8 Subd. 2b. **Continued enrollment for students placed in foster care.**

2.9 Notwithstanding subdivision 2, a pupil who has been enrolled in a district who is placed
 2.10 in foster care in another district may continue to enroll in the prior district without the
 2.11 approval of the board of the prior district. The approval of the board where the pupil's
 2.12 foster home is located is not required.

2.13 ARTICLE 2

2.14 EDUCATION EXCELLENCE

2.15 Section 1. Minnesota Statutes 2012, section 13.32, subdivision 6, is amended to read:

2.16 Subd. 6. **Admissions forms; remedial instruction.** (a) Minnesota postsecondary
 2.17 education institutions, for purposes of reporting and research, may collect on the
 2.18 1986-1987 admissions form, and disseminate to any public educational agency or
 2.19 institution the following data on individuals: student sex, ethnic background, age, and
 2.20 disabilities. The data shall not be required of any individual and shall not be used for
 2.21 purposes of determining the person's admission to an institution.

2.22 (b) A school district that receives information under subdivision 3, paragraph
 2.23 (h) from a postsecondary institution about an identifiable student shall maintain the
 2.24 data as educational data and use that data to conduct studies to improve instruction.
 2.25 ~~Public postsecondary systems annually shall provide summary data to the Department~~
 2.26 ~~of Education indicating as part of their participation in the Statewide Longitudinal~~
 2.27 Education Data System shall provide data on the extent and content of the remedial
 2.28 instruction received in each system during the prior academic year by individual students,
 2.29 and the results of assessment testing and the academic performance of, students who
 2.30 graduated from a Minnesota school district within two years before receiving the remedial
 2.31 instruction. The ~~department~~ Office of Higher Education, in collaboration with the
 2.32 Department of Education, shall evaluate the data and annually report its findings to the
 2.33 education committees of the legislature.

2.34 (c) This section supersedes any inconsistent provision of law.

3.1 Sec. 2. Minnesota Statutes 2013 Supplement, section 120B.021, subdivision 4, is
3.2 amended to read:

3.3 Subd. 4. **Revisions and reviews required.** (a) The commissioner of education must
3.4 revise and appropriately embed technology and information literacy standards consistent
3.5 with recommendations from school media specialists into the state's academic standards
3.6 and graduation requirements and implement a ten-year cycle to review and revise state
3.7 academic standards and related benchmarks, consistent with this subdivision. During each
3.8 ten-year review and revision cycle, the commissioner also must examine the alignment
3.9 of each required academic standard and related benchmark with the knowledge and
3.10 skills students need for career and college readiness and advanced work in the particular
3.11 subject area. The commissioner must include the contributions of Minnesota American
3.12 Indian tribes and communities as related to the academic standards during the review and
3.13 revision of the required academic standards.

3.14 (b) The commissioner must ensure that the statewide mathematics assessments
3.15 administered to students in grades 3 through 8 and 11 are aligned with the state academic
3.16 standards in mathematics, consistent with section 120B.30, subdivision 1, paragraph (b).
3.17 The commissioner must implement a review of and may revise the academic standards
3.18 and related benchmarks in mathematics beginning in the 2015-2016 school year and
3.19 every ten years thereafter.

3.20 (c) The commissioner must implement a review of and may revise the academic
3.21 standards and related benchmarks in arts beginning in the 2016-2017 school year and
3.22 every ten years thereafter.

3.23 (d) The commissioner must implement a review of and may revise the academic
3.24 standards and related benchmarks in science beginning in the 2017-2018 school year and
3.25 every ten years thereafter.

3.26 (e) The commissioner must implement a review of and may revise the academic
3.27 standards and related benchmarks in language arts beginning in the 2018-2019 school
3.28 year and every ten years thereafter.

3.29 (f) The commissioner must implement a review of and may revise the academic
3.30 standards and related benchmarks in social studies beginning in the 2019-2020 school
3.31 year and every ten years thereafter.

3.32 (g) School districts and charter schools must revise and align local academic
3.33 standards and high school graduation requirements in health, world languages, and career
3.34 and technical education to require students to complete the revised standards beginning
3.35 in a school year determined by the school district or charter school. School districts and

4.1 charter schools must formally establish a periodic review cycle for the academic standards
4.2 and related benchmarks in health, world languages, and career and technical education.

4.3 Sec. 3. Minnesota Statutes 2012, section 124D.03, subdivision 3, is amended to read:

4.4 Subd. 3. **Pupil application procedures.** In order that a pupil may attend a school or
4.5 program in a nonresident district, the pupil's parent or guardian must submit an application
4.6 to the nonresident district. ~~Before submitting an application, the pupil and the pupil's~~
4.7 ~~parent or guardian must explore with a school guidance counselor, or other appropriate~~
4.8 ~~staff member employed by the district the pupil is currently attending, the pupil's academic~~
4.9 ~~or other reason for applying to enroll in a nonresident district.~~ The pupil's application must
4.10 identify ~~the~~ a reason for enrolling in the nonresident district. The parent or guardian of a
4.11 pupil must submit ~~an~~ a signed application by January 15 for initial enrollment beginning
4.12 the following school year. Electronic signatures are not accepted except as provided
4.13 by Department of Education policy. The application must be on ~~a~~ an unmodified form
4.14 provided by the Department of Education. A particular school or program may be
4.15 requested by the parent. Once enrolled in a nonresident district, the pupil may remain
4.16 enrolled and is not required to submit annual or periodic applications. If the student moves
4.17 to a new resident district, the student retains the seat in the nonresident district, but must
4.18 submit a new enrollment options form to update the student's information. To return to the
4.19 resident district or to transfer to a different nonresident district, the parent or guardian of
4.20 the pupil must provide notice to the resident district or apply to a different nonresident
4.21 district by January 15 for enrollment beginning the following school year.

4.22 Sec. 4. Minnesota Statutes 2012, section 124D.03, subdivision 4, is amended to read:

4.23 Subd. 4. **~~Desegregation~~ Achievement and integration district transfers.** (a)

4.24 This subdivision applies to a transfer into or out of a district that has ~~a desegregation~~ an
4.25 achievement and integration plan approved by the commissioner of education.

4.26 (b) An application to transfer may be submitted at any time for enrollment beginning
4.27 at any time.

4.28 (c) A pupil enrolled in a nonresident district under ~~a desegregation~~ an achievement
4.29 and integration plan approved by the commissioner of education is not required to make
4.30 annual or periodic application for enrollment but may remain enrolled in the same district.
4.31 A pupil may transfer to the resident district at any time.

4.32 (d) Subdivision 2 applies to a transfer into or out of a district with ~~a desegregation~~ an
4.33 achievement and integration plan.

5.1 Sec. 5. Minnesota Statutes 2012, section 124D.03, subdivision 5, is amended to read:

5.2 Subd. 5. **Nonresident district procedures.** A district shall notify the parent or
 5.3 guardian in writing by February 15 or within 30 days for applications submitted after
 5.4 January 15 in the case of achievement and integration district transfers whether the
 5.5 application has been accepted or rejected. If an application is rejected, the district must
 5.6 state in the notification the reason for rejection. The parent or guardian must notify the
 5.7 nonresident district by March 1 or within 15 days whether the pupil intends to enroll in the
 5.8 nonresident district. Notice of intent to enroll in the nonresident district obligates the pupil
 5.9 to attend the nonresident district during the following school year, unless the boards of
 5.10 the resident and the nonresident districts agree in writing to allow the pupil to transfer
 5.11 back to the resident district, ~~or~~ if the pupil's parents or guardians change residence to
 5.12 another district, the student does not lose the seat in the nonresident district but the parent
 5.13 or guardian must complete an updated enrollment options form. If a parent or guardian
 5.14 does not notify the nonresident district by the January 15 deadline, if it applies, the pupil
 5.15 may not enroll in that nonresident district during the following school year, unless the
 5.16 boards of the resident and nonresident district agree otherwise. The nonresident district
 5.17 must notify the resident district by March 15 or 30 days later of the pupil's intent to enroll
 5.18 in the nonresident district. The same procedures apply to a pupil who applies to transfer
 5.19 from one participating nonresident district to another participating nonresident district.

