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Overview

This bill proposes to provide financial incentives to metropolitan-area school districts that enroll students of color under the state's open enrollment program who are eligible to receive a free or reduced price meal and reside in a school district where at least 25 percent of the enrolled students are eligible to receive a free or reduced price meal. Prohibits districts that enroll students under this provision from increasing racial segregation in that school district and in the school district from which the student is transferring.

Section

1 Limited enrollment of nonresident pupils; seven-county metropolitan area districts; priority students. (a) Allows a school board to limit enrollment of nonresident students under the state's open enrollment program except as provided under paragraph (d).

(c) Makes this paragraph applicable to school boards of school districts having an administrative office within the seven-county metropolitan area and having a lower percentage of enrolled students of color than the percentage of enrolled students of color in the seven-county metropolitan area that limits the enrollment of nonresident students under the state's open enrollment program. Directs the commissioner annually to determine and report to the legislature the percentage of enrolled students of color in the seven-county
metropolitan area and the percentage of enrolled students of color in each school district having an administrative office within the seven-county metropolitan area.

(d) Precludes a school board that limits the enrollment of nonresident students under the state's open enrollment program from excluding eligible nonresident students under this paragraph, clauses (a), (b) and (c), until the number of such eligible nonresident students equals the lesser of (1) one percent of the total enrollment at each grade level in the district; or (2) the number of district residents at that grade level enrolled in a nonresident district under the state's open enrollment program. Requires a school board that limits the enrollment of nonresident students under the state's open enrollment program to give first priority to enrolling all interested students who: (1) reside in a school district in which at least 25 percent of the enrolled students are eligible to receive a free or reduced price school meal; (2) are eligible to receive a free or reduced price school meal; and (3) are students of color.

(e) Allows the parent of an eligible student under paragraph (d) to appeal the decision of a school board to refuse to enroll the student to an administrative law judge. Directs the administrative law judge to hold a contested case hearing to determine whether a school board must enroll the student under the section's criteria. Makes the decision of the administrative law judge the final decision of the school board. Requires the school board to pay all hearing costs if the administrative law judge decides that the school board wrongly refused to enroll the student; otherwise, directs the department to pay the hearing costs.

(f) Prohibits a school board that limits the enrollment of nonresident students under the state's open enrollment program from increasing racial segregation in the school district and in the school district from which the student is transferring as a result of enrolling students under this section.

2 Basis for decisions. Prohibits a school board from rejecting applications from eligible
nonresident students under section 1, paragraphs (c) to (f) if the nonresident enrollment at that grade level does not exceed one percent of the district's total enrollment for that grade or the number of district residents at that grade level enrolled in a nonresident district.

3 **Transportation; desegregation district transfers.** (a) Directs a resident school district with a commissioner-approved desegregation plan to provide transportation services from the pupil's residence to the school actually attended at the parent's request.

(b) Directs the state to pay state aid to the resident school district equal to the district's actual expenditures for transportation services.

(c) Allows the school district to (1) provide transportation services directly; (2) contract with another school district or a public or private carrier for the services; or (3) reimburse the student's parent for the lesser of the actual costs of transportation or 31 cents per mile.

4 **Information.** (a) Directs school districts that enroll students under the state's open enrollment program to make information available about the district, giving first priority to the families of eligible nonresident students under section 1, paragraphs (c) to (f). Requires districts that enroll such students to provide ongoing guidance and counseling services to the students during their enrollment in the nonresident district.

(b) Directs other school districts that do not limit enrollment of nonresident students under the state's open enrollment program to make information available about the district to all interested people.

5 **General education aid.** Increases by an amount equal to the maximum per pupil compensatory aid amount, or $2,158 in fiscal year 2000, the aid payment for a student enrolled under section 1, regardless of the student's eligibility for free or reduced price meals and regardless of the compensation revenue pupil concentration at the school site actually attended by the student.

6 **Additional enrollment options payments.**

**Subd. 1. Counseling services.** Directs the state to pay state aid equal to the lesser of the district's...
actual expenditures for counseling and guidance services provided to eligible nonresident students under section 1, paragraphs (c) to (f), or $100 per pupil who enrolls under section 1, paragraphs (c) to (f).

**Subd. 2. Transportation services.** Directs the state to pay additional transportation aid to a resident school district under section 3.

**Subd. 3. Efficiency incentives.** Makes a resident school district and a school district providing instruction to a student who enrolls under section 1, paragraphs (c) to (f), eligible for efficiency incentives revenue if at least 10 students from a single attendance area choose to attend the same nonresident district program. Makes efficiency incentives revenue equal to $100 times the number of nonresident students enrolled in the same nonresident district program. Requires district to use the revenue for expenditures related to the students who attend the same nonresident district program.

**Subd. 4. Marketing costs.** To the extent an appropriation is available, directs the state to pay the marketing costs that a school district having an administrative office within the seven-county metropolitan area incurs in encouraging eligible nonresident students to attend the district.

**Evaluation.** Directs the commissioner to contract with a recognized expert on race and poverty at the University of Minnesota to evaluate the sort-term and long-term impact of this bill on student performance, and the financial implications of the bill. Requires school districts to cooperate with the evaluation. Directs the commissioner to present interim and final reports to the legislature.

**Appropriation.**

**Subd. 1. Department of children, families and learning.** Appropriates the sums in this section from the general fund to the commissioner of children, families and learning in the fiscal years designated.


**Subd. 3. Transportation services.** Appropriates


**Subd. 5. Hearing costs.** Appropriates unspecified amounts in fiscal years 2000 and 2001 for paying hearing costs when an administrative law judge decides that a school board rightly refused to enroll a nonresident student under section 1, paragraphs (c) to (f), and makes any remaining balance in fiscal year 2000 available in fiscal year 2001.

**Subd. 6. Marketing costs.** Appropriates unspecified amounts in fiscal years 2000 and 2001 for disseminating information about district programs to eligible nonresident students and makes any remaining balance in fiscal year 2000 available in fiscal year 2001. Directs the department to reimburse districts for marketing costs on a first-come, first-served basis and to report annually by February 15 to the legislature on those districts seeking reimbursement.

**Subd. 7. Study.** Appropriates unspecified amounts in fiscal years 2000 and 2001 for contracting for an evaluation study and makes any remaining balance in fiscal year 2000 available in fiscal year 2001.

**Effective date.** Makes sections 1 to 4 immediately effective. Makes sections 5 to 8 effective July 1, 1999.