

1.1 Senator moves to amend S.F. No. 2994 as follows:

2 Delete everything after the enacting clause and insert:

1.3 " **ARTICLE 1**

1.4 **GENERAL EDUCATION**

1.5 Section 1. Minnesota Statutes 2004, section 120A.20, subdivision 1, is amended to
1.6 read:

1.7 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or
1.8 in part by state funds are public schools. Admission to a public school is free to any
1.9 person who: (1) resides within the district that operates the school, who; (2) is under 21
1.10 years of age; or who meets the requirements of paragraph (c); and who (3) satisfies the
1.11 minimum age requirements imposed by this section. Notwithstanding the provisions of
1.12 any law to the contrary, the conduct of all students under 21 years of age attending a
3 public secondary school is governed by a single set of reasonable rules and regulations
1.14 promulgated by the school board.

1.15 ~~No~~ (b) A person shall not be admitted to any a public school (1) as a kindergarten
1.16 pupil, unless the pupil is at least five years of age on September 1 of the calendar year in
1.17 which the school year for which the pupil seeks admission commences; or (2) as a 1st
1.18 grade student, unless the pupil is at least six years of age on September 1 of the calendar
1.19 year in which the school year for which the pupil seeks admission commences or has
1.20 completed kindergarten; except that any school board may establish a policy for admission
1.21 of selected pupils at an earlier age.

1.22 (c) A pupil who becomes age 21 after enrollment is eligible for continued free public
1.23 school enrollment until at least one of the following occurs: (1) the first September 1 after
1.24 the pupil's 21st birthday; (2) the pupil's completion of the graduation requirements; (3)
1.25 the pupil's withdrawal with no subsequent enrollment within 21 calendar days; or (4)
1.26 the end of the school year.

1.27 Sec. 2. Minnesota Statutes 2004, section 123A.06, subdivision 2, is amended to read:

1.28 Subd. 2. **People to be served.** A center shall provide programs for secondary
1.29 pupils and adults. A center may also provide programs and services for elementary and
1.30 secondary pupils who are not attending the center to assist them in being successful in
1.31 school. A center shall use research-based best practices for serving limited English
1.32 proficient students and their parents. An individual education plan team may identify a
1.33 center as an appropriate placement to the extent a center can provide the student with the
4 appropriate special education services described in the student's plan. Pupils eligible to
1.35 be served are those ~~age five to adults 22 and older~~ who qualify under the graduation
1.36 incentives program in section 124D.68, subdivision 2, those enrolled under section

2.1 124D.02, subdivision 2, or those pupils who are eligible to receive special education
 2.2 services under sections 125A.03 to 125A.24, and 125A.65.

2.3 Sec. 3. Minnesota Statutes 2004, section 124D.02, subdivision 2, is amended to read:

2.4 Subd. 2. **Secondary school programs.** The board may permit a person who is over
 2.5 the age of 21 or who has graduated from high school to enroll ~~as a part-time student~~ in a
 2.6 class or program at a secondary school if there is space available. In determining if there is
 2.7 space available, ~~full-time public school students;~~ eligible for free enrollment under section
 2.8 120A.20, subdivision 1, and shared-time students shall be given priority over students
 2.9 seeking enrollment pursuant to this subdivision, and students returning to complete a
 2.10 regular course of study shall be given priority over ~~part-time~~ other students seeking
 2.11 enrollment pursuant to this subdivision. The following are not prerequisites for enrollment:

2.12 (1) residency in the school district;

2.13 (2) United States citizenship; or

2.14 (3) for a person over the age of 21, a high school diploma or equivalency certificate.

2.15 A person may enroll in a class or program even if that person attends evening school, an
 2.16 adult or continuing education, or a postsecondary educational program or institution.

2.17 Sec. 4. Minnesota Statutes 2004, section 124D.02, subdivision 4, is amended to read:

2.18 Subd. 4. **Part-time student fee.** Notwithstanding the provisions of sections
 2.19 120A.20 and 123B.37, a board may charge a ~~part-time student~~ enrolled pursuant to
 2.20 subdivision 2 a reasonable fee for a class or program.

2.21 Sec. 5. Minnesota Statutes 2005 Supplement, section 124D.68, subdivision 2, is
 2.22 amended to read:

2.23 Subd. 2. **Eligible pupils.** ~~The following pupils are~~ A pupil under the age of 21 or
 2.24 who meets the requirements of section 120A.20, subdivision 1, paragraph (c), is eligible to
 2.25 participate in the graduation incentives program:

2.26 ~~(a) any pupil under the age of 21 who, if the pupil:~~

2.27 (1) performs substantially below the performance level for pupils of the same age
 2.28 in a locally determined achievement test;

2.29 (2) is at least one year behind in satisfactorily completing coursework or obtaining
 2.30 credits for graduation;

2.31 (3) is pregnant or is a parent;

2.32 (4) has been assessed as chemically dependent;

2.33 (5) has been excluded or expelled according to sections 121A.40 to 121A.56;

2.34 (6) has been referred by a school district for enrollment in an eligible program or
 2.35 a program pursuant to section 124D.69;

- 3.1 (7) is a victim of physical or sexual abuse;
- 3.2 (8) has experienced mental health problems;
- 3.3 (9) has experienced homelessness sometime within six months before requesting a
3.4 transfer to an eligible program;
- 3.5 (10) speaks English as a second language or has limited English proficiency; or
- 3.6 (11) has withdrawn from school or has been chronically truant; ~~or,~~
- 3.7 ~~(b) any person who is at least 21 years of age and who:~~
- 3.8 ~~(1) has received fewer than 14 years of public or nonpublic education, beginning~~
3.9 ~~at age 5;~~
- 3.10 ~~(2) has not completed the requirements for a high school diploma; and~~
- 3.11 ~~(3) at the time of application, (i) is eligible for unemployment benefits or has~~
3.12 ~~exhausted the benefits, (ii) is eligible for, or is receiving income maintenance and support~~
3.13 ~~services, as defined in section 116L.19, subdivision 5, or (iii) is eligible for services under~~
3.14 ~~the displaced homemaker program or any programs under the federal Jobs Training~~
3.15 ~~Partnership Act or its successor.~~

3.16 Sec. 6. Minnesota Statutes 2004, section 124D.68, subdivision 3, is amended to read:

3.17 Subd. 3. **Eligible programs.** (a) A pupil who is eligible according to subdivision 2
3.18 may enroll in area learning centers under sections 123A.05 to 123A.08.

3.19 (b) A pupil who is eligible according to subdivision 2 and who is between the ages
3.20 of 16 and 21 may enroll in postsecondary courses under section 124D.09.

3.21 (c) A pupil who is eligible under subdivision 2, may enroll in any public elementary
3.22 or secondary education program. ~~However, a person who is eligible according to~~
3.23 ~~subdivision 2, clause (b), may enroll only if the school board has adopted a resolution~~
3.24 ~~approving the enrollment.~~

3.25 (d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic,
3.26 nonsectarian school that has contracted with the serving school district to provide
3.27 educational services.

3.28 (e) A pupil who is between the ages of 16 and 21 may enroll in any adult basic
3.29 education programs approved under section 124D.52 and operated under the community
3.30 education program contained in section 124D.19.

3.31 Sec. 7. Minnesota Statutes 2004, section 126C.05, subdivision 1, is amended to read:

3.32 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the
3.33 age of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph
4 (c), in average daily membership enrolled in the district of residence, in another district
3.35 under sections 123A.05 to 123A.08, 124D.03, 124D.06, 124D.07, 124D.08, or 124D.68;
3.36 in a charter school under section 124D.10; or for whom the resident district pays tuition

4.1 under section 123A.18, 123A.22, 123A.30, 123A.32, 123A.44, 123A.488, 123B.88,
4.2 subdivision 4, 124D.04, 124D.05, 125A.03 to 125A.24, 125A.51, or 125A.65, shall be
4.3 counted according to this subdivision.

4.4 (a) A prekindergarten pupil with a disability who is enrolled in a program approved
4.5 by the commissioner and has an individual education plan is counted as the ratio of the
4.6 number of hours of assessment and education service to 825 times 1.25 with a minimum
4.7 average daily membership of 0.28, but not more than 1.25 pupil units.

4.8 (b) A prekindergarten pupil who is assessed but determined not to be handicapped is
4.9 counted as the ratio of the number of hours of assessment service to 825 times 1.25.

4.10 (c) A kindergarten pupil with a disability who is enrolled in a program approved
4.11 by the commissioner is counted as the ratio of the number of hours of assessment and
4.12 education services required in the fiscal year by the pupil's individual education program
4.13 plan to 875, but not more than one.

4.14 (d) A kindergarten pupil who is not included in paragraph (c) is counted as .557 of a
4.15 pupil unit for fiscal year 2000 and thereafter.

4.16 (e) A pupil who is in any of grades 1 to 3 is counted as 1.115 pupil units for fiscal
4.17 year 2000 and thereafter.

4.18 (f) A pupil who is any of grades 4 to 6 is counted as 1.06 pupil units for fiscal
4.19 year 1995 and thereafter.

4.20 (g) A pupil who is in any of grades 7 to 12 is counted as 1.3 pupil units.

4.21 (h) A pupil who is in the postsecondary enrollment options program is counted
4.22 as 1.3 pupil units.

4.23 Sec. 8. Minnesota Statutes 2004, section 126C.10, subdivision 6, is amended to read:

4.24 Subd. 6. **Definitions.** The definitions in this subdivision apply only to subdivisions
4.25 7 and 8.

4.26 (a) "High school" means a public secondary school, except a charter school under
4.27 section 124D.10, that has pupils enrolled in at least the 10th, 11th, and 12th grades. If
4.28 there is no secondary high school in the district ~~that has pupils enrolled in at least the~~
4.29 ~~10th, 11th, and 12th grades,~~ and the school is at least 19 miles from the next nearest
4.30 school, the commissioner must designate one school in the district as a high school for the
4.31 purposes of this section.

4.32 (b) "Secondary average daily membership" means, for a district that has only one
4.33 high school, the average daily membership of pupils served in grades 7 through 12. For a
4.34 district that has more than one high school, "secondary average daily membership" for
4.35 each high school means the product of the average daily membership of pupils served in

5.1 grades 7 through 12 in the high school, times the ratio of six to the number of grades
 5.2 in the high school.

5.3 (c) "Attendance area" means the total surface area of the district, in square miles,
 5.4 divided by the number of high schools in the district. For a district that does not operate
 5.5 a high school and is less than 19 miles from the nearest operating high school, the
 5.6 attendance area equals zero.

5.7 (d) "Isolation index" for a high school means the square root of 55 percent of the
 5.8 attendance area plus the distance in miles, according to the usually traveled routes,
 5.9 between the high school and the nearest high school. For a district in which there is located
 5.10 land defined in section 84A.01, 84A.20, or 84A.31, the distance in miles is the sum of:

5.11 (1) the square root of one-half of the attendance area; and

5.12 (2) the distance from the border of the district to the nearest high school.

3 (e) "Qualifying high school" means a high school that has an isolation index greater
 5.14 than 23 and that has secondary average daily membership of less than 400.

5.15 (f) "Qualifying elementary school" means ~~an~~ a public elementary school, except a
 5.16 charter school under section 124D.10, that is located 19 miles or more from the nearest
 5.17 elementary school or from the nearest elementary school within the district and, in either
 5.18 case, has an elementary average daily membership of an average of 20 or fewer per grade.