5.20 Sec. 6. Minnesota Statutes 2012, section 124D.03, is amended by adding a subdivision
 5.21 to read:

5.22 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at
 5.23 a specific grade level, it must hold an impartial lottery following the January 15 deadline
 5.24 to determine which students will receive seats. Siblings of currently enrolled students and
 5.25 applications related to an approved integration and achievement plan must receive priority
 5.26 in the lottery. The process for the school district lottery must be established in school
 5.27 district policy, approved by the school board, and be posted on the school district's Web site.

5.28 Sec. 7. Minnesota Statutes 2012, section 124D.03, subdivision 6, is amended to read:

5.29 Subd. 6. **Basis for decisions.** The board must adopt, by resolution, specific
 5.30 standards for acceptance and rejection of applications. Standards may include the capacity
 5.31 of a program, excluding special education services; class;₂ or school building. The
 5.32 school board may not reject applications for enrollment in a particular grade level if the
 5.33 nonresident enrollment at that grade level does not exceed the limit set by the board under
 5.34 subdivision 2. Standards may not include previous academic achievement, athletic or

6.1 other extracurricular ability, disabling conditions, proficiency in the English language,
6.2 previous disciplinary proceedings, or the student's district of residence, except where the
6.3 district of residence is directly included in an enrollment options strategy included in an
6.4 approved achievement and integration program.

6.5 Sec. 8. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 1, is
6.6 amended to read:

6.7 Subdivision 1. **Purposes.** (a) The primary purpose of this section is to improve all
6.8 pupil learning and all student achievement. Additional purposes include to:

6.9 (1) increase learning opportunities for all pupils;

6.10 (2) encourage the use of different and innovative teaching methods;

6.11 (3) measure learning outcomes and create different and innovative forms of
6.12 measuring outcomes;

6.13 (4) establish new forms of accountability for schools; or

6.14 (5) create new professional opportunities for teachers, including the opportunity to
6.15 be responsible for the learning program at the school site.

6.16 (b) This section does not provide a means to keep open a school that a school board
6.17 decides to close. However, a school board may endorse or authorize the establishing of
6.18 a charter school to replace the school the board decided to close. Applicants seeking a
6.19 charter under this circumstance must demonstrate to the authorizer that the charter sought
6.20 is substantially different in purpose and program from the school the board closed and
6.21 that the proposed charter satisfies the requirements of this subdivision. If the school
6.22 board that closed the school authorizes the charter, it must document in its affidavit to the
6.23 commissioner that the charter is substantially different in program and purpose from
6.24 the school it closed.

6.25 An authorizer shall not approve an application submitted by a charter school
6.26 developer under subdivision 4, paragraph (a), if the application does not comply with this
6.27 subdivision. The commissioner shall not approve an affidavit submitted by an authorizer
6.28 under subdivision 4, paragraph (b), if the affidavit does not comply with this subdivision.

6.29 Sec. 9. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 6, is
6.30 amended to read:

6.31 Subd. 6. **Charter contract.** The authorization for a charter school must be in the
6.32 form of a written contract signed by the authorizer and the board of directors of the charter
6.33 school. The contract must be completed within 45 business days of the commissioner's
6.34 approval of the authorizer's affidavit. The authorizer shall submit to the commissioner a

7.1 copy of the signed charter contract within ten business days of its execution. The contract
7.2 for a charter school must be in writing and contain at least the following:

7.3 (1) a declaration that the charter school will carry out the primary purpose in
7.4 subdivision 1 and how the school will report its implementation of the primary purpose;

7.5 (2) a declaration of the additional purpose or purposes in subdivision 1 that the school
7.6 intends to carry out and how the school will report its implementation of those purposes;

7.7 (3) a description of the school program and the specific academic and nonacademic
7.8 outcomes that pupils must achieve;

7.9 (4) a statement of admission policies and procedures;

7.10 (5) a governance, management, and administration plan for the school;

7.11 (6) signed agreements from charter school board members to comply with all
7.12 federal and state laws governing organizational, programmatic, and financial requirements
7.13 applicable to charter schools;

7.14 (7) the criteria, processes, and procedures that the authorizer will use to monitor and
7.15 evaluate the fiscal, operational, and academic performance consistent with subdivision
7.16 15, paragraphs (a) and (b);

7.17 (8) for contract renewal, the formal written performance evaluation of the school
7.18 that is a prerequisite for reviewing a charter contract under subdivision 15;

7.19 (9) types and amounts of insurance liability coverage to be obtained by the charter
7.20 school, consistent with subdivision 8, paragraph (k);

7.21 (10) consistent with subdivision 25, paragraph (d), a provision to indemnify and
7.22 hold harmless the authorizer and its officers, agents, and employees from any suit, claim,
7.23 or liability arising from any operation of the charter school, and the commissioner and
7.24 department officers, agents, and employees notwithstanding section 3.736;

7.25 (11) the term of the initial contract, which may be up to five years plus an additional
7.26 preoperational planning year, and up to five years for a renewed contract or a contract with
7.27 a new authorizer after a transfer of authorizers, if warranted by the school's academic,
7.28 financial, and operational performance;

7.29 (12) how the board of directors or the operators of the charter school will provide
7.30 special instruction and services for children with a disability under sections 125A.03
7.31 to 125A.24, and 125A.65, a description of the financial parameters within which the
7.32 charter school will operate to provide the special instruction and services to children
7.33 with a disability;

7.34 (13) the specific conditions for contract renewal that identify performance of all
7.35 students under the primary purpose of subdivision 1 as the most important factor in
7.36 determining contract renewal;

8.1 (14) the additional purposes under subdivision 1, paragraph (a), and related
8.2 performance obligations under clause (7) contained in the charter contract as additional
8.3 factors in determining contract renewal; and

8.4 (15) the plan for an orderly closing of the school under chapter 317A, whether
8.5 the closure is a termination for cause, a voluntary termination, or a nonrenewal of the
8.6 contract, that includes establishing the responsibilities of the school board of directors
8.7 and the authorizer and notifying the commissioner, authorizer, school district in which the
8.8 charter school is located, and parents of enrolled students about the closure, information
8.9 and assistance sufficient to enable the student to re-enroll in another school, the transfer of
8.10 student records under subdivision 8, paragraph (p), and procedures for closing financial
8.11 operations.

8.12 Sec. 10. Minnesota Statutes 2013 Supplement, section 124D.10, subdivision 8, is
8.13 amended to read:

8.14 Subd. 8. **Federal, state, and local requirements.** (a) A charter school shall meet all
8.15 federal, state, and local health and safety requirements applicable to school districts.

8.16 (b) A school must comply with statewide accountability requirements governing
8.17 standards and assessments in chapter 120B.

8.18 (c) A school authorized by a school board may be located in any district, unless the
8.19 school board of the district of the proposed location disapproves by written resolution.

8.20 (d) A charter school must be nonsectarian in its programs, admission policies,
8.21 employment practices, and all other operations. An authorizer may not authorize a charter
8.22 school or program that is affiliated with a nonpublic sectarian school or a religious
8.23 institution. A charter school student must be released for religious instruction, consistent
8.24 with section 120A.22, subdivision 12, clause (3).

8.25 (e) Charter schools must not be used as a method of providing education or
8.26 generating revenue for students who are being home-schooled. This paragraph does not
8.27 apply to shared time aid under section 126C.19.

8.28 (f) The primary focus of a charter school must be to provide a comprehensive
8.29 program of instruction for at least one grade or age group from five through 18 years
8.30 of age. Instruction may be provided to people younger than five years and older than
8.31 18 years of age.

8.32 (g) A charter school may not charge tuition.

8.33 (h) A charter school is subject to and must comply with chapter 363A and section
8.34 121A.04.

9.1 (i) A charter school is subject to and must comply with the Pupil Fair Dismissal
9.2 Act, sections 121A.40 to 121A.56, and the Minnesota Public School Fee Law, sections
9.3 123B.34 to 123B.39.

9.4 (j) A charter school is subject to the same financial audits, audit procedures, and
9.5 audit requirements as a district, except as required under subdivision 6a. Audits must be
9.6 conducted in compliance with generally accepted governmental auditing standards, the
9.7 federal Single Audit Act, if applicable, and section 6.65. A charter school is subject
9.8 to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04;
9.9 118A.05; 118A.06; 471.38; 471.391; 471.392; and 471.425. The audit must comply with
9.10 the requirements of sections 123B.75 to 123B.83, except to the extent deviations are
9.11 necessary because of the program at the school. Deviations must be approved by the
9.12 commissioner and authorizer. The Department of Education, state auditor, legislative
9.13 auditor, or authorizer may conduct financial, program, or compliance audits. A charter
9.14 school determined to be in statutory operating debt under sections 123B.81 to 123B.83
9.15 must submit a plan under section 123B.81, subdivision 4.

