

Senator Kunesh from the Committee on Education Finance, to which was re-referred

S.F. No. 3770: A bill for an act relating to children, youth, and families; creating the statutory infrastructure for the new Department of Children, Youth, and Families; moving and copying statutes; amending Minnesota Statutes 2022, sections 13.46, subdivisions 1, 3; 116L.665, subdivision 2; 116L.86, subdivisions 1, 3; 119A.5411; 119B.03, subdivision 8; 119B.09, subdivision 12; 119B.24; 124D.13, subdivisions 2, 3, 4; 124D.135, subdivisions 1, 3; 124D.142, subdivision 1; 124D.15, subdivision 3a; 124D.16, by adding a subdivision; 124D.165, subdivision 1; 125A.02, subdivisions 1a, 2; 125A.28; 125A.35, subdivision 1; 125A.45; 125A.48; 144.225, subdivision 2b; 245.814, subdivision 5; 245A.02, subdivision 6e; 245A.03, subdivisions 1, 4; 245A.035, subdivision 4; 245A.04, subdivision 9; 245A.08, subdivision 2a; 245A.09, subdivision 7; 245A.10, subdivisions 1, 2; 245A.14, subdivisions 1, 14; 245A.1443, subdivision 2; 245A.1444; 245A.146, subdivisions 1, 2, 5, 6; 245A.147, subdivision 1; 245A.156, subdivisions 1, 2; 245A.16, subdivisions 3, 5; 245A.18, subdivision 1; 245A.25, subdivisions 1, 6, 8; 245A.66, subdivision 1; 245C.03, by adding a subdivision; 245C.08, subdivision 3; 245C.22, by adding a subdivision; 245C.25; 256.01, subdivisions 1, 2, 4, 5, 12, 16, 18, 18a, 34; 256.012, subdivision 2, by adding a subdivision; 256.016; 256.017, subdivisions 1, 2, 3, 5, 7; 256.018; 256.019, subdivisions 1, 2; 256.029; 256.045, subdivisions 3b, 4, 6, 10; 256.0451, subdivisions 1, 2; 256.046, subdivision 2; 256.741, subdivisions 1, 2, 12a; 256.82; 256.87, subdivisions 1, 1a, 5; 256.981; 256.982; 256.983, as amended; 256.9831, subdivision 1; 256.986; 256.9861; 256.987, subdivision 1; 256.998, subdivision 7; 256D.64, subdivisions 1, 3; 256E.21, subdivision 1; 256E.22, subdivision 7; 256E.24; 256E.25, subdivisions 5, 6, 7; 256E.26; 256E.27; 256J.01, subdivision 2; 256J.021; 256J.08, subdivision 32; 256J.09, by adding a subdivision; 256J.351; 256J.395, subdivision 1; 256J.425, subdivision 8; 256J.645, subdivision 1; 256P.04, subdivision 13; 260.92, subdivision 1; 260C.178, subdivision 1; 260C.201, subdivision 1; 260C.215, subdivision 5; 260C.301, subdivision 1; 260D.02, subdivisions 5, 9; 260E.02, subdivision 2; 260E.03, subdivision 23; 260E.14, subdivision 1; 260E.20, subdivisions 3, 5; 260E.24, subdivision 5; 260E.28, subdivisions 1, 3; 260E.29, subdivision 2; 260E.30, subdivisions 3, 6; 260E.32, subdivision 3; 260E.33, subdivisions 2, 3, 5; 260E.34; 260E.35, subdivision 3; 260E.36, subdivision 4; 299A.72; 393.07, subdivisions 1, 2, 3, 4, 5, 7, 8, 10; 393.11, subdivision 2; 518A.26, by adding a subdivision; 518A.60; 631.40, subdivision 3; Minnesota Statutes 2023 Supplement, sections 13.46, subdivisions 2, 4; 119B.125, subdivisions 1a, 2, 3; 121A.19; 124D.142, subdivision 2; 125A.02, subdivision 1; 142A.02, subdivision 1; 142A.03, subdivision 2, by adding subdivisions; 144.225, subdivision 2; 245A.02, subdivision 5a; 245A.03, subdivisions 2, 7; 245A.04, subdivisions 4, 7; 245A.041, subdivision 6; 245A.05; 245A.07, subdivisions 1, 3; 245A.10, subdivisions 3, 4; 245A.13, subdivision 7; 245A.1435; 245A.16, subdivision 1; 245A.66, subdivision 4; 245C.02, subdivision 22; 245C.03, subdivision 1; 245H.05; 256.045, subdivision 3; 256.046, subdivision 1; 256.0471, subdivision 1; 256.98, subdivision 8; 256D.65, subdivision 1; 256J.35; 256J.37, subdivision 3a; 256J.40; 260C.317, subdivision 3; 260E.02, subdivision 1; 609A.015, subdivisions 1, 2, 3; 609A.06, subdivisions 7, 12; Laws 2017, First Special Session chapter 5, article 8, section 9, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 142A; proposing coding for new law as Minnesota Statutes, chapters 142B; 142C; repealing Minnesota Statutes 2022, sections 245A.04, subdivision 17; 245A.09, subdivision 10; 245H.12; 256.01, subdivision 30; 256.741, subdivision 3; 256.9831, subdivisions 2, 3; 256J.01, subdivision 5; 256J.78, subdivision 3; Minnesota Statutes 2023 Supplement, section 245A.18, subdivision 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 20, after line 17, insert:

"Subd. 4. **Exclusion.** This section does not apply to federal grants or aids received from the United States Department of Education."

2.1 Page 216, after line 27, insert:

2.2 "Sec. 8. Minnesota Statutes 2022, section 124D.135, is amended by adding a subdivision
2.3 to read:

2.4 Subd. 10. **Funding.** The commissioner and the commissioner of education shall enter
2.5 into an agreement under which the commissioner of education shall distribute funds
2.6 appropriated for programs under this section."

2.7 Page 218, after line 12, insert:

2.8 "Sec. 12. Minnesota Statutes 2023 Supplement, section 124D.151, subdivision 5, is
2.9 amended to read:

2.10 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
2.11 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
2.12 ~~to the commissioner by July 1, 2016.~~ To qualify for program approval for fiscal year 2018
2.13 ~~and later~~, a district or charter school must submit an application to the commissioner by
2.14 January 30 of the fiscal year prior to the fiscal year in which the program will be
2.15 implemented. The application must include:

2.16 (1) a description of the proposed program, including the number of hours per week the
2.17 program will be offered at each school site or mixed-delivery location;

2.18 (2) an estimate of the number of eligible children to be served in the program at each
2.19 school site or mixed-delivery location; and

2.20 (3) a statement of assurances signed by the superintendent or charter school director that
2.21 the proposed program meets the requirements of subdivision 2.

2.22 (b) The commissioner must review all applications ~~submitted for fiscal year 2017 by~~
2.23 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
2.24 ~~by March 1 of the fiscal year in which the applications are received and determine whether~~
2.25 ~~each application meets the requirements of paragraph (a).~~

2.26 (c) The commissioner must divide all applications for new or expanded voluntary
2.27 prekindergarten programs under this section meeting the requirements of paragraph (a) and
2.28 school readiness plus programs into four groups as follows: the Minneapolis and St. Paul
2.29 school districts; other school districts located in the metropolitan equity region as defined
2.30 in section 126C.10, subdivision 28; school districts located in the rural equity region as
2.31 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the
2.32 applications must be ordered by rank using a sliding scale based on the following criteria:

(1) concentration of kindergarten students eligible for free or reduced-price meals by school site on October 1 of the previous school year. A school site may contract to partner with a community-based provider or Head Start under subdivision 3 or establish an early childhood center and use the concentration of kindergarten students eligible for free or reduced-price meals from a specific school site as long as those eligible children are prioritized and guaranteed services at the mixed-delivery site or early education center. For school district programs to be operated at locations that do not have free and reduced-price meals concentration data for kindergarten programs for October 1 of the previous school year, including mixed-delivery programs, the school district average concentration of kindergarten students eligible for free or reduced-price meals must be used for the rank ordering;

(2) presence or absence of a three- or four-star Parent Aware rated program within the school district or close proximity of the district. School sites with the highest concentration of kindergarten students eligible for free or reduced-price meals that do not have a three- or four-star Parent Aware program within the district or close proximity of the district shall receive the highest priority, and school sites with the lowest concentration of kindergarten students eligible for free or reduced-price meals that have a three- or four-star Parent Aware rated program within the district or close proximity of the district shall receive the lowest priority; and

(3) whether the district has implemented a mixed delivery system.

(d) The limit on participation for the programs as specified in subdivision 6 must initially be allocated among the four groups based on each group's percentage share of the statewide kindergarten enrollment on October 1 of the previous school year. Within each group, the participation limit for fiscal years 2018 and 2019 must first be allocated to school sites approved for aid in the previous year to ensure that those sites are funded for the same number of participants as approved for the previous year. The remainder of the participation limit for each group must be allocated among school sites in priority order until that region's share of the participation limit is reached. If the participation limit is not reached for all groups, the remaining amount must be allocated to the highest priority school sites, as designated under this section, not funded in the initial allocation on a statewide basis. For fiscal year 2020 and later, the participation limit must first be allocated to school sites approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year 2018 based on the statewide rankings under paragraph (c).

(e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid under this subdivision, it shall remain eligible for aid if it continues to meet program

4.1 requirements, regardless of changes in the concentration of students eligible for free or
4.2 reduced-price meals.

4.3 (f) If the total number of participants approved based on applications submitted under
4.4 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
4.5 notify all school districts and charter schools of the amount that remains available within
4.6 30 days of the initial application deadline under paragraph (a), and complete a second round
4.7 of allocations based on applications received within 60 days of the initial application deadline.

4.8 (g) Procedures for approving applications submitted under paragraph (f) shall be the
4.9 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
4.10 highest priority school sites not funded in the initial allocation on a statewide basis.

4.11 Sec. 13. Minnesota Statutes 2022, section 124D.151, subdivision 7, is amended to read:

4.12 Subd. 7. **Financial accounting.** An eligible school district or charter school must record
4.13 expenditures attributable to voluntary prekindergarten pupils according to guidelines prepared
4.14 by the commissioner of education under section 127A.17.

4.15 Sec. 14. Minnesota Statutes 2022, section 124D.151, is amended by adding a subdivision
4.16 to read:

4.17 Subd. 8. **Funding.** The commissioner and the commissioner of education shall enter
4.18 into an agreement under which the commissioner of education shall distribute funds
4.19 appropriated for programs under this section."

4.20 Page 223, after line 15, insert:

4.21 "Sec. 24. Minnesota Statutes 2022, section 125A.76, is amended by adding a subdivision
4.22 to read:

4.23 Subd. 9. **Funding.** The commissioner and the commissioner of children, youth, and
4.24 families shall enter into an agreement, upon federal approval, under which the commissioner
4.25 of education shall distribute funds appropriated for programs under this section."

4.26 Page 224, line 27, delete "article .., section 23" and insert "article 4, section 25"

4.27 Renumber the sections in sequence

4.28 Amend the title numbers accordingly

4.29 And when so amended the bill do pass. Amendments adopted. Report adopted.

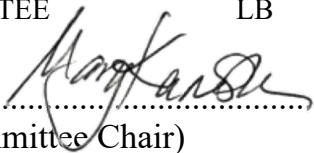
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SENATEE

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(Committee Chair)

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February 29, 2024.....
(Date of Committee recommendation)