5.19 (g) "Elementary average daily membership" means, for a district that has only
 5.20 one elementary school, the average daily membership of pupils served in kindergarten
 5.21 through grade 6. For a district that has more than one elementary school, "average daily
 5.22 membership" for each school means the average daily membership of pupils served in
 5.23 kindergarten through grade 6 multiplied by the ratio of seven to the number of grades
 5.24 in the elementary school.

5.25 Sec. 9. Minnesota Statutes 2004, section 126C.44, is amended to read:

5.26 **126C.44 SAFE SCHOOLS LEVY.**

5.27 Each district may make a levy on all taxable property located within the district for
 5.28 the purposes specified in this section. The maximum amount which may be levied for all
 5.29 costs under this section shall be equal to \$27 multiplied by the district's adjusted marginal
 5.30 cost pupil units for the school year. The proceeds of the levy must be reserved and used
 5.31 for directly funding the following purposes or for reimbursing the cities and counties who
 5.32 contract with the district for the following purposes: (1) to pay the costs incurred for the
 5.33 salaries, benefits, and transportation costs of peace officers and sheriffs for liaison in
 4 services in the district's schools; (2) to pay the costs for a drug abuse prevention program
 5.35 as defined in section 609.101, subdivision 3, paragraph (e), in the elementary schools; (3)
 5.36 to pay the costs for a gang resistance education training curriculum in the district's schools;

6.1 (4) to pay the costs for security in the district's schools and on school property; or (5) to
 6.2 pay the costs for other crime prevention, drug abuse, student and staff safety, and violence
 6.3 prevention measures taken by the school district. For expenditures under clause (1), the
 6.4 district must initially attempt to contract for services to be provided by peace officers or
 6.5 sheriffs with the police department of each city or the sheriff's department of the county
 6.6 within the district containing the school receiving the services. If a local police department
 6.7 or a county sheriff's department does not wish to provide the necessary services, the
 6.8 district may contract for these services with any other police or sheriff's department
 6.9 located entirely or partially within the school district's boundaries. ~~The levy authorized~~
 6.10 ~~under this section is not included in determining the school district's levy limitations.~~

6.11 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2006.

6.12 Sec. 10. **REPEALER.**

6.13 Minnesota Statutes 2004, section 120A.20, subdivision 3, is repealed.

6.14 **ARTICLE 2**

6.15 **EDUCATION EXCELLENCE**

6.16 Section 1. Minnesota Statutes 2004, section 120A.22, subdivision 3, is amended to
 6.17 read:

6.18 Subd. 3. **Parent defined; residency determined.** (a) In this section and sections
 6.19 120A.24 and 120A.26, "parent" means a parent, guardian, or other person having legal
 6.20 custody of a child.

6.21 (b) In sections 125A.03 to 125A.24 and 125A.65, "parent" means a parent, guardian,
 6.22 or other person having legal custody of a child under age 18. For an unmarried pupil age
 6.23 18 or over, "parent" means the pupil unless a guardian or conservator has been appointed,
 6.24 in which case it means the guardian or conservator.

6.25 (c) For purposes of sections 125A.03 to 125A.24 and 125A.65, the school district of
 6.26 residence for an unmarried pupil age 18 or over who is a parent under paragraph (b) and
 6.27 who is placed in a center for care and treatment, shall be the school district in which the
 6.28 pupil's biological or adoptive parent or designated guardian resides.

6.29 (d) For a married pupil age 18 or over, the school district of residence is the school
 6.30 district in which the married pupil resides.

6.31 (e) If a district reasonably believes that a student does not meet the residency
 6.32 requirements of the school district in which the student is attending school, the student
 6.33 may be removed from the school only after the district sends the student's parents written
 6.34 notice of the district's belief, including the facts upon which the belief is based, and an
 6.35 opportunity to provide documentary evidence of residency in person to the superintendent

7.1 or designee, or, at the option of the parents, by sending the documentary evidence to the
 7.2 superintendent, or a designee, who will then make a determination as to the residency
 7.3 status of the student.

7.4 Sec. 2. Minnesota Statutes 2005 Supplement, section 120B.021, subdivision 1a,
 7.5 is amended to read:

7.6 Subd. 1a. **Rigorous course of study; waiver.** (a) Upon receiving a student’s
 7.7 application signed by the student’s parent or guardian, a school district, area learning
 7.8 center, or charter school must declare that a student meets or exceeds a specific academic
 7.9 standard required for graduation under this section if the local school board, the school
 7.10 board of the school district in which the area learning center is located, or the charter
 7.11 school board of directors determines that the student:

7.12 (1) is participating in a course of study, including an advanced placement or
 3 international baccalaureate course or program; a learning opportunity outside the
 7.14 curriculum of the district, area learning center, or charter school; or an approved
 7.15 preparatory program for employment or postsecondary education that is equally or more
 7.16 rigorous than the corresponding state or local academic standard required by the district,
 7.17 area learning center, or charter school;

7.18 (2) would be precluded from participating in the rigorous course of study, learning
 7.19 opportunity, or preparatory employment or postsecondary education program if the student
 7.20 were required to achieve the academic standard to be waived; and

7.21 (3) satisfactorily completes the requirements for the rigorous course of study,
 7.22 learning opportunity, or preparatory employment or postsecondary education program.
 7.23 Consistent with the requirements of this section, the local school board, the school board
 7.24 of the school district in which the area learning center is located, or the charter school
 7.25 board of directors also may formally determine other circumstances in which to declare
 7.26 that a student meets or exceeds a specific academic standard that the site requires for
 7.27 graduation under this section.

7.28 (b) A student who satisfactorily completes a postsecondary enrollment options
 7.29 course or program under section 124D.09, or an advanced placement or international
 7.30 baccalaureate course or program under section 120B.13 is not required to complete other
 7.31 requirements of the academic standards corresponding to that specific rigorous course
 7.32 of study.

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

7.34 Sec. 3. Minnesota Statutes 2004, section 120B.023, is amended to read:

7.35 **120B.023 BENCHMARKS.**

8.1 Subdivision 1. Benchmarks implement, supplement statewide academic
8.2 standards. (a) The commissioner must supplement required state academic standards with
8.3 grade-level benchmarks. High school benchmarks may cover more than one grade. The
8.4 benchmarks must implement statewide academic standards by specifying the academic
8.5 knowledge and skills that schools must offer and students must achieve to satisfactorily
8.6 complete a state standard. The commissioner must publish benchmarks ~~are published~~ to
8.7 inform and guide parents, teachers, school districts, and other interested persons and ~~for~~ to
8.8 use in developing tests consistent with the benchmarks.

8.9 (b) The commissioner shall publish benchmarks in the State Register and transmit
8.10 the benchmarks in any other manner that makes them accessible to the general public. The
8.11 commissioner may charge a reasonable fee for publications.

8.12 (c) Once established, the commissioner may change the benchmarks only with
8.13 specific legislative authorization and after completing a review under ~~paragraph (d)~~
8.14 subdivision 2.

8.15 (d) The commissioner must develop and implement a system for reviewing ~~on~~
8.16 ~~a four-year cycle~~ each of the required academic standards and related benchmarks and
8.17 elective standards ~~beginning in the 2006-2007 school year~~ on a periodic cycle, consistent
8.18 with subdivision 2.

8.19 (e) The benchmarks are not subject to chapter 14 and section 14.386 does not apply.

8.20 Subd. 2. Revisions and reviews required. (a) The education commissioner must
8.21 revise and appropriately embed technology and information literacy standards consistent
8.22 with recommendations from school media specialists, into the state's academic standards
8.23 and graduation requirements and implement a review cycle for state academic standards
8.24 and related benchmarks, consistent with this subdivision. During each review cycle, the
8.25 commissioner also must examine the alignment of each required academic standard and
8.26 related benchmark with the knowledge and skills students need for college readiness and
8.27 advanced work in the particular subject area.

8.28 (b) The commissioner in the 2006-2007 school year must revise and align the state's
8.29 academic standards and high school graduation requirements in mathematics to require
8.30 that students satisfactorily complete the revised mathematics standards, beginning in the
8.31 2010-2011 school year. Under the revised standards:

8.32 (1) students must satisfactorily complete an algebra I credit by the end of eighth
8.33 grade; and

8.34 (2) students scheduled to graduate in the 2014-2015 school year or later must
8.35 satisfactorily complete an algebra II credit or its equivalent.

9.1 The commissioner also must ensure that the statewide mathematics assessments
9.2 administered to students in grades 3 through 8 and 11 beginning in the 2010-2011 school
9.3 year are aligned with the state academic standards in mathematics. The statewide 11th
9.4 grade math test administered to students under clause (2) beginning in the 2013-2014
9.5 school year must include algebra II test items that are aligned with corresponding state
9.6 academic standards in mathematics. The commissioner must implement a review of the
9.7 academic standards and related benchmarks in mathematics beginning in the 2015-2016
9.8 school year.

9.9 (c) The commissioner in the 2007-2008 school year must revise and align the state's
9.10 academic standards and high school graduation requirements in the arts to require that
9.11 students satisfactorily complete the revised arts standards beginning in the 2010-2011
9.12 school year. The commissioner must implement a review of the academic standards and
3 related benchmarks in arts beginning in the 2016-2017 school year.

9.14 (d) The commissioner in the 2008-2009 school year must revise and align the state's
9.15 academic standards and high school graduation requirements in science to require that
9.16 students satisfactorily complete the revised science standards, beginning in the 2011-2012
9.17 school year. Under the revised standards, students scheduled to graduate in the 2014-2015
9.18 school year or later must satisfactorily complete a chemistry or physics credit. The
9.19 commissioner must implement a review of the academic standards and related benchmarks
9.20 in science beginning in the 2017-2018 school year.

9.21 (e) The commissioner in the 2009-2010 school year must revise and align the state's
9.22 academic standards and high school graduation requirements in language arts to require
9.23 that students satisfactorily complete the revised language arts standards beginning in the
9.24 2012-2013 school year. The commissioner must implement a review of the academic
9.25 standards and related benchmarks in language arts beginning in the 2018-2019 school year.

9.26 (f) The commissioner in the 2010-2011 school year must revise and align the state's
9.27 academic standards and high school graduation requirements in social studies to require
9.28 that students satisfactorily complete the revised social studies standards beginning in the
9.29 2013-2014 school year. The commissioner must implement a review of the academic
9.30 standards and related benchmarks in social studies beginning in the 2019-2020 school year.

9.31 (g) School districts and charter schools must revise and align local academic
9.32 standards and high school graduation requirements in health, physical education, world
9.33 languages and career and technical education to require students to complete the revised
9.34 standards beginning in a school year determined by the school district or charter school.
9.35 School districts and charter schools must formally establish a periodic review cycle for the

10.1 academic standards and related benchmarks in health, physical education, world languages
10.2 and career and technical education.

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

10.4 Sec. 4. Minnesota Statutes 2004, section 120B.024, is amended to read:

10.5 **120B.024 GRADUATION REQUIREMENTS; COURSE CREDITS;**
10.6 **STUDENT TRANSFERS.**

10.7 (a) Students beginning 9th grade in the 2004-2005 school year and later must
10.8 successfully complete the following high school level course credits for graduation:

10.9 (1) four credits of language arts;

10.10 (2) three credits of mathematics, encompassing at least algebra, geometry, statistics,
10.11 and probability sufficient to satisfy the academic standard and beginning in the 2010-2011
10.12 school year for students scheduled to graduate in the 2014-2015 school year or later, one
10.13 algebra II credit or its equivalent;

10.14 (3) three credits of science, including at least one credit in biology and for the
10.15 2011-2012 school year and later, one credit in chemistry or physics;

10.16 (4) three and one-half credits of social studies, encompassing at least United
10.17 States history, geography, government and citizenship, world history, and economics or
10.18 three credits of social studies encompassing at least United States history, geography,
10.19 government and citizenship, and world history, and one-half credit of economics taught in
10.20 a school's social studies or business department;

10.21 (5) one credit in the arts; and

10.22 (6) a minimum of seven elective course credits.