9.16 (k) A charter school is a district for the purposes of tort liability under chapter 466.

9.17 (l) A charter school must comply with chapters 13 and 13D; and sections 120A.22,
9.18 subdivision 7; 121A.75; and 260B.171, subdivisions 3 and 5.

9.19 (m) A charter school is subject to the Pledge of Allegiance requirement under
9.20 section 121A.11, subdivision 3.

9.21 (n) A charter school offering online courses or programs must comply with section
9.22 124D.095.

9.23 (o) A charter school and charter school board of directors are subject to chapter 181.

9.24 (p) A charter school must comply with section 120A.22, subdivision 7, governing
9.25 the transfer of students' educational records and sections 138.163 and 138.17 governing
9.26 the management of local records.

9.27 (q) A charter school that provides early childhood health and developmental
9.28 screening must comply with sections 121A.16 to 121A.19.

9.29 (r) A charter school that provides school-sponsored youth athletic activities must
9.30 comply with section 121A.38.

9.31 (s) A charter school is subject to and must comply with continuing truant notification
9.32 under section 260A.03.

9.33 (t) A charter school must develop and implement a teacher evaluation and peer
9.34 review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (12).

10.1 (u) A charter school must adopt a policy, plan, budget, and process, consistent with
 10.2 section 120B.11, to review curriculum, instruction, and student achievement and strive
 10.3 for the world's best workforce.

10.4 (v) A charter school must comply with all pupil transportation requirements in
 10.5 section 123B.88, subdivision 1.

10.6 Sec. 11. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 1,
 10.7 is amended to read:

10.8 Subdivision 1. **Career and technical revenue.** (a) A district with a career and
 10.9 technical program approved under this section for the fiscal year in which the levy is
 10.10 certified is eligible for career and technical revenue equal to 35 percent of approved
 10.11 expenditures in the fiscal year in which the levy is certified for the following:

10.12 (1) salaries paid to essential, licensed personnel providing direct instructional
 10.13 services to students in that fiscal year, including extended contracts, for services rendered
 10.14 in the district's approved career and technical education programs, excluding salaries
 10.15 reimbursed by another school district under clause (2);

10.16 (2) amounts paid to another Minnesota school district for salaries of essential,
 10.17 licensed personnel providing direct instructional services to students in that fiscal year for
 10.18 services rendered in the district's approved career and technical education programs;

10.19 (3) contracted services provided by a public or private agency other than a Minnesota
 10.20 school district or cooperative center under ~~subdivision 7~~ chapter 123A or 136D;

10.21 (4) necessary travel between instructional sites by licensed career and technical
 10.22 education personnel;

10.23 (5) necessary travel by licensed career and technical education personnel for
 10.24 vocational student organization activities held within the state for instructional purposes;

10.25 (6) curriculum development activities that are part of a five-year plan for
 10.26 improvement based on program assessment;

10.27 (7) necessary travel by licensed career and technical education personnel for
 10.28 noncollegiate credit-bearing professional development; and

10.29 (8) specialized vocational instructional supplies.

10.30 ~~(b) Up to ten percent of a district's career and technical revenue may be spent on~~
 10.31 ~~equipment purchases. Districts using the career and technical revenue for equipment~~
 10.32 ~~purchases must report to the department on the improved learning opportunities for~~
 10.33 ~~students that result from the investment in equipment.~~

10.34 ~~(e)~~ (b) The district must recognize the full amount of this levy as revenue for the
 10.35 fiscal year in which it is certified.

11.1 ~~(d)~~ (c) The amount of the revenue calculated under this subdivision may not exceed
 11.2 \$17,850,000 for taxes payable in 2012, \$15,520,000 for taxes payable in 2013, and
 11.3 \$20,657,000 for taxes payable in 2014.

11.4 ~~(e)~~ (d) If the estimated revenue exceeds the amount in paragraph ~~(d)~~ (c), the
 11.5 commissioner must reduce the percentage in paragraph (a) until the estimated revenue no
 11.6 longer exceeds the limit in paragraph ~~(d)~~ (c).

11.7 Sec. 12. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3,
 11.8 is amended to read:

11.9 Subd. 3. **Revenue guarantee.** Notwithstanding subdivision 1, paragraph (a), the
 11.10 career and technical education revenue for a district is not less than the lesser of:

- 11.11 (1) the district's career and technical education revenue for the previous fiscal year; or
 11.12 (2) 100 percent of the approved expenditures for career and technical programs
 11.13 included in subdivision 1, paragraph ~~(b)~~ (a), for the fiscal year in which the levy is certified.

11.14 Sec. 13. Minnesota Statutes 2013 Supplement, section 124D.4531, subdivision 3a,
 11.15 is amended to read:

11.16 Subd. 3a. **Revenue adjustments.** Notwithstanding subdivisions 1, 1a, and 3, for
 11.17 taxes payable in 2012 to 2014 only, the department must calculate the career and technical
 11.18 revenue for each district according to Minnesota Statutes 2010, section 124D.4531, and
 11.19 adjust the revenue for each district proportionately to meet the statewide revenue target
 11.20 under subdivision 1, paragraph ~~(d)~~ (c). For purposes of calculating the revenue guarantee
 11.21 under subdivision 3, the career and technical education revenue for the previous fiscal
 11.22 year is the revenue according to Minnesota Statutes 2010, section 124D.4531, before
 11.23 adjustments to meet the statewide revenue target.

11.24 Sec. 14. **REPEALER.**

11.25 Minnesota Statutes 2012, sections 120B.35, subdivision 4; and 122A.61, subdivision
 11.26 2, are repealed.

11.27 ARTICLE 3

11.28 SPECIAL PROGRAMS

11.29 Section 1. Minnesota Statutes 2012, section 125A.023, subdivision 3, is amended to
 11.30 read:

11.31 Subd. 3. **Definitions.** For purposes of this section and section 125A.027, the
 11.32 following terms have the meanings given them:

12.1 (a) "Health plan" means:

12.2 (1) a health plan under section 62Q.01, subdivision 3;

12.3 (2) a county-based purchasing plan under section 256B.692;

12.4 (3) a self-insured health plan established by a local government under section
12.5 471.617; or

12.6 (4) self-insured health coverage provided by the state to its employees or retirees.

12.7 (b) For purposes of this section, "health plan company" means an entity that issues
12.8 a health plan as defined in paragraph (a).

12.9 ~~(e) "Individual interagency intervention plan" means a standardized written plan
12.10 describing those programs or services and the accompanying funding sources available to
12.11 eligible children with disabilities.~~

12.12 ~~(d)~~ (c) "Interagency intervention service system" means a system that coordinates
12.13 services and programs required in state and federal law to meet the needs of eligible
12.14 children with disabilities ages birth through 21, including:

12.15 (1) services provided under the following programs or initiatives administered
12.16 by state or local agencies:

12.17 (i) the maternal and child health program under title V of the Social Security Act;

12.18 (ii) the Minnesota children with special health needs program under sections 144.05
12.19 and 144.07;

12.20 (iii) the Individuals with Disabilities Education Act, Part B, section 619, and Part
12.21 C as amended;

12.22 (iv) medical assistance under title 42, chapter 7, of the Social Security Act;

12.23 (v) developmental disabilities services under chapter 256B;

12.24 (vi) the Head Start Act under title 42, chapter 105, of the Social Security Act;

12.25 (vii) vocational rehabilitation services provided under chapters 248 and 268A and
12.26 the Rehabilitation Act of 1973;

12.27 (viii) Juvenile Court Act services provided under sections 260.011 to 260.91;
12.28 260B.001 to 260B.446; and 260C.001 to 260C.451;

12.29 (ix) Minnesota Comprehensive Children's Mental Health Act under section 245.487;

12.30 (x) the community health services grants under sections 145.88 to 145.9266;

12.31 (xi) the Local Public Health Act under chapter 145A; and

12.32 (xii) the Vulnerable Children and Adults Act, sections 256M.60 to 256M.80;

12.33 (2) service provision and funding that can be coordinated through:

12.34 (i) the children's mental health collaborative under section 245.493;

12.35 (ii) the family services collaborative under section 124D.23;

12.36 (iii) the community transition interagency committees under section 125A.22; and

13.1 (iv) the interagency early intervention committees under section 125A.259;
 13.2 (3) financial and other funding programs to be coordinated including medical
 13.3 assistance under title 42, chapter 7, of the Social Security Act, the MinnesotaCare program
 13.4 under chapter 256L, Supplemental Social Security Income, Developmental Disabilities
 13.5 Assistance, and any other employment-related activities associated with the Social
 13.6 Security Administration; and services provided under a health plan in conformity with an
 13.7 individual family service plan or an individualized education program or an individual
 13.8 interagency intervention plan; and

13.9 (4) additional appropriate services that local agencies and counties provide on
 13.10 an individual need basis upon determining eligibility and receiving a request from the
 13.11 interagency early intervention committee and the child's parent.