10.23 (b) A course credit is equivalent to a student successfully completing an academic
10.24 year of study or a student mastering the applicable subject matter, as determined by the
10.25 local school district.

10.26 (c) A district, area learning center, and charter school must establish processes by
10.27 which to transfer as completed:

10.28 (1) those course credit requirements that other school sites within the district or
10.29 other public schools verify on transcripts as completed; and

10.30 (2) the work that educational institutions outside the state accept for completing the
10.31 equivalent of course credit requirements and verify on transcripts as completed.

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

10.33 Sec. 5. Minnesota Statutes 2004, section 122A.18, subdivision 2, is amended to read:

11.1 Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of
11.2 Teaching must issue licenses under its jurisdiction to persons the board finds to be
11.3 qualified and competent for their respective positions.

11.4 (b) The board must require a person to successfully complete an examination of
11.5 skills in reading, writing, and mathematics before being granted an initial teaching license
11.6 to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special
11.7 education programs. The board must require colleges and universities offering a board
11.8 approved teacher preparation program to provide remedial assistance that includes a
11.9 formal diagnostic component to persons enrolled in their institution who did not achieve a
11.10 qualifying score on the skills examination, including those for whom English is a second
11.11 language. The colleges and universities must provide assistance in the specific academic
11.12 areas of deficiency in which the person did not achieve a qualifying score. School
11.13 districts must provide similar, appropriate, and timely remedial assistance that includes a
11.14 formal diagnostic component and mentoring to those persons employed by the district
11.15 who completed their teacher education program outside the state of Minnesota, received
11.16 a one-year license to teach in Minnesota and did not achieve a qualifying score on the
11.17 skills examination, including those persons for whom English is a second language. The
11.18 Board of Teaching shall report annually to the education committees of the legislature
11.19 on the total number of teacher candidates during the most recent school year taking the
11.20 skills examination, the number who achieve a qualifying score on the examination, the
11.21 number who do not achieve a qualifying score on the examination, the distribution of all
11.22 candidates' scores, the number of candidates who have taken the examination at least once
11.23 before, and the number of candidates who have taken the examination at least once before
11.24 and achieve a qualifying score.

11.25 (c) A person who has completed an approved teacher preparation program and
11.26 obtained a one-year license to teach, but has not successfully completed the skills
11.27 examination, may renew the one-year license for two additional one-year periods. Each
11.28 renewal of the one-year license is contingent upon the licensee:

11.29 (1) providing evidence of participating in an approved remedial assistance program
11.30 provided by a school district or postsecondary institution that includes a formal diagnostic
11.31 component in the specific areas in which the licensee did not obtain qualifying scores; and

11.32 (2) attempting to successfully complete the skills examination during the period
11.33 of each one-year license.

11.34 (d) The Board of Teaching must grant continuing licenses only to those persons who
11.35 have met board criteria for granting a continuing license, which includes successfully
11.36 completing the skills examination in reading, writing, and mathematics.

12.1 (e) All colleges and universities approved by the board of teaching to prepare
12.2 persons for teacher licensure must include in their teacher preparation programs a common
12.3 core of teaching knowledge and skills to be acquired by all persons recommended
12.4 for teacher licensure. This common core shall meet the standards developed by the
12.5 interstate new teacher assessment and support consortium in its 1992 "model standards
12.6 for beginning teacher licensing and development," and must include technology and
12.7 information literacy standards that are consistent with recommendations from media
12.8 specialists and the department's educator licensing and teacher quality division. The board
12.9 must develop and implement a system for reviewing on a seven-year cycle all standards of
12.10 effective practice for teachers beginning in the 2007-2008 school year. Amendments to
12.11 standards adopted under this paragraph are covered by chapter 14. The board of teaching
12.12 shall report annually to the education committees of the legislature on the performance
12.13 of teacher candidates on common core assessments of knowledge and skills under this
12.14 paragraph during the most recent school year.

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

12.16 Sec. 6. Minnesota Statutes 2005 Supplement, section 124D.095, subdivision 4, is
12.17 amended to read:

12.18 Subd. 4. **Online learning parameters.** (a) An online learning student must receive
12.19 academic credit for completing the requirements of an online learning course or program.
12.20 Secondary credits granted to an online learning student must be counted toward the
12.21 graduation and credit requirements of the enrolling district. The enrolling district must
12.22 apply the same graduation requirements to all students, including online learning students,
12.23 and must continue to provide nonacademic services to online learning students. If a
12.24 student completes an online learning course or program that meets or exceeds a graduation
12.25 standard or grade progression requirement at the enrolling district, that standard or
12.26 requirement is met. The enrolling district must use the same criteria for accepting online
12.27 learning credits or courses as it does for accepting credits or courses for transfer students
12.28 under section 124D.03, subdivision 9. The enrolling district may reduce the teacher
12.29 contact time of an online learning student in proportion to the number of online learning
12.30 courses the student takes from an online learning provider that is not the enrolling district.

12.31 (b) An online learning student may:

12.32 (1) enroll during a single school year in a maximum of 12 semester-long courses or
12.33 their equivalent delivered by an online learning provider or the enrolling district;

12.34 (2) complete course work at a grade level that is different from the student's current
12.35 grade level; and

13.1 (3) enroll in additional courses with the online learning provider under a separate
 13.2 agreement that includes terms for payment of any tuition or course fees.

13.3 ~~(c) A student with a disability may enroll in an online learning course or program~~
 13.4 ~~if the student's IEP team determines that online learning is appropriate education for~~
 13.5 ~~the student.~~

13.6 ~~(d)~~ (c) An online learning student has the same access to the computer hardware
 13.7 and education software available in a school as all other students in the enrolling district.
 13.8 An online learning provider must assist an online learning student whose family qualifies
 13.9 for the education tax credit under section 290.0674 to acquire computer hardware and
 13.10 educational software for online learning purposes.

13.11 ~~(e)~~ (d) An enrolling district may offer online learning to its enrolled students.
 13.12 Such online learning does not generate online learning funds under this section. An
 13.13 enrolling district that offers online learning only to its enrolled students is not subject
 13.14 to the reporting requirements or review criteria under subdivision 7. A teacher with a
 13.15 Minnesota license must assemble and deliver instruction to enrolled students receiving
 13.16 online learning from an enrolling district. The delivery of instruction occurs when the
 13.17 student interacts with the computer or the teacher and receives ongoing assistance and
 13.18 assessment of learning. The instruction may include curriculum developed by persons
 13.19 other than a teacher with a Minnesota license.

13.20 ~~(f)~~ (e) An online learning provider that is not the enrolling district is subject to
 13.21 the reporting requirements and review criteria under subdivision 7. A teacher with a
 13.22 Minnesota license must assemble and deliver instruction to online learning students. The
 13.23 delivery of instruction occurs when the student interacts with the computer or the teacher
 13.24 and receives ongoing assistance and assessment of learning. The instruction may include
 13.25 curriculum developed by persons other than a teacher with a Minnesota license. Unless
 13.26 the commissioner grants a waiver, a teacher providing online learning instruction must not
 13.27 instruct more than 40 students in any one online learning course or program.

13.28 Sec. 7. Minnesota Statutes 2004, section 124D.096, is amended to read:

13.29 **124D.096 ON-LINE LEARNING AID.**

13.30 (a) The on-line learning aid for an on-line learning provider equals the product
 13.31 of the adjusted on-line learning average daily membership for students under section
 13.32 124D.095, subdivision 8, paragraph (d), times the student grade level weighting under
 13.33 section 126C.05, subdivision 1, times the formula allowance.

13.34 (b) Notwithstanding section 127A.45, the department must pay each on-line learning
 13.35 provider ~~80 percent of the current year aid payment percentage multiplied by the amount~~
 13.36 in paragraph (a) within 45 days of receiving final enrollment and course completion

14.1 information each quarter or semester. ~~A final payment equal to 20 percent of the amount in~~
14.2 ~~paragraph (a)~~ The final adjustment payment must be the amount of the actual entitlement,
14.3 after adjustment for actual data, minus the payments made during the fiscal year of the
14.4 entitlement. This payment must be made on September 30 of the next fiscal year.

14.5 Sec. 8. Minnesota Statutes 2004, section 124D.10, subdivision 16, is amended to read:

14.6 Subd. 16. **Transportation.** (a) ~~By July 1 of each year, a charter school~~ A charter
14.7 school after its first fiscal year of operation by March 1 of each fiscal year and a charter
14.8 school by July 1 of its first fiscal year of operation must notify the district in which the
14.9 school is located and the Department of Education if it will provide transportation for
14.10 pupils enrolled in the school its own transportation or use the transportation services of the
14.11 district in which it is located for the fiscal year.

14.12 (b) If a charter school elects to provide transportation for pupils, the transportation
14.13 must be provided by the charter school within the district in which the charter school is
14.14 located. The state must pay transportation aid to the charter school according to section
14.15 124D.11, subdivision 2.

14.16 For pupils who reside outside the district in which the charter school is located, the
14.17 charter school is not required to provide or pay for transportation between the pupil's
14.18 residence and the border of the district in which the charter school is located. A parent
14.19 may be reimbursed by the charter school for costs of transportation from the pupil's
14.20 residence to the border of the district in which the charter school is located if the pupil is
14.21 from a family whose income is at or below the poverty level, as determined by the federal
14.22 government. The reimbursement may not exceed the pupil's actual cost of transportation
14.23 or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for
14.24 more than 250 miles per week.

14.25 At the time a pupil enrolls in a charter school, the charter school must provide the
14.26 parent or guardian with information regarding the transportation.

14.27 (c) If a charter school does not elect to provide transportation, transportation for
14.28 pupils enrolled at the school must be provided by the district in which the school is
14.29 located, according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a
14.30 pupil residing in the same district in which the charter school is located. Transportation
14.31 may be provided by the district in which the school is located, according to sections
14.32 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different
14.33 district. If the district provides the transportation, the scheduling of routes, manner and
14.34 method of transportation, control and discipline of the pupils, and any other matter relating
14.35 to the transportation of pupils under this paragraph shall be within the sole discretion,
14.36 control, and management of the district.

15.1 Sec. 9. Minnesota Statutes 2004, section 124D.11, subdivision 9, is amended to read:

15.2 Subd. 9. **Payment of aids to charter schools.** (a) Notwithstanding section 127A.45,
15.3 subdivision 3, aid payments for the current fiscal year to a charter school not in its first
15.4 year of operation shall be of an equal amount on each of the 23 payment dates. A charter
15.5 school in its first year of operation shall receive, on its first payment date, ten percent of its
15.6 cumulative amount guaranteed for the year and 22 payments of an equal amount thereafter
15.7 the sum of which shall be ~~90 percent of~~ equal the current year aid payment percentage
15.8 multiplied by the cumulative amount guaranteed.