13.12 ~~(e)~~ (d) "Children with disabilities" has the meaning given in section 125A.02.

13.13 ~~(f)~~ (e) A "standardized written plan" means those individual services or programs,
 13.14 with accompanying funding sources, available through the interagency intervention
 13.15 service system to an eligible child other than the services or programs described in the
 13.16 child's individualized education program or the child's individual family service plan.

13.17 Sec. 2. Minnesota Statutes 2012, section 125A.023, subdivision 4, is amended to read:

13.18 Subd. 4. **State Interagency Committee.** (a) The commissioner of education, on
 13.19 behalf of the governor, shall convene a ~~19-member~~ an interagency committee to develop
 13.20 and implement a coordinated, multidisciplinary, interagency intervention service system
 13.21 for children ages three to 21 with disabilities. The commissioners of commerce, education,
 13.22 health, human rights, human services, employment and economic development, and
 13.23 corrections shall each appoint two committee members from their departments; ~~the~~
 13.24 ~~Association of Minnesota Counties shall appoint two county representatives, one of whom~~
 13.25 ~~must be an elected official, as committee members~~; and the Association of Minnesota
 13.26 Counties, Minnesota School Boards Association, the Minnesota Administrators of Special
 13.27 Education, and the School Nurse Association of Minnesota shall each appoint one
 13.28 committee member. The committee shall select a chair from among its members.

13.29 (b) The committee shall:

13.30 (1) identify and assist in removing state and federal barriers to local coordination of
 13.31 services provided to children with disabilities;

13.32 (2) identify adequate, equitable, and flexible funding sources to streamline these
 13.33 services;

14.1 (3) develop guidelines for implementing policies that ensure a comprehensive and
 14.2 coordinated system of all state and local agency services, including multidisciplinary
 14.3 assessment practices for children with disabilities ages three to 21; including:

14.4 ~~(4)~~ (i) develop, consistent with federal law, a standardized written plan for providing
 14.5 services to a child with disabilities;

14.6 ~~(5)~~ (ii) identify how current systems for dispute resolution can be coordinated ~~and~~
 14.7 ~~develop guidelines for that coordination;~~

14.8 ~~(6)~~ (iii) develop an evaluation process to measure the success of state and local
 14.9 interagency efforts in improving the quality and coordination of services to children with
 14.10 disabilities ages three to 21; and

14.11 ~~(7)~~ (iv) develop guidelines to assist the governing boards of the interagency
 14.12 early intervention committees in carrying out the duties assigned in section 125A.027,
 14.13 subdivision 1, paragraph (b); and

14.14 ~~(8)~~ (4) carry out other duties necessary to develop and implement within
 14.15 communities a coordinated, multidisciplinary, interagency intervention service system for
 14.16 children with disabilities.

14.17 (c) The committee shall consult on an ongoing basis with the state Special Education
 14.18 ~~Advisory Committee for Special Education Panel~~ and the governor's Interagency
 14.19 Coordinating Council in carrying out its duties under this section, including assisting the
 14.20 governing boards of the interagency early intervention committees.

14.21 Sec. 3. Minnesota Statutes 2012, section 125A.027, subdivision 1, is amended to read:

14.22 Subdivision 1. **Additional duties.** (a) The governing boards of the interagency early
 14.23 intervention committees are responsible for developing and implementing interagency
 14.24 policies and procedures to coordinate services at the local level for children with
 14.25 disabilities ages three to 21 under guidelines established by the state interagency
 14.26 committee under section 125A.023, subdivision 4. Consistent with the requirements
 14.27 in this section and section 125A.023, the governing boards of the interagency early
 14.28 intervention committees ~~shall~~ may organize as a joint powers board under section 471.59
 14.29 or enter into an interagency agreement that establishes a governance structure.

14.30 (b) The governing board of each interagency early intervention committee as defined
 14.31 in section 125A.30, paragraph (a), which may include a juvenile justice professional, shall:

14.32 (1) identify ~~and assist in removing~~ state and federal barriers to local coordination of
 14.33 services provided to children with disabilities;

14.34 (2) ~~identify adequate, equitable, and flexible use of funding by local agencies for~~
 14.35 ~~these services;~~

15.1 (3) implement policies that ensure a comprehensive and coordinated system of
 15.2 all state and local agency services, including practices on multidisciplinary assessment
 15.3 practices, standardized written plans, dispute resolution, and system evaluation for
 15.4 children with disabilities ages three to 21;

15.5 ~~(4) use a standardized written plan for providing services to a child with disabilities~~
 15.6 ~~developed under section 125A.023;~~

15.7 ~~(5) access the coordinated dispute resolution system and incorporate the guidelines~~
 15.8 ~~for coordinating services at the local level, consistent with section 125A.023;~~

15.9 ~~(6) use the evaluation process to measure the success of the local interagency effort~~
 15.10 ~~in improving the quality and coordination of services to children with disabilities ages~~
 15.11 ~~three to 21 consistent with section 125A.023;~~

15.12 ~~(7) develop a transitional plan for children moving from the interagency early~~
 15.13 ~~childhood intervention system under sections 125A.259 to 125A.48 into the interagency~~
 15.14 ~~intervention service system under this section;~~

15.15 ~~(8)~~ (3) coordinate services and facilitate payment for services from public and
 15.16 private institutions, agencies, and health plan companies; and

15.17 ~~(9)~~ (4) share needed information consistent with state and federal data practices
 15.18 requirements.

15.19 Sec. 4. Minnesota Statutes 2012, section 125A.027, subdivision 4, is amended to read:

15.20 Subd. 4. **Responsibilities of school and county boards.** (a) It is the joint
 15.21 responsibility of school and county boards to coordinate, provide, and pay for appropriate
 15.22 services, and to facilitate payment for services from public and private sources. Appropriate
 15.23 service for children eligible under section 125A.02 and receiving service from two or more
 15.24 public agencies of which one is the public school must be determined in consultation with
 15.25 parents, physicians, and other education, medical health, and human services providers.
 15.26 The services provided must be in conformity with ~~an Individual Interagency Intervention~~
 15.27 ~~Plan (HHP)~~ a standardized written plan for each eligible child ages 3 to 21.

15.28 (b) Appropriate services include those services listed on a child's HHP standardized
 15.29 written plan. These services are those that are required to be documented on a plan under
 15.30 federal and state law or rule.

15.31 (c) School and county boards shall coordinate interagency services. Service
 15.32 responsibilities for eligible children, ages 3 to 21, ~~shall~~ may be established in interagency
 15.33 agreements or joint powers board agreements. In addition, interagency agreements or joint
 15.34 powers board agreements ~~shall~~ may be developed to establish agency responsibility that
 15.35 assures that coordinated interagency services are coordinated, provided, and paid for, and

16.1 that payment is facilitated from public and private sources. School boards must provide,
 16.2 pay for, and facilitate payment for special education services as required under sections
 16.3 125A.03 and 125A.06. County boards must provide, pay for, and facilitate payment for
 16.4 those programs over which they have service and fiscal responsibility as referenced in
 16.5 section 125A.023, subdivision 3, paragraph ~~(d)~~ (c), clause (1).