15.9 (b) Notwithstanding paragraph (a), for a charter school ceasing operation prior to the
15.10 end of a school year, ~~80 percent of~~ the current year aid payment percentage multiplied by
15.11 the amount due for the school year may be paid to the school after audit of prior fiscal year
15.12 and current fiscal year pupil counts. For a charter school ceasing operations prior to, or
15.13 at the end of a school year, notwithstanding section 127A.45, subdivision 3, preliminary
15.14 final payments may be made after audit of pupil counts, monitoring of special education
15.15 expenditures, and documentation of lease expenditures for the final year of operation.
15.16 Final payment may be made upon receipt of audited financial statements under section
15.17 123B.77, subdivision 3.

15.18 (c) Notwithstanding section 127A.45, subdivision 3, and paragraph (a), 80 percent
15.19 of the start-up cost aid under subdivision 8 shall be paid within 45 days after the first day
15.20 of student attendance for that school year.

15.21 (d) In order to receive state aid payments under this subdivision, a charter school in
15.22 its first three years of operation must submit a school calendar in the form and manner
15.23 requested by the department and a quarterly report to the Department of Education. The
15.24 report must list each student by grade, show the student's start and end dates, if any,
15.25 with the charter school, and for any student participating in a learning year program,
15.26 the report must list the hours and times of learning year activities. The report must be
15.27 submitted not more than two weeks after the end of the calendar quarter to the department.
15.28 The department must develop a Web-based reporting form for charter schools to use
15.29 when submitting enrollment reports. A charter school in its fourth and subsequent year of
15.30 operation must submit a school calendar and enrollment information to the department in
15.31 the form and manner requested by the department.

15.32 (e) Notwithstanding sections 317A.701 to 317A.791, upon closure of a charter
15.33 school and satisfaction of creditors, cash and investment balances remaining shall be
15.34 returned to the state.

15.35 Sec. 10. Minnesota Statutes 2004, section 124D.61, is amended to read:

15.36 **124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.**

16.1 A district ~~which receives aid pursuant to section 124D.65 must comply with that~~
 16.2 enrolls one or more children of limited English proficiency must implement an educational
 16.3 program that includes at a minimum the following program requirements:

16.4 (1) identification and reclassification criteria for children of limited English
 16.5 proficiency and program entrance and exit criteria for children with limited English
 16.6 proficiency must be documented by the district, applied uniformly to children of limited
 16.7 English proficiency, and made available to parents and other stakeholders upon request;

16.8 (2) a written plan of services that describes programming by English proficiency
 16.9 level made available to parents upon request. The plan must articulate the amount and
 16.10 scope of service offered to children of limited English proficiency through an educational
 16.11 program for children of limited English proficiency;

16.12 (3) professional development opportunities for ESL, bilingual education,
 16.13 mainstream, and all staff working with children of limited English proficiency which are:

16.14 (i) coordinated with the district’s professional development activities; (ii) related to the
 16.15 needs of children of limited English proficiency; and (iii) ongoing;

16.16 (4) to the extent possible, the district must avoid isolating children of limited English
 16.17 proficiency for a substantial part of the school day; and

16.18 ~~(2)~~ (5) in predominantly nonverbal subjects, such as art, music, and physical
 16.19 education, permit pupils of limited English proficiency shall be permitted to participate
 16.20 fully and on an equal basis with their contemporaries in public school classes provided
 16.21 for these subjects. To the extent possible, the district must assure to pupils enrolled in a
 16.22 program for limited English proficient students an equal and meaningful opportunity to
 16.23 participate fully with other pupils in all extracurricular activities.

16.24 Sec. 11. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
 16.25 13, is amended to read:

16.26 Subd. 13. **Examination fees; teacher training and support programs.** (a) For
 16.27 students’ advanced placement and international baccalaureate examination fees under
 16.28 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
 16.29 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
 16.30 subdivision 1:

16.31	\$	4,500,000	.....	2006
16.32	\$	4,500,000	.....	2007

16.33 (b) The advanced placement program shall receive 75 percent of the appropriation
 16.34 each year and the international baccalaureate program shall receive 25 percent of the
 16.35 appropriation each year. The department, in consultation with representatives of the
 16.36 advanced placement and international baccalaureate programs selected by the Advanced

17.1 Placement Advisory Council and IBMN, respectively, shall determine the amounts of
 17.2 the expenditures each year for examination fees and training and support programs for
 17.3 each program.

17.4 (c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least
 17.5 \$500,000 each year is for teachers to attend subject matter summer training programs
 17.6 and follow-up support workshops approved by the advanced placement or international
 17.7 baccalaureate programs. ~~The amount of the subsidy for each teacher attending an
 17.8 advanced placement or international baccalaureate summer training program or workshop
 17.9 shall be the same. The commissioner shall determine the payment process and the amount
 17.10 of the subsidy.~~ Teachers shall apply for teacher training scholarships to prepare for
 17.11 teaching in the advanced placement or international baccalaureate program. Any reserved
 17.12 funding not expended for teacher training may be used for exam fees and other support
 17.13 programs for each program.

17.14 (d) The commissioner shall pay all examination fees for all students of low-income
 17.15 families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent
 17.16 of available appropriations shall also pay examination fees for students sitting for an
 17.17 advanced placement examination, international baccalaureate examination, or both.

17.18 Any balance in the first year does not cancel but is available in the second year.

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

17.20 **Sec. 12. 2006 SCHOOL ACCOUNTABILITY REPORT.**

17.21 Notwithstanding Minnesota Statutes, section 120B.36, for 2006 reporting only, the
 17.22 Department of Education may delay the release to the public and the posting of the 2006
 17.23 school performance report cards and adequate yearly progress data on its public Web
 17.24 site to no later than November 30, 2006.

17.25 **ARTICLE 3**

17.26 **SPECIAL EDUCATION**

17.27 Section 1. Minnesota Statutes 2004, section 125A.515, subdivision 1, is amended to
 17.28 read:

17.29 Subdivision 1. **Approval of education programs.** The commissioner shall
 17.30 approve education programs for placement of children and youth in ~~care and treatment~~
 17.31 residential facilities including detention centers, before being licensed by the Department
 17.32 of Human Services ~~under Minnesota Rules, parts 9545.0905 to 9545.1125 and 9545.1400~~
 17.33 ~~to 9545.1480~~, or the Department of Corrections ~~under Minnesota Rules, chapters 2925,~~
 17.34 ~~2930, 2935, and 2950.~~ Education programs in these facilities shall conform to state and
 17.35 federal education laws including the Individuals with Disabilities Education Act (IDEA).

18.1 This section applies only to placements in facilities licensed by the Department of Human
18.2 Services or the Department of Corrections.

18.3 Sec. 2. Minnesota Statutes 2004, section 125A.515, subdivision 3, is amended to read:

18.4 Subd. 3. **Responsibilities for providing education.** (a) The district in which the
18.5 residential facility is located must provide education services, including special education
18.6 if eligible, to all students placed in a facility ~~for care and treatment.~~

18.7 (b) For education programs operated by the Department of Corrections, the
18.8 providing district shall be the Department of Corrections. For students remanded to the
18.9 commissioner of corrections, the providing and resident district shall be the Department
18.10 of Corrections.

18.11 ~~(c) Placement for care and treatment does not automatically make a student eligible~~
18.12 ~~for special education. A student placed in a care and treatment facility is eligible for~~
18.13 ~~special education under state and federal law including the Individuals with Disabilities~~
18.14 ~~Education Act under United States Code, title 20, chapter 33.~~

18.15 Sec. 3. Minnesota Statutes 2004, section 125A.515, subdivision 5, is amended to read:

18.16 Subd. 5. **Education programs for students placed in residential facilities ~~for~~**
18.17 ~~care and treatment.~~ (a) When a student is placed in a ~~care and treatment~~ facility
18.18 approved under this section that has an on-site education program, the providing district,
18.19 upon notice from the care and treatment facility, must contact the resident district within
18.20 one business day to determine if a student has been identified as having a disability, and
18.21 to request at least the student's transcript, and for students with disabilities, the most
18.22 recent individualized education plan (IEP) and evaluation report, and to determine if the
18.23 student has been identified as a student with a disability. The resident district must send a
18.24 facsimile copy to the providing district within two business days of receiving the request.

18.25 (b) If a student placed ~~for care and treatment~~ under this section has been identified as
18.26 having a disability and has an individual education plan in the resident district:

18.27 (1) the providing agency must conduct an individualized education plan meeting
18.28 to reach an agreement about continuing or modifying special education services in
18.29 accordance with the current individualized education plan goals and objectives and to
18.30 determine if additional evaluations are necessary; and

18.31 (2) at least the following people shall receive written notice or documented phone
18.32 call to be followed with written notice to attend the individualized education plan meeting:

18.33 (i) the person or agency placing the student;

18.34 (ii) the resident district;

18.35 (iii) the appropriate teachers and related services staff from the providing district;

18.36 (iv) appropriate staff from the ~~care and treatment~~ residential facility;

19.1 (v) the parents or legal guardians of the student; and

19.2 (vi) when appropriate, the student.

19.3 (c) For a student who has not been identified as a student with a disability, a
19.4 screening must be conducted by the providing districts as soon as possible to determine
19.5 the student's educational and behavioral needs and must include a review of the student's
19.6 educational records.

19.7 Sec. 4. Minnesota Statutes 2004, section 125A.515, subdivision 6, is amended to read:

19.8 Subd. 6. **Exit report summarizing educational progress.** If a student has been
19.9 placed in a ~~care and treatment~~ facility under this section for 15 or more business days, the
19.10 providing district must prepare an exit report summarizing the regular education, special
19.11 education, evaluation, educational progress, and service information and must send the
19.12 report to the resident district and the next providing district if different, the parent or
19.13 legal guardian, and any appropriate social service agency. For students with disabilities,
19.14 this report must include the student's IEP.

19.15 Sec. 5. Minnesota Statutes 2004, section 125A.515, subdivision 7, is amended to read:

19.16 Subd. 7. **Minimum educational services required.** When a student is placed in a
19.17 facility approved under this section, at a minimum, the providing district is responsible for:

19.18 (1) the education necessary, including summer school services, for a student who is
19.19 not performing at grade level as indicated in the education record or IEP; and

19.20 (2) a school day, of the same length as the school day of the providing district, unless
19.21 the unique needs of the student, as documented through the IEP or education record in
19.22 consultation with treatment providers, requires an alteration in the length of the school day.

19.23 Sec. 6. Minnesota Statutes 2004, section 125A.515, subdivision 9, is amended to read:

19.24 Subd. 9. **Reimbursement for education services.** (a) Education services
19.25 provided to students who have been placed ~~for care and treatment~~ under this section are
19.26 reimbursable in accordance with special education and general education statutes.

19.27 (b) Indirect or consultative services provided in conjunction with regular education
19.28 prereferral interventions and assessment provided to regular education students suspected
19.29 of being disabled and who have demonstrated learning or behavioral problems in a
19.30 screening are reimbursable with special education categorical aids.

19.31 (c) Regular education, including screening, provided to students with or without
19.32 disabilities is not reimbursable with special education categorical aids.

19.33 Sec. 7. Minnesota Statutes 2004, section 125A.515, subdivision 10, is amended to read:

19.34 Subd. 10. **Students unable to attend school but not ~~placed in care and treatment~~**
19.35 **facilities covered under this section.** Students who are absent from, or predicted to

20.1 be absent from, school for 15 consecutive or intermittent days, and placed at home or
 20.2 in facilities not licensed by the Departments of Corrections or Human Services are ~~not~~
 20.3 ~~students placed for care and treatment~~ entitled to regular and special education services
 20.4 consistent with applicable law and rule. These students include students with and without
 20.5 disabilities who are home due to accident or illness, in a hospital or other medical facility,
 20.6 or in a day treatment center. ~~These students are entitled to education services through~~
 20.7 ~~their district of residence.~~

20.8 Sec. 8. Minnesota Statutes 2004, section 125A.63, subdivision 4, is amended to read:

20.9 Subd. 4. **Advisory committees.** ~~The Special Education Advisory Council~~
 20.10 commissioner shall establish an advisory committee for each resource center. The
 20.11 advisory committees shall develop recommendations regarding the resource centers and
 20.12 submit an annual report to the commissioner on the form and in the manner prescribed by
 20.13 the commissioner.

20.14 Sec. 9. Minnesota Statutes 2004, section 125A.75, subdivision 1, is amended to read:

20.15 Subdivision 1. **Travel aid.** The state must pay each district one-half of the sum
 20.16 actually expended by a district, based on mileage, for necessary travel of essential
 20.17 personnel providing home-based services to children with a disability under age five
 20.18 and their families.

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

20.20 Sec. 10. **DEPARTMENT OF EDUCATION RULES.**

20.21 Before July 1, 2007, the Department of Education shall amend Minnesota Rules,
 20.22 part 3525.2325, to conform with Minnesota Statutes, section 125A.515.

20.23 Sec. 11. **REPEALER.**

20.24 Minnesota Statutes 2004, section 125A.515, subdivision 2, is repealed.

20.25 ARTICLE 4

20.26 FACILITIES, ACCOUNTING, AND TECHNOLOGY

20.27 Section 1. Minnesota Statutes 2004, section 127A.41, subdivision 2, is amended to
 20.28 read:

20.29 Subd. 2. **Errors in distribution.** On determining that the amount of state aid
 20.30 distributed to a school district is in error, the commissioner is authorized to adjust the
 20.31 amount of aid consistent with this subdivision. On determining that the amount of aid is
 20.32 in excess of the school district's entitlement, the commissioner is authorized to recover
 20.33 the amount of the excess by any appropriate means. Notwithstanding the fiscal years
 20.34 designated by the appropriation, the excess may be recovered by reducing future aid
 20.35 payments to the district. Notwithstanding any law to the contrary, if the aid reduced is not

21.1 of the same type as that overpaid, the district must adjust all necessary financial accounts
 21.2 to properly reflect all revenues earned in accordance with the uniform financial accounting
 21.3 and reporting standards pursuant to sections 123B.75 to 123B.83. Notwithstanding the
 21.4 fiscal years designated by the appropriation, on determining that the amount of an aid paid
 21.5 is less than the school district's entitlement, the commissioner is authorized to increase
 21.6 such aid from the current appropriation. If the aid program has been discontinued and has
 21.7 no appropriation, the appropriation for general education shall be used for recovery or
 21.8 payment of the aid decrease or increase. Any excess of aid recovery over aid payment
 21.9 shall be cancelled to the state general fund.

ARTICLE 5

STATE AGENCIES

21.10
 21.11
 21.12 Section 1. Minnesota Statutes 2004, section 125A.69, subdivision 3, is amended to
 21.13 read:

21.14 Subd. 3. **Out-of-state admissions.** An applicant from another state who can benefit
 21.15 from attending either academy may be admitted to the academy if the admission does not
 21.16 prevent an eligible Minnesota resident from being admitted. The board of the Minnesota
 21.17 State Academies must obtain reimbursement from the other state for the costs of the
 21.18 out-of-state admission. The state board may enter into an agreement with the appropriate
 21.19 authority in the other state for the reimbursement. Money received from another state
 21.20 must be deposited in the ~~general~~ special revenue fund and credited to the general operating
 21.21 account of the academies. The money is appropriated to the academies.

21.22 EFFECTIVE DATE. This section is effective retroactively from fiscal year 2001.

ARTICLE 6

PREKINDERGARTEN THROUGH GRADE 12 EDUCATION

FORECAST ADJUSTMENTS

A. GENERAL EDUCATION

21.27 Section 1. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision
 21.28 2, is amended to read:

21.29 Subd. 2. **General education aid.** For general education aid under Minnesota
 21.30 Statutes, section 126C.13, subdivision 4:

21.32	5,136,578,000		
21.32	\$ <u>5,819,153,000</u>	.....	2006
21.33	5,390,196,000		
21.34	\$ <u>5,472,247,000</u>	.....	2007

21.35 The 2006 appropriation includes ~~\$784,978,000~~ \$787,978,000 for 2005 and
 21.36 ~~\$4,351,600,000~~ \$5,031,175,000 for 2006.

22.1 The 2007 appropriation includes ~~\$817,588,000~~ \$513,848,000 for 2006 and
 22.2 ~~\$4,572,608,000~~ \$4,958,399,000 for 2007.

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

22.4 Sec. 2. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision 3,
 22.5 is amended to read:

22.6 Subd. 3. **Referendum tax base replacement aid.** For referendum tax base
 22.7 replacement aid under Minnesota Statutes, section 126C.17, subdivision 7a:

22.8	8,704,000		
22.9	\$ <u>9,200,000</u>	.....	2006
22.10	\$ 8,704,000	.....	2007

22.11 The 2006 appropriation includes \$1,366,000 for 2005 and ~~\$7,338,000~~ \$7,834,000
 22.12 for 2006.

22.13 The 2007 appropriation includes ~~\$1,366,000~~ \$870,000 for 2006 and ~~\$7,338,000~~
 22.14 \$7,834,000 for 2007.

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

22.16 Sec. 3. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision 5,
 22.17 is amended to read:

22.18 Subd. 5. **Abatement revenue.** For abatement aid under Minnesota Statutes, section
 22.19 127A.49:

22.20	903,000		
22.21	\$ <u>909,000</u>	.....	2006
22.22	955,000		
22.23	\$ <u>1,026,000</u>	.....	2007

22.24 The 2006 appropriation includes \$187,000 for 2005 and ~~\$716,000~~ \$722,000 for 2006.

22.25 The 2007 appropriation includes ~~\$133,000~~ \$80,000 for 2006 and ~~\$822,000~~ \$946,000
 22.26 for 2007.

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

22.28 Sec. 4. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision 6,
 22.29 is amended to read:

22.30 Subd. 6. **Consolidation transition.** For districts consolidating under Minnesota
 22.31 Statutes, section 123A.485:

22.32	253,000		
22.33	\$ <u>527,000</u>	.....	2007

22.34 The 2007 appropriation includes \$0 for 2006 and ~~\$253,000~~ \$527,000 for 2007.

23.1 Sec. 5. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision 7,
23.2 is amended to read:

23.3 Subd. 7. **Nonpublic pupil education aid.** For nonpublic pupil education aid under
23.4 Minnesota Statutes, sections 123B.87 and 123B.40 to 123B.43:

23.5	15,370,000		
23.6	\$ <u>15,458,000</u>	.....	2006
23.8	16,434,000		
23.8	\$ <u>15,991,000</u>	.....	2007

23.9 The 2006 appropriation includes ~~\$2,305,000~~ \$1,864,000 for 2005 and ~~\$13,065,000~~
23.10 \$13,594,000 for 2006.

23.11 The 2007 appropriation includes ~~\$2,433,000~~ \$1,510,000 for 2006 and ~~\$14,001,000~~
23.12 \$14,481,000 for 2007.

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

23.14 Sec. 6. Laws 2005, First Special Session chapter 5, article 1, section 54, subdivision 8,
23.15 is amended to read:

23.16 Subd. 8. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid
23.17 under Minnesota Statutes, section 123B.92, subdivision 9:

23.18	21,451,000		
23.19	\$ <u>21,371,000</u>	.....	2006
23.20	23,043,000		
23.21	\$ <u>20,843,000</u>	.....	2007

23.22 The 2006 appropriation includes \$3,274,000 for 2005 and ~~\$18,177,000~~ \$18,097,000
23.23 for 2006.

23.24 The 2007 appropriation includes ~~\$3,385,000~~ \$2,010,000 for 2006 and ~~\$19,658,000~~
23.25 \$18,833,000 for 2007.

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

23.27 **B. EDUCATION EXCELLENCE**

23.28 Sec. 7. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 2,
23.29 is amended to read:

23.30 Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota
23.31 Statutes, section 124D.11, subdivision 4:

23.32	25,465,000		
23.33	\$ <u>25,331,000</u>	.....	2006
23.34	30,929,000		
23.35	\$ <u>27,806,000</u>	.....	2007

23.36 The 2006 appropriation includes ~~\$3,324,000~~ \$3,173,000 for 2005 and ~~\$22,141,000~~
23.37 \$22,158,000 for 2006.

24.1 The 2007 appropriation includes ~~\$4,123,000~~ \$2,462,000 for 2006 and ~~\$26,806,000~~
 24.2 \$25,344,000 for 2007.

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

24.4 Sec. 8. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 3,
 24.5 is amended to read:

24.6 Subd. 3. **Charter school startup aid.** For charter school startup cost aid under
 24.7 Minnesota Statutes, section 124D.11:

24.8	1,393,000		
24.9	\$ <u>1,291,000</u>	.....	2006
24.10	3,185,000		
24.11	\$ <u>2,347,000</u>	.....	2007

24.12 The 2006 appropriation includes \$0 for 2005 and ~~\$1,393,000~~ \$1,291,000 for 2006.

24.13 The 2007 appropriation includes ~~\$259,000~~ \$143,000 for 2006 and ~~\$2,926,000~~
 24.14 \$2,204,000 for 2007.

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

24.16 Sec. 9. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision 4,
 24.17 is amended to read:

24.18 Subd. 4. **Integration aid.** For integration aid under Minnesota Statutes, section
 24.19 124D.86, subdivision 5:

24.20	57,801,000		
24.21	\$ <u>59,404,000</u>	.....	2006
24.22	57,536,000		
24.23	\$ <u>58,405,000</u>	.....	2007

24.24 The 2006 appropriation includes \$8,545,000 for 2005 and ~~\$49,256,000~~ \$50,859,000
 24.25 for 2006.

24.26 The 2007 appropriation includes ~~\$9,173,000~~ \$5,650,000 for 2006 and ~~\$48,363,000~~
 24.27 \$52,755,000 for 2007.