16.6 Sec. 5. Minnesota Statutes 2012, section 125A.03, is amended to read:

16.7 **125A.03 SPECIAL INSTRUCTION FOR CHILDREN WITH A DISABILITY.**

16.8 (a) As defined in paragraph (b), every district must provide special instruction and
 16.9 services, either within the district or in another district, for all children with a disability,
 16.10 including providing required services under Code of Federal Regulations, title 34, section
 16.11 300.121, paragraph (d), to those children suspended or expelled from school for more than
 16.12 ten school days in that school year, who are residents of the district and who are disabled
 16.13 as set forth in section 125A.02. For purposes of state and federal special education
 16.14 laws, the phrase "special instruction and services" in the state Education Code means a
 16.15 free and appropriate public education provided to an eligible child with disabilities ~~and~~
 16.16 ~~includes special education and related services defined in the Individuals with Disabilities~~
 16.17 ~~Education Act, subpart A, section 300.24.~~ Free appropriate public education means
 16.18 special education and related services that:

16.19 (1) are provided at public expense, under public supervision and direction, and
 16.20 without charge;

16.21 (2) meet the standards of the state, including the requirements of the Individuals
 16.22 with Disabilities Education Act, Part B or C;

16.23 (3) include an appropriate preschool, elementary school, or secondary school
 16.24 education; and

16.25 (4) are provided to children ages three through 21 in conformity with an
 16.26 individualized education program that meets the requirements of the Individuals with
 16.27 Disabilities Education Act, subpart A, sections 300.320 to 300.324, and provided to
 16.28 infants and toddlers in conformity with an individualized family service plan that meets
 16.29 the requirements of the Individuals with Disabilities Education Act, subpart A, sections
 16.30 303.300 to 303.346.

16.31 (b) Notwithstanding any age limits in laws to the contrary, special instruction and
 16.32 services must be provided from birth until July 1 after the child with a disability becomes
 16.33 21 years old but shall not extend beyond secondary school or its equivalent, except as
 16.34 provided in section 124D.68, subdivision 2. Local health, education, and social service
 16.35 agencies must refer children under age five who are known to need or suspected of

17.1 needing special instruction and services to the school district. Districts with less than the
 17.2 minimum number of eligible children with a disability as determined by the commissioner
 17.3 must cooperate with other districts to maintain a full range of programs for education
 17.4 and services for children with a disability. This section does not alter the compulsory
 17.5 attendance requirements of section 120A.22.

17.6 Sec. 6. Minnesota Statutes 2012, section 125A.22, is amended to read:

17.7 **125A.22 COMMUNITY TRANSITION INTERAGENCY COMMITTEE.**

17.8 A district, group of districts, or special education cooperative, in cooperation with
 17.9 the county or counties in which the district or cooperative is located, ~~must~~ may establish
 17.10 a community transition interagency committee for youth with disabilities, beginning at
 17.11 grade 9 or age equivalent, and their families. Members of the committee ~~must consist of~~
 17.12 may include representatives from special education, vocational and regular education,
 17.13 community education, postsecondary education and training institutions, mental health,
 17.14 adults with disabilities who have received transition services if such persons are available,
 17.15 parents of youth with disabilities, local business or industry, rehabilitation services, county
 17.16 social services, health agencies, and additional public or private adult service providers as
 17.17 appropriate. ~~The committee must elect a chair and must meet regularly.~~ The committee
 17.18 ~~must~~ may:

17.19 (1) identify current services, programs, and funding sources provided within
 17.20 the community for secondary and postsecondary aged youth with disabilities and their
 17.21 families that prepare them for further education; employment, including integrated
 17.22 competitive employment; and independent living;

17.23 (2) facilitate the development of multiagency teams to address present and future
 17.24 transition needs of individual students on their individualized education programs;

17.25 (3) develop a community plan to include mission, goals, and objectives, and an
 17.26 implementation plan to assure that transition needs of individuals with disabilities are met;

17.27 (4) recommend changes or improvements in the community system of transition
 17.28 services; and

17.29 (5) exchange agency information such as appropriate data, effectiveness studies,
 17.30 special projects, exemplary programs, and creative funding of programs; ~~and~~.

17.31 ~~(6) following procedures determined by the commissioner, prepare a yearly summary~~
 17.32 ~~assessing the progress of transition services in the community including follow-up of~~
 17.33 ~~individuals with disabilities who were provided transition services to determine postschool~~
 17.34 ~~outcomes. The summary must be disseminated to all adult services agencies involved in~~
 17.35 ~~the planning and to the commissioner by October 1 of each year.~~

18.1 Sec. 7. Minnesota Statutes 2013 Supplement, section 125A.30, is amended to read:

18.2 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

18.3 (a) A ~~school district~~, group of school districts, or special education ~~cooperative~~
 18.4 cooperatives, in cooperation with the health and human service agencies located in
 18.5 the county or counties in which the ~~district~~ districts or ~~cooperative is~~ cooperatives are
 18.6 located, must establish an Interagency Early Intervention Committee for children with
 18.7 disabilities under age five and their families under this section, and for children with
 18.8 disabilities ages three to 22 consistent with the requirements under sections 125A.023
 18.9 and 125A.027. Committees must include representatives of local health, education, and
 18.10 county human service agencies, ~~county boards, school boards~~, early childhood family
 18.11 education programs, Head Start, parents of young children with disabilities under age 12,
 18.12 child care resource and referral agencies, school readiness programs, current service
 18.13 providers, and agencies that serve families experiencing homelessness, and may also
 18.14 include representatives from other private or public agencies and school nurses. The
 18.15 committee must elect a chair from among its members and must meet at least quarterly.

18.16 (b) The committee must develop and implement interagency policies and procedures
 18.17 concerning the following ongoing duties:

18.18 (1) develop public awareness systems designed to inform potential recipient families,
 18.19 especially parents with premature infants, or infants with other physical risk factors
 18.20 associated with learning or development complications, of available programs and services;

18.21 (2) to reduce families' need for future services, and especially parents with premature
 18.22 infants, or infants with other physical risk factors associated with learning or development
 18.23 complications, implement interagency child find systems designed to actively seek out,
 18.24 identify, and refer infants and young children with, or at risk of, disabilities, including
 18.25 a child under the age of three who: (i) is the subject of a substantiated case of abuse or
 18.26 neglect or (ii) is identified as directly affected by illegal substance abuse, or withdrawal
 18.27 symptoms resulting from prenatal drug exposure;

18.28 ~~(3) establish and evaluate the identification, referral, screening, evaluation, child-~~
 18.29 ~~and family-directed assessment systems, procedural safeguard process, and community~~
 18.30 ~~learning systems to recommend, where necessary, alterations and improvements;~~

18.31 ~~(4) assure the development of individualized family service plans for all eligible~~
 18.32 ~~infants and toddlers with disabilities from birth through age two, and their families,~~
 18.33 ~~and individualized education programs and individual service plans when necessary to~~
 18.34 ~~appropriately serve children with disabilities, age three and older, and their families and~~
 18.35 ~~recommend assignment of financial responsibilities to the appropriate agencies;~~

19.1 ~~(5)~~ (3) implement a process for assuring that services involve cooperating agencies
 19.2 at all steps leading to individualized programs;

19.3 ~~(6) facilitate the development of a transition plan in the individual family service
 19.4 plan by the time a child is two years and nine months old;~~

19.5 ~~(7)~~ (4) identify the current services and funding being provided within the
 19.6 community for children with disabilities under age five and their families; and

19.7 ~~(8)~~ (5) develop a plan for the allocation and expenditure of federal early intervention
 19.8 funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446)
 19.9 and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and.

19.10 ~~(9) develop a policy that is consistent with section 13.05, subdivision 9, and federal
 19.11 law to enable a member of an interagency early intervention committee to allow another
 19.12 member access to data classified as not public.~~

19.13 (c) The local committee shall also participate in needs assessments and program
 19.14 planning activities conducted by local social service, health and education agencies for
 19.15 young children with disabilities and their families.

19.16 Sec. 8. Minnesota Statutes 2012, section 127A.065, is amended to read:

19.17 **127A.065 CROSS-SUBSIDY REPORT.**

19.18 By ~~January 10~~ March 30, the commissioner of education shall submit an annual
 19.19 report to the legislative committees having jurisdiction over kindergarten through grade
 19.20 12 education on the amount each district is cross-subsidizing special education costs
 19.21 with general education revenue.