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

24.29 Sec. 10. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
 24.30 6, is amended to read:

24.31 Subd. 6. **Interdistrict desegregation or integration transportation grants.** For
 24.32 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
 24.33 section 124D.87:

24.34	7,768,000		
24.35	\$ <u>6,032,000</u>	.....	2006
24.36	9,908,000		
24.37	\$ <u>10,134,000</u>	.....	2007

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

2 Sec. 11. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
25.3 7, is amended to read:

25.4 Subd. 7. **Success for the future.** For American Indian success for the future grants
25.5 under Minnesota Statutes, section 124D.81:

25.6	2,137,000		
25.7	\$ <u>2,240,000</u>	.....	2006
25.8	\$ <u>2,137,000</u>	.....	2007

25.9 The 2006 appropriation includes ~~\$335,000~~ \$316,000 for 2005 and ~~\$1,802,000~~
25.10 \$1,924,000 for 2006.

25.11 The 2007 appropriation includes ~~\$335,000~~ \$213,000 for 2006 and ~~\$1,802,000~~
25.12 \$1,924,000 for 2007.

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

25.14 Sec. 12. Laws 2005, First Special Session chapter 5, article 2, section 84, subdivision
25.15 10, is amended to read:

25.16 Subd. 10. **Tribal contract schools.** For tribal contract school aid under Minnesota
25.17 Statutes, section 124D.83:

25.18	2,389,000		
25.19	\$ <u>2,338,000</u>	.....	2006
25.20	2,603,000		
25.21	\$ <u>2,357,000</u>	.....	2007

25.22 The 2006 appropriation includes \$348,000 for 2005 and ~~\$2,041,000~~ \$1,990,000
25.23 for 2006.

25.24 The 2007 appropriation includes ~~\$380,000~~ \$221,000 for 2006 and ~~\$2,223,000~~
25.25 \$2,136,000 for 2007.

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

25.27 C. SPECIAL PROGRAMS

25.28 Sec. 13. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
25.29 2, is amended to read:

25.30 Subd. 2. **Special education; regular.** For special education aid under Minnesota
25.31 Statutes, section 125A.75:

25.32	528,846,000		
25.33	\$ <u>559,485,000</u>	.....	2006
25.34	527,446,000		
25.35	\$ <u>528,106,000</u>	.....	2007

25.36 The 2006 appropriation includes \$83,078,000 for 2005 and ~~\$445,768,000~~
25.37 \$476,407,000 for 2006.

26.1 The 2007 appropriation includes ~~\$83,019,000~~ \$52,934,000 for 2006 and
 26.2 ~~\$444,427,000~~ \$475,172,000 for 2007.

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

26.4 Sec. 14. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
 26.5 3, is amended to read:

26.6 Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes,
 26.7 section 125A.75, subdivision 3, for children with disabilities placed in residential facilities
 26.8 within the district boundaries for whom no district of residence can be determined:

26.90		2,212,000		
26.10	\$	<u>1,527,000</u>	.....	2006
26.11		2,615,000		
26.12	\$	<u>1,624,000</u>	.....	2007

26.13 If the appropriation for either year is insufficient, the appropriation for the other
 26.14 year is available.

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

26.16 Sec. 15. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
 26.17 4, is amended to read:

26.18 Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
 26.19 services under Minnesota Statutes, section 125A.75, subdivision 1:

26.20		187,000		
26.21	\$	<u>198,000</u>	.....	2006
26.22	\$	195,000	.....	2007

26.23 The 2006 appropriation includes \$28,000 for 2005 and ~~\$159,000~~ \$170,000 for 2006.
 26.24 The 2007 appropriation includes ~~\$29,000~~ \$18,000 for 2006 and ~~\$166,000~~ \$177,000
 26.25 for 2007.

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

26.27 Sec. 16. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
 26.28 5, is amended to read:

26.29 Subd. 5. **Special education; excess costs.** For excess cost aid under Minnesota
 26.30 Statutes, section 125A.79, subdivision 7:

26.31		102,083,000		
26.32	\$	<u>106,453,000</u>	.....	2006
26.33		104,286,000		
26.34	\$	<u>104,333,000</u>	.....	2007

26.35 The 2006 appropriation includes \$37,455,000 for 2005 and ~~\$64,628,000~~ \$68,998,000
 26.36 for 2006.

27.1 The 2007 appropriation includes ~~\$38,972,000~~ \$34,602,000 for 2006 and ~~\$65,314,000~~
27.2 \$69,731,000 for 2007.

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

27.4 Sec. 17. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
27.5 6, is amended to read:

27.6 Subd. 6. **Transition for disabled students.** For aid for transition programs for
27.7 children with disabilities under Minnesota Statutes, section 124D.454:

27.8	8,788,000		
27.9	\$ <u>9,300,000</u>	.....	2006
27.10	8,765,000		
27.11	\$ <u>8,781,000</u>	.....	2007

27.12 The 2006 appropriation includes \$1,380,000 for 2005 and ~~\$7,408,000~~ \$7,920,000
13 for 2006.

27.14 The 2007 appropriation includes ~~\$1,379,000~~ \$880,000 for 2006 and ~~\$7,386,000~~
27.15 \$7,901,000 for 2007.

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

27.17 Sec. 18. Laws 2005, First Special Session chapter 5, article 3, section 18, subdivision
27.18 7, is amended to read:

27.19 Subd. 7. **Court-placed special education revenue.** For reimbursing serving
27.20 school districts for unreimbursed eligible expenditures attributable to children placed in
27.21 the serving school district by court action under Minnesota Statutes, section 125A.79,
27.22 subdivision 4:

27.23	65,000		
27.24	\$ <u>46,000</u>	.....	2006
27.25	\$ 70,000	.....	2007

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

27.27 Sec. 19. Laws 2005, First Special Session chapter 5, article 4, section 25, subdivision
27.28 2, is amended to read:

27.29 Subd. 2. **Health and safety revenue.** For health and safety aid according to
27.30 Minnesota Statutes, section 123B.57, subdivision 5:

27.31	802,000		
27.32	\$ <u>823,000</u>	.....	2006
27.33	578,000		
27.34	\$ <u>352,000</u>	.....	2007

27.35 The 2006 appropriation includes \$211,000 for 2005 and ~~\$591,000~~ \$612,000 for 2006.

28.1 The 2007 appropriation includes ~~\$109,000~~ \$68,000 for 2006 and ~~\$469,000~~ \$284,000
 28.2 for 2007.

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

28.4 Sec. 20. Laws 2005, First Special Session chapter 5, article 4, section 25, subdivision
 28.5 3, is amended to read:

28.6 Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota
 28.7 Statutes, section 123B.53, subdivision 6:

28.9	25,654,000		
28.9	\$ <u>27,205,000</u>	.....	2006
28.10	24,134,000		
28.11	\$ <u>18,411,000</u>	.....	2007

28.12 The 2006 appropriation includes \$4,654,000 for 2005 and ~~\$21,000,000~~ \$22,551,000
 28.13 for 2006.

28.14 The 2007 appropriation includes ~~\$3,911,000~~ \$2,505,000 for 2006 and ~~\$20,223,000~~
 28.15 \$15,906,000 for 2007.

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

28.17 Sec. 21. Laws 2005, First Special Session chapter 5, article 4, section 25, subdivision
 28.18 4, is amended to read:

28.19 Subd. 4. **Alternative facilities bonding aid.** For alternative facilities bonding aid,
 28.20 according to Minnesota Statutes, section 123B.59, subdivision 1:

28.21	19,287,000		
28.22	\$ <u>20,387,000</u>	.....	2006
28.23	\$ 19,287,000	.....	2007

28.24 The 2006 appropriation includes \$3,028,000 for 2005 and ~~\$16,259,000~~ \$17,359,000
 28.25 for 2006.

28.26 The 2007 appropriation includes ~~\$3,028,000~~ \$1,928,000 for 2006 and ~~\$16,259,000~~
 28.27 \$17,359,000 for 2007.

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

28.29 E. NUTRITION AND ACCOUNTING

28.30 Sec. 22. Laws 2005, First Special Session chapter 5, article 5, section 17, subdivision
 28.31 2, is amended to read:

28.32 Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes,
 28.33 section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

29.1	8,998,000		
29.2	\$ <u>9,760,000</u>	.....	2006
3	9,076,000		
29.4	\$ <u>9,896,000</u>	.....	2007

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

29.6 Sec. 23. Laws 2005, First Special Session chapter 5, article 5, section 17, subdivision
29.7 3, is amended to read:

29.8 Subd. 3. **Traditional school breakfast; kindergarten milk.** For traditional school
29.9 breakfast aid and kindergarten milk under Minnesota Statutes, sections 124D.1158 and
29.10 124D.118:

29.12	4,878,000		
29.12	\$ <u>4,856,000</u>	.....	2006
29.13	4,968,000		
14	\$ <u>5,044,000</u>	.....	2007

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

29.16 **F. LIBRARIES**

29.17 Sec. 24. Laws 2005, First Special Session chapter 5, article 6, section 1, subdivision 2,
29.18 is amended to read:

29.19 Subd. 2. **Basic system support.** For basic system support grants under Minnesota
29.20 Statutes, section 134.355:

29.22	8,570,000		
29.22	\$ <u>9,058,000</u>	.....	2006
29.23	\$ <u>8,570,000</u>	.....	2007

24 The 2006 appropriation includes \$1,345,000 for 2005 and ~~\$7,225,000~~ \$7,713,000
29.25 for 2006.

29.26 The 2007 appropriation includes ~~\$1,345,000~~ \$857,000 for 2006 and ~~\$7,225,000~~
29.27 \$7,713,000 for 2007.

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

29.29 Sec. 25. Laws 2005, First Special Session chapter 5, article 6, section 1, subdivision 3,
29.30 is amended to read:

29.31 Subd. 3. **Multicounty, multitype library systems.** For grants under Minnesota
29.32 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

29.33	903,000		
29.34	\$ <u>954,000</u>	.....	2006
.35	\$ <u>903,000</u>	.....	2007

29.36 The 2006 appropriation includes \$141,000 for 2005 and ~~\$762,000~~ \$813,000 for 2006.

30.1 The 2007 appropriation includes ~~\$141,000~~ \$90,000 for 2006 and ~~\$762,000~~ \$813,000
30.2 for 2007.

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

30.4 Sec. 26. Laws 2005, First Special Session chapter 5, article 6, section 1, subdivision 5,
30.5 is amended to read:

30.6 Subd. 5. **Regional library telecommunications aid.** For regional library
30.7 telecommunications aid under Minnesota Statutes, section 134.355:

30.8		1,200,000		
30.9	\$	<u>1,268,000</u>	.....	2006
30.10	\$	1,200,000	.....	2007

30.11 The 2006 appropriation includes \$188,000 for 2005 and ~~\$1,012,000~~ \$1,080,000
30.12 for 2006.

30.13 The 2007 appropriation includes ~~\$188,000~~ \$120,000 for 2006 and ~~\$1,012,000~~
30.14 \$1,080,000 for 2007.

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

30.16 **G. EARLY CHILDHOOD EDUCATION**

30.17 Sec. 27. Laws 2005, First Special Session chapter 5, article 7, section 20, subdivision
30.18 2, is amended to read:

30.19 Subd. 2. **School readiness.** For revenue for school readiness programs under
30.20 Minnesota Statutes, sections 124D.15 and 124D.16:

30.21		9,020,000		
30.22	\$	<u>9,528,000</u>	.....	2006
30.23		9,042,000		
30.24	\$	<u>9,020,000</u>	.....	2007

30.25 The 2006 appropriation includes ~~\$1,417,000~~ \$1,415,000 for 2005 and ~~\$7,603,000~~
30.26 \$8,113,000 for 2006.