19.22 Sec. 9. Minnesota Statutes 2012, section 260D.06, subdivision 2, is amended to read:

19.23 Subd. 2. **Agency report to court; court review.** The agency shall obtain judicial
 19.24 review by reporting to the court according to the following procedures:

19.25 (a) A written report shall be forwarded to the court within 165 days of the date of the
 19.26 voluntary placement agreement. The written report shall contain or have attached:

19.27 (1) a statement of facts that necessitate the child's foster care placement;

19.28 (2) the child's name, date of birth, race, gender, and current address;

19.29 (3) the names, race, date of birth, residence, and post office addresses of the child's
 19.30 parents or legal custodian;

19.31 (4) a statement regarding the child's eligibility for membership or enrollment in an
 19.32 Indian tribe and the agency's compliance with applicable provisions of sections 260.751 to
 19.33 260.835;

20.1 (5) the names and addresses of the foster parents or chief administrator of the facility
20.2 in which the child is placed, if the child is not in a family foster home or group home;

20.3 (6) a copy of the out-of-home placement plan required under section 260C.212,
20.4 subdivision 1;

20.5 (7) a written summary of the proceedings of any administrative review required
20.6 under section 260C.203; and

20.7 (8) any other information the agency, parent or legal custodian, the child or the foster
20.8 parent, or other residential facility wants the court to consider.

20.9 (b) In the case of a child in placement due to emotional disturbance, the written
20.10 report shall include as an attachment, the child's individual treatment plan developed by
20.11 the child's treatment professional, as provided in section 245.4871, subdivision 21, or the
20.12 child's ~~individual interagency intervention~~ standard written plan, as provided in section
20.13 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

20.14 (c) In the case of a child in placement due to developmental disability or a related
20.15 condition, the written report shall include as an attachment, the child's individual service
20.16 plan, as provided in section 256B.092, subdivision 1b; the child's individual program plan,
20.17 as provided in Minnesota Rules, part 9525.0004, subpart 11; the child's waiver care plan;
20.18 or the child's ~~individual interagency intervention~~ standard written plan, as provided in
20.19 section 125A.023, subdivision 3, paragraph ~~(e)~~ (e).

20.20 (d) The agency must inform the child, age 12 or older, the child's parent, and the
20.21 foster parent or foster care facility of the reporting and court review requirements of this
20.22 section and of their right to submit information to the court:

20.23 (1) if the child or the child's parent or the foster care provider wants to send
20.24 information to the court, the agency shall advise those persons of the reporting date and the
20.25 date by which the agency must receive the information they want forwarded to the court so
20.26 the agency is timely able submit it with the agency's report required under this subdivision;

20.27 (2) the agency must also inform the child, age 12 or older, the child's parent, and
20.28 the foster care facility that they have the right to be heard in person by the court and
20.29 how to exercise that right;

20.30 (3) the agency must also inform the child, age 12 or older, the child's parent, and
20.31 the foster care provider that an in-court hearing will be held if requested by the child,
20.32 the parent, or the foster care provider; and

20.33 (4) if, at the time required for the report under this section, a child, age 12 or
20.34 older, disagrees about the foster care facility or services provided under the out-of-home
20.35 placement plan required under section 260C.212, subdivision 1, the agency shall include

21.1 information regarding the child's disagreement, and to the extent possible, the basis for the
21.2 child's disagreement in the report required under this section.

21.3 (e) After receiving the required report, the court has jurisdiction to make the
21.4 following determinations and must do so within ten days of receiving the forwarded
21.5 report, whether a hearing is requested:

21.6 (1) whether the voluntary foster care arrangement is in the child's best interests;

21.7 (2) whether the parent and agency are appropriately planning for the child; and

21.8 (3) in the case of a child age 12 or older, who disagrees with the foster care facility
21.9 or services provided under the out-of-home placement plan, whether it is appropriate to
21.10 appoint counsel and a guardian ad litem for the child using standards and procedures
21.11 under section 260C.163.

21.12 (f) Unless requested by a parent, representative of the foster care facility, or the
21.13 child, no in-court hearing is required in order for the court to make findings and issue an
21.14 order as required in paragraph (e).

21.15 (g) If the court finds the voluntary foster care arrangement is in the child's best
21.16 interests and that the agency and parent are appropriately planning for the child, the
21.17 court shall issue an order containing explicit, individualized findings to support its
21.18 determination. The individualized findings shall be based on the agency's written report
21.19 and other materials submitted to the court. The court may make this determination
21.20 notwithstanding the child's disagreement, if any, reported under paragraph (d).

21.21 (h) The court shall send a copy of the order to the county attorney, the agency,
21.22 parent, child, age 12 or older, and the foster parent or foster care facility.

21.23 (i) The court shall also send the parent, the child, age 12 or older, the foster parent, or
21.24 representative of the foster care facility notice of the permanency review hearing required
21.25 under section 260D.07, paragraph (e).

21.26 (j) If the court finds continuing the voluntary foster care arrangement is not in the
21.27 child's best interests or that the agency or the parent are not appropriately planning for the
21.28 child, the court shall notify the agency, the parent, the foster parent or foster care facility,
21.29 the child, age 12 or older, and the county attorney of the court's determinations and the
21.30 basis for the court's determinations. In this case, the court shall set the matter for hearing
21.31 and appoint a guardian ad litem for the child under section 260C.163, subdivision 5.

21.32 **Sec. 10. REPEALER.**

21.33 Minnesota Statutes 2012, section 125A.027, subdivision 3, is repealed.

22.1 **ARTICLE 4**

22.2 **NUTRITION**

22.3 Section 1. Minnesota Statutes 2012, section 124D.111, subdivision 3, is amended to
22.4 read:

22.5 Subd. 3. **School food service fund.** (a) The expenses described in this subdivision
22.6 must be recorded as provided in this subdivision.

22.7 (b) In each district, the expenses for a school food service program for pupils must
22.8 be attributed to a school food service fund. Under a food service program, the school
22.9 food service may prepare or serve milk, meals, or snacks in connection with school or
22.10 community service activities.

22.11 (c) Revenues and expenditures for food service activities must be recorded in the
22.12 food service fund. The costs of processing applications, accounting for meals, preparing
22.13 and serving food, providing kitchen custodial services, and other expenses involving the
22.14 preparing of meals or the kitchen section of the lunchroom may be charged to the food
22.15 service fund or to the general fund of the district. The costs of lunchroom supervision,
22.16 lunchroom custodial services, lunchroom utilities, and other administrative costs of the
22.17 food service program must be charged to the general fund.

22.18 That portion of superintendent and fiscal manager costs that can be documented as
22.19 attributable to the food service program may be charged to the food service fund provided
22.20 that the school district does not employ or contract with a food service director or other
22.21 individual who manages the food service program, or food service management company.
22.22 If the cost of the superintendent or fiscal manager is charged to the food service fund,
22.23 the charge must be at a wage rate not to exceed the statewide average for food service
22.24 directors as determined by the department.

22.25 (d) Capital expenditures for the purchase of food service equipment must be made
22.26 from the general fund and not the food service fund, unless the ~~unreserved~~ restricted
22.27 balance in the food service fund at the end of the last fiscal year is greater than the cost of
22.28 the equipment to be purchased.

22.29 (e) If the condition set out in paragraph (d) applies, the equipment may be purchased
22.30 from the food service fund.

22.31 (f) If a deficit in the food service fund exists at the end of a fiscal year, and the deficit
22.32 is not eliminated by revenues from food service operations in the next fiscal year, then the
22.33 deficit must be eliminated by a permanent fund transfer from the general fund at the end of
22.34 that second fiscal year. However, if a district contracts with a food service management
22.35 company during the period in which the deficit has accrued, the deficit must be eliminated
22.36 by a payment from the food service management company.

23.1 (g) Notwithstanding paragraph (f), a district may incur a deficit in the food service
 23.2 fund for up to three years without making the permanent transfer if the district submits
 23.3 to the commissioner by January 1 of the second fiscal year a plan for eliminating that
 23.4 deficit at the end of the third fiscal year.

23.5 (h) If a surplus in the food service fund exists at the end of a fiscal year for three
 23.6 successive years, a district may recode for that fiscal year the costs of lunchroom
 23.7 supervision, lunchroom custodial services, lunchroom utilities, and other administrative
 23.8 costs of the food service program charged to the general fund according to paragraph (c)
 23.9 and charge those costs to the food service fund in a total amount not to exceed the amount
 23.10 of surplus in the food service fund.

23.11 **Sec. 2. [124D.1191] DONATIONS TO FOOD SHELF PROGRAMS.**

23.12 Schools and community organizations participating in any federal child nutrition
 23.13 meal program may donate unused food to food shelf programs, provided that the food shelf:

23.14 (1) is a nonprofit corporation or is affiliated with a nonprofit corporation, as defined
 23.15 in section 501(c)(3) of the Internal Revenue Code of 1986;

23.16 (2) distributes food without charge to needy individuals;

23.17 (3) does not limit food distributions to individuals of a particular religious affiliation,
 23.18 race, or other criteria unrelated to need; and

23.19 (4) has a stable address and directly serves individuals.

23.20

ARTICLE 5

23.21

**EARLY CHILDHOOD EDUCATION, SELF-SUFFICIENCY, AND
 23.22 LIFELONG LEARNING**

23.23 Section 1. Minnesota Statutes 2012, section 123A.06, subdivision 2, is amended to read:

23.24 Subd. 2. **People to be served.** A state-approved alternative program shall provide
 23.25 programs for secondary pupils ~~and adults~~. A center may also provide programs and
 23.26 services for elementary and secondary pupils who are not attending the state-approved
 23.27 alternative program to assist them in being successful in school. A center shall use
 23.28 research-based best practices for serving English learners and their parents. An
 23.29 individualized education program team may identify a state-approved alternative program
 23.30 as an appropriate placement to the extent a state-approved alternative program can provide
 23.31 the student with the appropriate special education services described in the student's plan.
 23.32 Pupils eligible to be served are those who qualify under the graduation incentives program
 23.33 in section 124D.68, subdivision 2, those enrolled under section 124D.02, subdivision
 23.34 2, or those pupils who are eligible to receive special education services under sections
 23.35 125A.03 to 125A.24, and 125A.65.

24.1 Sec. 2. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 2, is
24.2 amended to read:

24.3 Subd. 2. **Family eligibility.** (a) For a family to receive an early ~~childhood education~~
24.4 learning scholarship, parents or guardians must meet the following eligibility requirements:

24.5 (1) have a child three or four years of age on September 1 of the current school year,
24.6 who has not yet started kindergarten; and

24.7 (2) have income equal to or less than 185 percent of federal poverty level income
24.8 in the current calendar year, or be able to document their child's current participation in
24.9 the free and reduced-price lunch program or child and adult care food program, National
24.10 School Lunch Act, United States Code, title 42, sections 1751 and 1766; the Food
24.11 Distribution Program on Indian Reservations, Food and Nutrition Act, United States
24.12 Code, title 7, sections 2011-2036; Head Start under the federal Improving Head Start for
24.13 School Readiness Act of 2007; Minnesota family investment program under chapter 256J;
24.14 child care assistance programs under chapter 119B; the supplemental nutrition assistance
24.15 program; or placement in foster care under section 260C.212.

24.16 (b) Notwithstanding the other provisions of this section, a parent under age 21 who
24.17 is pursuing a high school or general education equivalency diploma is eligible for an early
24.18 learning scholarship if the parent has a child age zero to five years old and meets the
24.19 income eligibility guidelines in this subdivision.

24.20 (c) Any siblings between the ages zero to five years old of a child who has been
24.21 awarded a scholarship under this section must be awarded a scholarship upon request,
24.22 provided the sibling attends the same program as long as funds are available.

24.23 (d) A child who has received a scholarship under this section must continue to
24.24 receive a scholarship each year until that child is eligible for kindergarten under section
24.25 120A.20 and as long as funds are available.

24.26 (e) Early learning scholarships may not be counted as earned income for the
24.27 purposes of medical assistance under chapter 256B, MinnesotaCare under chapter 256L,
24.28 Minnesota family investment program under chapter 256J, child care assistance programs
24.29 under chapter 119B, or Head Start under the federal Improving Head Start for School
24.30 Readiness Act of 2007.

24.31 Sec. 3. Minnesota Statutes 2013 Supplement, section 124D.165, subdivision 4, is
24.32 amended to read:

24.33 Subd. 4. **Early childhood program eligibility.** (a) In order to be eligible to accept
24.34 an early ~~childhood education~~ learning scholarship, a program must:

25.1 (1) participate in the quality rating and improvement system under section
25.2 124D.142; and

25.3 (2) beginning July 1, 2016, have a three- or four-star rating in the quality rating
25.4 and improvement system.

25.5 (b) Any program accepting scholarships must use the revenue to supplement and not
25.6 supplant federal funding.

25.7 ARTICLE 6

25.8 LIBRARIES

25.9 Section 1. Minnesota Statutes 2013 Supplement, section 134.34, subdivision 1, is
25.10 amended to read:

25.11 Subdivision 1. **Local support levels.** (a) Regional library basic system support aid
25.12 shall be provided to any regional public library system where there are at least three
25.13 participating counties and where each participating city and county is providing for public
25.14 library service support the lesser of (a) an amount equivalent to .82 percent of the average
25.15 of the adjusted net tax capacity of the taxable property of that city or county, as determined
25.16 by the commissioner of revenue for the second, third, and fourth year preceding that
25.17 calendar year or (b) a per capita amount calculated under the provisions of this subdivision.
25.18 The per capita amount is established for calendar year 1993 as \$7.62. In succeeding
25.19 calendar years, the per capita amount shall be increased by a percentage equal to one-half of
25.20 the percentage by which the total state adjusted net tax capacity of property as determined
25.21 by the commissioner of revenue for the second year preceding that calendar year increases
25.22 over that total adjusted net tax capacity for the third year preceding that calendar year.

25.23 (b) The minimum level of support specified under this subdivision or subdivision 4
25.24 shall be certified annually to the participating cities and counties by the Department of
25.25 Education. If a city or county chooses to reduce its local support in accordance with
25.26 subdivision 4, ~~paragraph (b) or (c)~~, it shall notify its regional public library system. The
25.27 regional public library system shall notify the Department of Education that a revised
25.28 certification is required. The revised minimum level of support shall be certified to the
25.29 city or county by the Department of Education.

25.30 (c) A city which is a part of a regional public library system shall not be required to
25.31 provide this level of support if the property of that city is already taxable by the county
25.32 for the support of that regional public library system. In no event shall the Department
25.33 of Education require any city or county to provide a higher level of support than the
25.34 level of support specified in this section in order for a system to qualify for regional
25.35 library basic system support aid. This section shall not be construed to prohibit a city or

26.1 county from providing a higher level of support for public libraries than the level of
 26.2 support specified in this section.

26.3 Sec. 2. Minnesota Statutes 2013 Supplement, section 134.34, subdivision 4, is
 26.4 amended to read:

26.5 Subd. 4. **Limitation.** ~~(a) For calendar year 2010 and later, regional library~~
 26.6 ~~basic system support aid shall not be provided to a regional public library system for a~~
 26.7 ~~participating city or county which decreases the dollar amount provided for support for~~
 26.8 ~~operating purposes of public library service below the amount provided by it for the~~
 26.9 ~~second, or third preceding year, whichever is less. For purposes of this subdivision and~~
 26.10 ~~subdivision 1, any funds provided under section 473.757, subdivision 2, for extending~~
 26.11 ~~library hours of operation shall not be considered amounts provided by a city or county for~~
 26.12 ~~support for operating purposes of public library service. This subdivision shall not apply~~
 26.13 ~~to participating cities or counties where the adjusted net tax capacity of that city or county~~
 26.14 ~~has decreased, if the dollar amount of the reduction in support is not greater than the dollar~~
 26.15 ~~amount by which support would be decreased if the reduction in support were made in~~
 26.16 ~~direct proportion to the decrease in adjusted net tax capacity.~~

26.17 ~~(b) For calendar year 2009 and later, in any calendar year in which a city's or~~
 26.18 ~~county's aid under sections 477A.011 to 477A.014 or credit reimbursement under section~~
 26.19 ~~273.1384 is reduced after the city or county has certified its levy payable in that year, it~~
 26.20 ~~may reduce its local support by the lesser of:~~