30.27 The 2007 appropriation includes ~~\$1,415,000~~ \$901,000 for 2006 and ~~\$7,627,000~~
30.28 \$8,119,000 for 2007.

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

30.30 Sec. 28. Laws 2005, First Special Session chapter 5, article 7, section 20, subdivision
30.31 3, is amended to read:

30.32 Subd. 3. **Early childhood family education aid.** For early childhood family
30.33 education aid under Minnesota Statutes, section 124D.135:

32.1 Sec. 31. Laws 2005, First Special Session chapter 5, article 8, section 8, subdivision 3,
32.2 is amended to read:

32.3 Subd. 3. **Adults with disabilities program aid.** For adults with disabilities
32.4 programs under Minnesota Statutes, section 124D.56:

32.5		710,000		
32.6	\$	<u>750,000</u>	.....	2006
32.7	\$	710,000	.....	2007

32.8 The 2006 appropriation includes \$111,000 for 2005 and ~~\$599,000~~ \$639,000 for 2006.

32.9 The 2007 appropriation includes ~~\$111,000~~ \$71,000 for 2006 and ~~\$599,000~~ \$639,000
32.10 for 2007.

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

32.12 Sec. 32. Laws 2005, First Special Session chapter 5, article 8, section 8, subdivision 5,
32.13 is amended to read:

32.14 Subd. 5. **School-age care revenue.** For extended day aid under Minnesota Statutes,
32.15 section 124D.22:

32.16	\$	17,000	.....	2006
32.17	\$	7,000 <u>4,000</u>	.....	2007

32.18 The 2006 appropriation includes \$4,000 for 2005 and \$13,000 for 2006.

32.19 The 2007 appropriation includes ~~\$2,000~~ \$1,000 for 2006 and ~~\$5,000~~ \$3,000 for 2007.

32.20

32.21 I. SELF-SUFFICIENCY AND LIFELONG LEARNING

32.22 Sec. 33. Laws 2005, First Special Session chapter 5, article 9, section 4, subdivision 2,
32.23 is amended to read:

32.24 Subd. 2. **Adult basic education aid.** For adult basic education aid under Minnesota
32.25 Statutes:

32.26		36,518,000		
32.27	\$	<u>38,601,000</u>	.....	2006
32.28		36,540,000		
32.29	\$	<u>36,539,000</u>	.....	2007

32.30 The 2006 appropriation includes \$5,707,000 for 2005 and ~~\$30,811,000~~ \$32,894,000
32.31 for 2006.

32.32 The 2007 appropriation includes ~~\$5,737,000~~ \$3,654,000 for 2006 and ~~\$30,803,000~~
32.33 \$32,885,000 for 2007.

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

32.35

ARTICLE 7

32.36

TECHNICAL AND CONFORMING AMENDMENTS

33.1 Section 1. Minnesota Statutes 2005 Supplement, section 120B.11, subdivision 2, is
33.2 amended to read:

33.3 Subd. 2. **Adopting policies.** ~~(a)~~ A school board shall have in place an adopted
33.4 written policy that includes the following:

33.5 (1) district goals for instruction including the use of best practices, district and
33.6 school curriculum, and achievement for all student subgroups;

33.7 (2) a process for evaluating each student's progress toward meeting academic
33.8 standards and identifying the strengths and weaknesses of instruction and curriculum
33.9 affecting students' progress;

33.10 (3) a system for periodically reviewing and evaluating all instruction and curriculum;

33.11 (4) a plan for improving instruction, curriculum, and student achievement; and

33.12 (5) an education effectiveness plan aligned with section 122A.625 that integrates
13 instruction, curriculum, and technology.

33.14 Sec. 2. Minnesota Statutes 2004, section 121A.15, subdivision 10, is amended to read:

33.15 Subd. 10. **Requirements for immunization statements.** (a) A statement required
33.16 to be submitted under subdivisions 1, 2, and 4 to document evidence of immunization
33.17 shall include month, day, and year for immunizations administered after January 1, 1990.

33.18 ~~(a) For persons enrolled in grades 7 and 12 during the 1996-1997 school term, the
33.19 statement must indicate that the person has received a dose of tetanus and diphtheria
33.20 toxoid no earlier than 11 years of age.~~

33.21 ~~(b) Except as specified in paragraph (c), for persons enrolled in grades 7, 8, and 12
33.22 during the 1997-1998 school term, the statement must indicate that the person has received
33.23 a dose of tetanus and diphtheria toxoid no earlier than 11 years of age.~~

33.24 ~~(c) Except as specified in paragraph (c), for persons enrolled in grades 7 through
33.25 12 during the 1998-1999 school term and for each year thereafter, the statement must
33.26 indicate that the person has received a dose of tetanus and diphtheria toxoid no earlier
33.27 than 11 years of age.~~

33.28 ~~(d) For persons enrolled in grades 7 through 12 during the 1996-1997 school year
33.29 and for each year thereafter, the statement must indicate that the person has received at
33.30 least two doses of vaccine against measles, mumps, and rubella, given alone or separately
33.31 and given not less than one month apart.~~

33.32 ~~(e)~~ (b) A person who has received at least three doses of tetanus and diphtheria
33.33 toxoids, with the most recent dose given after age six and before age 11, is not required to
34 have additional immunization against diphtheria and tetanus until ten years have elapsed
33.35 from the person's most recent dose of tetanus and diphtheria toxoid.

34.1 ~~(f)~~ (c) The requirement for hepatitis B vaccination shall apply to persons enrolling in
34.2 kindergarten beginning with the 2000-2001 school term.

34.3 ~~(g)~~ (d) The requirement for hepatitis B vaccination shall apply to persons enrolling
34.4 in grade 7 beginning with the 2001-2002 school term.

34.5 Sec. 3. Minnesota Statutes 2005 Supplement, section 123B.04, subdivision 2, is
34.6 amended to read:

34.7 Subd. 2. **Agreement.** (a) Upon the request of 60 percent of the licensed employees
34.8 of a site or a school site decision-making team, the school board shall enter into
34.9 discussions to reach an agreement concerning the governance, management, or control of
34.10 the school. A school site decision-making team may include the school principal, teachers
34.11 in the school or their designee, other employees in the school, representatives of pupils
34.12 in the school, or other members in the community. A school site decision-making team
34.13 must include at least one parent of a pupil in the school. For purposes of formation of a
34.14 new site, a school site decision-making team may be a team of teachers that is recognized
34.15 by the board as a site. The school site decision-making team shall include the school
34.16 principal or other person having general control and supervision of the school. The site
34.17 decision-making team must reflect the diversity of the education site. At least one-half
34.18 of the members shall be employees of the district, unless an employee is the parent of a
34.19 student enrolled in the school site, in which case the employee may elect to serve as a
34.20 parent member of the site team.

34.21 (b) School site decision-making agreements must delegate powers, duties, and
34.22 broad management responsibilities to site teams and involve staff members, students as
34.23 appropriate, and parents in decision making.

34.24 (c) An agreement shall include a statement of powers, duties, responsibilities, and
34.25 authority to be delegated to and within the site.

34.26 (d) An agreement may include:

34.27 (1) an achievement contract according to subdivision 4;

34.28 (2) a mechanism to allow principals, a site leadership team, or other persons having
34.29 general control and supervision of the school, to make decisions regarding how financial
34.30 and personnel resources are best allocated at the site and from whom goods or services
34.31 are purchased;

34.32 (3) a mechanism to implement parental involvement programs under section
34.33 124D.895 and to provide for effective parental communication and feedback on this
34.34 involvement at the site level;

34.35 (4) a provision that would allow the team to determine who is hired into licensed
34.36 and nonlicensed positions;

35.1 (5) a provision that would allow teachers to choose the principal or other person
 35.2 having general control;

35.3 (6) an amount of revenue allocated to the site under subdivision 3; and

35.4 (7) any other powers and duties determined appropriate by the board.

35.5 The school board of the district remains the legal employer under clauses (4) and (5).

35.6 (e) Any powers or duties not delegated to the school site management team in the
 35.7 school site management agreement shall remain with the school board.

35.8 (f) Approved agreements shall be filed with the commissioner. If a school board
 35.9 denies a request or the school site and school board fail to reach an agreement to enter
 35.10 into a school site management agreement, the school board shall provide a copy of the
 35.11 request and the reasons for its denial to the commissioner.

35.12 (g) A site decision-making grant program is established, consistent with this
 35.13 subdivision, to allow sites to implement an agreement that at least:

35.14 (1) notwithstanding subdivision 3, allocates to the site all revenue that is attributable
 35.15 to the students at that site;

35.16 (2) includes a provision, consistent with current law and the collective bargaining
 35.17 agreement in effect, that allows the site team to decide who is selected from within the
 35.18 district for licensed and nonlicensed positions at the site and to make staff assignments
 35.19 in the site; and

35.20 (3) includes a completed performance agreement under subdivision 4.

35.21 The commissioner shall establish the form and manner of the application for a grant
 35.22 and annually, at the end of each fiscal year, report to the house of representatives and
 35.23 senate committees having jurisdiction over education on the progress of the program.

35.24 Sec. 4. Minnesota Statutes 2004, section 125A.62, subdivision 1, is amended to read:

35.25 Subdivision 1. **Governance.** The board of the Minnesota State Academies shall
 35.26 govern the State Academies Academy for the Deaf and the State Academy for the Blind.
 35.27 The board must promote academic standards based on high expectation and an assessment
 35.28 system to measure academic performance toward the achievement of those standards. The
 35.29 board must focus on the academies' needs as a whole and not prefer one school over the
 35.30 other. The board of the Minnesota State Academies shall consist of nine persons. The
 35.31 members of the board shall be appointed by the governor with the advice and consent of
 35.32 the senate. One member must be from the seven-county metropolitan area, one member
 35.33 must be from greater Minnesota, and one member may be appointed at-large. The board
 35.34 must be composed of:

35.35 (1) one present or former superintendent of an independent school district;

35.36 (2) one present or former special education director;

- 36.1 (3) the commissioner of education or the commissioner's designee;
- 36.2 (4) one member of the blind community;
- 36.3 (5) one member of the deaf community;
- 36.4 (6) two members of the general public with business, administrative, or financial
- 36.5 expertise;
- 36.6 (7) one nonvoting, unpaid ex officio member appointed by the site council for the
- 36.7 State Academy for the Deaf; and
- 36.8 (8) one nonvoting, unpaid ex officio member appointed by the site council for the
- 36.9 State Academy for the Blind.

36.10 Sec. 5. Minnesota Statutes 2005 Supplement, section 126C.10, subdivision 24, is

36.11 amended to read:

36.12 Subd. 24. **Equity revenue.** (a) A school district qualifies for equity revenue if:

36.13 (1) the school district's adjusted marginal cost pupil unit amount of basic revenue,

36.14 supplemental revenue, transition revenue, and referendum revenue is less than the value of

36.15 the school district at or immediately above the 95th percentile of school districts in its

36.16 equity region for those revenue categories; and

36.17 (2) the school district's administrative offices are not located in a city of the first

36.18 class on July 1, 1999.

36.19 (b) Equity revenue for a qualifying district that receives referendum revenue under

36.20 section 126C.17, subdivision 4, equals the product of (1) the district's adjusted marginal

36.21 cost pupil units for that year; times (2) the sum of (i) \$13, plus (ii) \$75, times the school

36.22 district's equity index computed under subdivision 27.

36.23 (c) Equity revenue for a qualifying district that does not receive referendum revenue

36.24 under section 126C.17, subdivision 4, equals the product of the district's adjusted marginal

36.25 cost pupil units for that year times \$13.

36.26 (d) A school district's equity revenue is increased by the greater of zero or an amount

36.27 equal to the district's resident marginal cost pupil units times the difference between ten

36.28 percent of the statewide average amount of referendum revenue per resident marginal cost

36.29 pupil unit for that year and the district's referendum revenue per resident marginal cost

36.30 pupil unit. A school district's revenue under this paragraph must not exceed \$100,000 for

36.31 that year.

36.32 (e) A school district's equity revenue for a school district located in the metro equity

36.33 region equals the amount computed in paragraphs (b), (c), and (d) multiplied by 1.25.