26.21 ~~(1) ten percent; or~~

26.22 ~~(2) a percent equal to the ratio of the aid and credit reimbursement reductions to the~~
 26.23 ~~city's or county's revenue base, based on aids certified for the current calendar year. For~~
 26.24 ~~calendar year 2009 only, the reduction under this paragraph shall be based on 2008 aid and~~
 26.25 ~~credit reimbursement reductions under the December 2008 unallotment, as well as any~~
 26.26 ~~aid and credit reimbursement reductions in calendar year 2009. For pay 2009 only, the~~
 26.27 ~~commissioner of revenue will calculate the reductions under this paragraph and certify~~
 26.28 ~~them to the commissioner of education within 15 days of May 17, 2009.~~

26.29 ~~(c) For taxes payable in 2010 and later, in any payable year in which the total~~
 26.30 ~~amounts certified for city or county aids under sections 477A.011 to 477A.014 are less~~
 26.31 ~~than the total amounts paid under those sections in the previous calendar year, a city or~~
 26.32 ~~county may reduce its local support by the lesser of:~~

26.33 ~~(1) ten percent; or~~

26.34 ~~(2) a percent equal to the ratio of:~~

27.1 (i) the difference between (A) the sum of the aid it was paid under sections
 27.2 477A.011 to 477A.014 and the credit reimbursement it received under section 273.1384
 27.3 in the previous calendar year and (B) the sum of the aid it is certified to be paid in the
 27.4 current calendar year under sections 477A.011 to 477A.014 and the credit reimbursement
 27.5 estimated to be paid under section 273.1384; to

27.6 (ii) its revenue base for the previous year, based on aids actually paid in the previous
 27.7 calendar year. The commissioner of revenue shall calculate the percent aid cut for each
 27.8 county and city under this paragraph and certify the percentage cuts to the commissioner
 27.9 of education by August 1 of the year prior to the year in which the reduced aids and
 27.10 credit reimbursements are to be paid. The percentage of reduction related to reductions
 27.11 to credit reimbursements under section 273.1384 shall be based on the best estimation
 27.12 available as of July 30.

27.13 (d) Notwithstanding paragraph (a), (b), or (c), no city or county shall reduce its
 27.14 support for public libraries below the minimum level specified in subdivision 1.

27.15 (e) For purposes of this subdivision, "revenue base" means the sum of:

27.16 (1) its levy for taxes payable in the current calendar year, including the levy on
 27.17 the fiscal disparities distribution under section 276A.06, subdivision 3, paragraph (a),
 27.18 or 473F.08, subdivision 3, paragraph (a);

27.19 (2) its aid under sections 477A.011 to 477A.014 in the current calendar year; and

27.20 (3) its taconite aid in the current calendar year under sections 298.28 and 298.282.

27.21 For calendar year 2011 and later, regional library basic system support aid shall not
 27.22 be provided to a regional public library system for a participating city or county which
 27.23 decreases the dollar amount provided for support for operating purposes of public library
 27.24 services below the amount required under section 275.761 for calendar year 2011.

27.25 Sec. 3. Minnesota Statutes 2012, section 134.355, subdivision 8, is amended to read:

27.26 Subd. 8. **Eligibility.** A regional public library system may apply for regional library
 27.27 telecommunications aid. The aid must be used for data and video access maintenance,
 27.28 equipment, or installation of telecommunication lines. To be eligible, a regional public
 27.29 library system must be officially designated by the commissioner of education as a
 27.30 regional public library system as defined in section 134.34, subdivision 3, and each of its
 27.31 participating cities and counties must meet local support levels defined in section 134.34,
 27.32 subdivision 1. A public library building that receives aid under this section must be open a
 27.33 minimum of 20 hours per week. Exceptions to the minimum open hours requirement may
 27.34 be granted by the Department of Education on request of the regional public library system
 27.35 for the following circumstances: short-term closing for emergency maintenance and

28.1 repairs following a natural disaster; in response to exceptional economic circumstances;
 28.2 building repair or maintenance that requires public services areas to be closed; or to adjust
 28.3 hours of public service to respond to documented seasonal use patterns.

28.4 Sec. 4. **MINNESOTA'S LIBRARIES AND SERVICE DELIVERY ADVISORY**
 28.5 **TASK FORCE.**

28.6 Subdivision 1. **Establishment and duties.** Minnesota's libraries and service
 28.7 delivery advisory task force is established to make recommendations to the commissioner
 28.8 of education and the education committees of the legislature on increasing service
 28.9 delivery and collaboration between library governance systems. The task force shall
 28.10 review current procedures and governance structures in order to make recommendations
 28.11 to increase service collaboration between library systems that ensures both equitable and
 28.12 cost-effective access to library services throughout Minnesota. Recommendations shall
 28.13 not be limited to physical services and should include recommendations to increase access
 28.14 to emerging electronic services.

28.15 Subd. 2. **Membership.** The following members comprise the libraries and service
 28.16 delivery advisory task force:

28.17 (1) one representative of the Department of Education, appointed by the
 28.18 commissioner of education;

28.19 (2) two members of the house of representatives, one appointed by the speaker of the
 28.20 house and one appointed by the minority leader;

28.21 (3) two senators, one appointed by the Subcommittee on Committees of the
 28.22 Committee on Rules and Administration and one appointed by the minority leader;

28.23 (4) one representative of regional public library systems appointed by the chair of
 28.24 the regional public library systems;

28.25 (5) one representative of multicounty multitype library systems appointed by the
 28.26 chair of the multicounty multitype library systems;

28.27 (6) two representatives from public libraries not representing a regional public
 28.28 library system appointed by the Minnesota Library Association, including one from the
 28.29 seven-county metropolitan area and one from greater Minnesota;

28.30 (7) one representative from Minitex;

28.31 (8) one public school library media specialist representative appointed by the
 28.32 Minnesota Educational Media Organization;

28.33 (9) one representative appointed by the Office of Higher Education;

29.1 (10) one county representative appointed by the Association of Minnesota Counties;
 29.2 and
 29.3 (11) one city representative appointed by the League of Minnesota Cities.

29.4 Subd. 3. **First meeting; chair.** The commissioner of education must convene the task
 29.5 force by August 1, 2014, and shall appoint a chair from the membership of the task force.

29.6 Subd. 4. **Report.** By February 1, 2015, task force members must submit to the
 29.7 commissioner of education, and to the chairs and ranking minority members of the
 29.8 legislative committees and divisions with primary jurisdiction over kindergarten through
 29.9 grade 12 education, their written recommendations on library system structures that ensure
 29.10 that all Minnesota residents have equitable and cost-effective access to state-supported
 29.11 library services.

29.12 Subd. 5. **Sunset.** The task force shall sunset the day after submitting the report
 29.13 under subdivision 4, or February 2, 2015, whichever is earlier.

29.14 Subd. 6. **Support.** The commissioner of education must provide technical assistance
 29.15 to task force members upon request.

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

29.17 Delete the title and insert:

29.18 "A bill for an act
 29.19 relating to education; providing for policy and technical modifications in early
 29.20 childhood and family, kindergarten through grade 12, and adult education
 29.21 including general education, education excellence, special programs, nutrition,
 29.22 and libraries; amending Minnesota Statutes 2012, sections 13.32, subdivision
 29.23 6; 123A.06, subdivision 2; 123B.88, subdivision 1; 124D.03, subdivisions 3, 4,
 29.24 5, 6, by adding a subdivision; 124D.08, by adding a subdivision; 124D.111,
 29.25 subdivision 3; 125A.023, subdivisions 3, 4; 125A.027, subdivisions 1, 4;
 29.26 125A.03; 125A.22; 127A.065; 134.355, subdivision 8; 260D.06, subdivision 2;
 29.27 Minnesota Statutes 2013 Supplement, sections 120B.021, subdivision 4; 124D.10,
 29.28 subdivisions 1, 6, 8; 124D.165, subdivisions 2, 4; 124D.4531, subdivisions 1,
 29.29 3, 3a; 125A.30; 134.34, subdivisions 1, 4; proposing coding for new law in
 29.30 Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 2012, sections
 29.31 120B.35, subdivision 4; 122A.61, subdivision 2; 125A.027, subdivision 3."