36.34 (f) For fiscal year 2007 and later, notwithstanding paragraph (a), clause (2), a school

36.35 district that has per pupil referendum revenue below the 95th percentile qualifies for

36.36 additional equity revenue equal to \$46 times its adjusted marginal cost pupil unit.

37.1 (g) A district that does not qualify for revenue under paragraph (f) qualifies for
37.2 equity revenue equal to one-half of the per pupil allowance in paragraph (f) times its
37.3 adjusted marginal cost pupil units.

37.4 Sec. 6. Minnesota Statutes 2005 Supplement, section 626.556, subdivision 2, is
37.5 amended to read:

37.6 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
37.7 given them unless the specific content indicates otherwise:

37.8 (a) "Family assessment" means a comprehensive assessment of child safety, risk
37.9 of subsequent child maltreatment, and family strengths and needs that is applied to a
37.10 child maltreatment report that does not allege substantial child endangerment. Family
37.11 assessment does not include a determination as to whether child maltreatment occurred
37.12 but does determine the need for services to address the safety of family members and the
13 risk of subsequent maltreatment.

37.14 (b) "Investigation" means fact gathering related to the current safety of a child
37.15 and the risk of subsequent maltreatment that determines whether child maltreatment
37.16 occurred and whether child protective services are needed. An investigation must be used
37.17 when reports involve substantial child endangerment, and for reports of maltreatment in
37.18 facilities required to be licensed under chapter 245A or 245B; under sections 144.50 to
37.19 144.58 and 241.021; in a school as defined in sections 120A.05, subdivisions 9, 11, and
37.20 13, and 124D.10; or in a nonlicensed personal care provider association as defined in
37.21 sections 256B.04, subdivision 16, and 256B.0625, subdivision 19a.

37.22 (c) "Substantial child endangerment" means a person responsible for a child's care, a
37.23 person who has a significant relationship to the child as defined in section 609.341, or a
37.24 person in a position of authority as defined in section 609.341, who by act or omission
37.25 commits or attempts to commit an act against a child under their care that constitutes
37.26 any of the following:

37.27 (1) egregious harm as defined in section 260C.007, subdivision 14;

37.28 (2) sexual abuse as defined in paragraph (d);

37.29 (3) abandonment under section 260C.301, subdivision 2;

37.30 (4) neglect as defined in paragraph (f), clause (2), that substantially endangers the
37.31 child's physical or mental health, including a growth delay, which may be referred to as
37.32 failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

37.33 (5) murder in the first, second, or third degree under section 609.185, 609.19, or
34 609.195;

37.35 (6) manslaughter in the first or second degree under section 609.20 or 609.205;

38.1 (7) assault in the first, second, or third degree under section 609.221, 609.222, or
38.2 609.223;

38.3 (8) solicitation, inducement, and promotion of prostitution under section 609.322;

38.4 (9) criminal sexual conduct under sections 609.342 to 609.3451;

38.5 (10) solicitation of children to engage in sexual conduct under section 609.352;

38.6 (11) malicious punishment or neglect or endangerment of a child under section
38.7 609.377 or 609.378;

38.8 (12) use of a minor in sexual performance under section 617.246; or

38.9 (13) parental behavior, status, or condition which mandates that the county attorney
38.10 file a termination of parental rights petition under section 260C.301, subdivision 3,
38.11 paragraph (a).

38.12 (d) "Sexual abuse" means the subjection of a child by a person responsible for the
38.13 child's care, by a person who has a significant relationship to the child, as defined in
38.14 section 609.341, or by a person in a position of authority, as defined in section 609.341,
38.15 subdivision 10, to any act which constitutes a violation of section 609.342 (criminal sexual
38.16 conduct in the first degree), 609.343 (criminal sexual conduct in the second degree),
38.17 609.344 (criminal sexual conduct in the third degree), 609.345 (criminal sexual conduct
38.18 in the fourth degree), or 609.3451 (criminal sexual conduct in the fifth degree). Sexual
38.19 abuse also includes any act which involves a minor which constitutes a violation of
38.20 prostitution offenses under sections 609.321 to 609.324 or 617.246. Sexual abuse includes
38.21 threatened sexual abuse.

38.22 (e) "Person responsible for the child's care" means (1) an individual functioning
38.23 within the family unit and having responsibilities for the care of the child such as a
38.24 parent, guardian, or other person having similar care responsibilities, or (2) an individual
38.25 functioning outside the family unit and having responsibilities for the care of the child
38.26 such as a teacher, school administrator, other school employees or agents, or other lawful
38.27 custodian of a child having either full-time or short-term care responsibilities including,
38.28 but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching,
38.29 and coaching.

38.30 (f) "Neglect" means:

38.31 (1) failure by a person responsible for a child's care to supply a child with necessary
38.32 food, clothing, shelter, health, medical, or other care required for the child's physical or
38.33 mental health when reasonably able to do so;

38.34 (2) failure to protect a child from conditions or actions that seriously endanger the
38.35 child's physical or mental health when reasonably able to do so, including a growth delay,

39.1 which may be referred to as a failure to thrive, that has been diagnosed by a physician and
39.2 is due to parental neglect;

39.3 (3) failure to provide for necessary supervision or child care arrangements
39.4 appropriate for a child after considering factors as the child's age, mental ability, physical
39.5 condition, length of absence, or environment, when the child is unable to care for the
39.6 child's own basic needs or safety, or the basic needs or safety of another child in their care;

39.7 (4) failure to ensure that the child is educated as defined in sections 120A.22 and
39.8 260C.163, subdivision 11, which does not include a parent's refusal to provide the parent's
39.9 child with sympathomimetic medications, consistent with section 125A.091, subdivision 5;

39.10 (5) nothing in this section shall be construed to mean that a child is neglected solely
39.11 because the child's parent, guardian, or other person responsible for the child's care in
39.12 good faith selects and depends upon spiritual means or prayer for treatment or care of
39.13 disease or remedial care of the child in lieu of medical care; except that a parent, guardian,
39.14 or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report
39.15 if a lack of medical care may cause serious danger to the child's health. This section does
39.16 not impose upon persons, not otherwise legally responsible for providing a child with
39.17 necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

39.18 (6) prenatal exposure to a controlled substance, as defined in section 253B.02,
39.19 subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal
39.20 symptoms in the child at birth, results of a toxicology test performed on the mother at
39.21 delivery or the child at birth, or medical effects or developmental delays during the child's
39.22 first year of life that medically indicate prenatal exposure to a controlled substance;

39.23 (7) "medical neglect" as defined in section 260C.007, subdivision 6, clause (5);

39.24 (8) chronic and severe use of alcohol or a controlled substance by a parent or
39.25 person responsible for the care of the child that adversely affects the child's basic needs
39.26 and safety; or

39.27 (9) emotional harm from a pattern of behavior which contributes to impaired
39.28 emotional functioning of the child which may be demonstrated by a substantial and
39.29 observable effect in the child's behavior, emotional response, or cognition that is not
39.30 within the normal range for the child's age and stage of development, with due regard to
39.31 the child's culture.

39.32 (g) "Physical abuse" means any physical injury, mental injury, or threatened injury,
39.33 inflicted by a person responsible for the child's care on a child other than by accidental
39.34 means, or any physical or mental injury that cannot reasonably be explained by the child's
39.35 history of injuries, or any aversive or deprivation procedures, or regulated interventions,
39.36 that have not been authorized under section 121A.67 or 245.825. Abuse does not include

40.1 reasonable and moderate physical discipline of a child administered by a parent or legal
40.2 guardian which does not result in an injury. Abuse does not include the use of reasonable
40.3 force by a teacher, principal, or school employee as allowed by section 121A.582. Actions
40.4 which are not reasonable and moderate include, but are not limited to, any of the following
40.5 that are done in anger or without regard to the safety of the child:

40.6 (1) throwing, kicking, burning, biting, or cutting a child;

40.7 (2) striking a child with a closed fist;

40.8 (3) shaking a child under age three;

40.9 (4) striking or other actions which result in any nonaccidental injury to a child
40.10 under 18 months of age;

40.11 (5) unreasonable interference with a child's breathing;

40.12 (6) threatening a child with a weapon, as defined in section 609.02, subdivision 6;

40.13 (7) striking a child under age one on the face or head;

40.14 (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled
40.15 substances which were not prescribed for the child by a practitioner, in order to control
40.16 or punish the child; or other substances that substantially affect the child's behavior,
40.17 motor coordination, or judgment or that results in sickness or internal injury, or subjects
40.18 the child to medical procedures that would be unnecessary if the child were not exposed
40.19 to the substances;

40.20 (9) unreasonable physical confinement or restraint not permitted under section
40.21 609.379, including but not limited to tying, caging, or chaining; or

40.22 (10) in a school facility or school zone, an act by a person responsible for the child's
40.23 care that is a violation under section 121A.58.

40.24 (h) "Report" means any report received by the local welfare agency, police
40.25 department, county sheriff, or agency responsible for assessing or investigating
40.26 maltreatment pursuant to this section.

40.27 (i) "Facility" means:

40.28 (1) a licensed or unlicensed day care facility, residential facility, agency, hospital,
40.29 sanitarium, or other facility or institution required to be licensed under sections 144.50 to
40.30 144.58, 241.021, or 245A.01 to 245A.16, or chapter 245B; or

40.31 (2) a school as defined in sections 120A.05, subdivisions 9, 11, and 13; and
40.32 124D.10; or

40.33 (3) a nonlicensed personal care provider organization as defined in sections 256B.04,
40.34 subdivision 16, and 256B.0625, subdivision 19a.

40.35 (j) "Operator" means an operator or agency as defined in section 245A.02.

40.36 (k) "Commissioner" means the commissioner of human services.

41.1 (l) "Practice of social services," for the purposes of subdivision 3, includes but is
41.2 not limited to employee assistance counseling and the provision of guardian ad litem and
41.3 parenting time expeditor services.

41.4 (m) "Mental injury" means an injury to the psychological capacity or emotional
41.5 stability of a child as evidenced by an observable or substantial impairment in the child's
41.6 ability to function within a normal range of performance and behavior with due regard to
41.7 the child's culture.

41.8 (n) "Threatened injury" means a statement, overt act, condition, or status that
41.9 represents a substantial risk of physical or sexual abuse or mental injury. Threatened
41.10 injury includes, but is not limited to, exposing a child to a person responsible for the
41.11 child's care, as defined in paragraph (e), clause (1), who has:

41.12 (1) subjected a child to, or failed to protect a child from, an overt act or condition
41.13 that constitutes egregious harm, as defined in section 260C.007, subdivision 14, or a
41.14 similar law of another jurisdiction;

41.15 (2) been found to be palpably unfit under section 260C.301, paragraph (b), clause
41.16 (4), or a similar law of another jurisdiction;

41.17 (3) committed an act that has resulted in an involuntary termination of parental rights
41.18 under section 260C.301, or a similar law of another jurisdiction; or

41.19 (4) committed an act that has resulted in the involuntary transfer of permanent legal
41.20 and physical custody of a child to a relative under section 260C.201, subdivision 11,
41.21 paragraph (d), clause (1), or a similar law of another jurisdiction.

41.22 (o) Persons who conduct assessments or investigations under this section shall take
41.23 into account accepted child-rearing practices of the culture in which a child participates
41.24 and accepted teacher discipline practices, which are not injurious to the child's health,
41.25 welfare, and safety."

41.26 Amend the title accordingly