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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 16

06/12/2020 Authored by Kresha
The bill was referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education finance; authorizing certain public school students to
1.3 participate in a parent-based distance learning program; amending Minnesota
1.4 Statutes 2019 Supplement, section 126C.05, subdivision 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2019 Supplement, section 126C.05, subdivision 1, is amended
1.7 to read:

1.8 Subdivision 1. Pupil unit. Pupil units for each Minnesota resident pupil under the age
1.9 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
1.10 average daily membership enrolled in the district of residence, in another district under
1.11 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
1.12 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
1.13 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
1.14 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision. For the
1.15 2020-2021 school year only, average daily membership and pupil units computed under
1.16 this section include any student participating in a distance learning parent-based program
1.17 under section 2.

1.18 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by
1.19 the commissioner and has an individualized education program is counted as the ratio of
1.20 the number of hours of assessment and education service to 825 times 1.0 with a minimum
1.21 average daily membership of 0.28, but not more than 1.0 pupil unit.

1.22 (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted
1.23 as the ratio of the number of hours of assessment service to 825 times 1.0.

2.1 (c) A kindergarten pupil with a disability who is enrolled in a program approved by the
 2.2 commissioner is counted as the ratio of the number of hours of assessment and education
 2.3 services required in the fiscal year by the pupil's individualized education program to 875,
 2.4 but not more than one.

2.5 (d) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled
 2.6 in an approved voluntary prekindergarten program under section 124D.151 is counted as
 2.7 the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil
 2.8 units.

2.9 (e) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil
 2.10 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
 2.11 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
 2.12 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
 2.13 every day kindergarten program available to all kindergarten pupils at the pupil's school.

2.14 (f) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

2.15 (g) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

2.16 (h) A pupil who is in the postsecondary enrollment options program is counted as 1.2
 2.17 pupil units.

2.18 (i) For fiscal years 2018 through 2021, a prekindergarten pupil who:

2.19 (1) is not included in paragraph (a), (b), or (d);

2.20 (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session
 2.21 chapter 5, article 8, section 9; and

2.22 (3) has one or more of the risk factors specified by the eligibility requirements for a
 2.23 school readiness plus program,

2.24 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
 2.25 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same
 2.26 manner as a voluntary prekindergarten student for all general education and other school
 2.27 funding formulas.

2.28 **Sec. 2. DISTANCE LEARNING PARENT-BASED INSTRUCTION.**

2.29 **Subdivision 1. Purpose.** The purpose of this section is to provide additional learning
 2.30 opportunities for students during distance learning periods.

3.1 Subd. 2. **Applicability.** This section only applies during the 2020-2021 school year for
3.2 any semester or quarter when the Minnesota Department of Education has instituted a
3.3 distance learning plan.

3.4 Subd. 3. **Student eligibility.** A student who was enrolled in a Minnesota school district
3.5 or charter school on March 13, 2020, who has not already graduated from high school may
3.6 participate in a parent-based distance learning program.

3.7 Subd. 4. **Parent responsibility.** (a) A parent who wishes to provide parent-based distance
3.8 learning must provide the student's school with a written notice of the parent's intent to do
3.9 so. The parent's notice must include the parent's agreement to provide the educational
3.10 services required under Minnesota Statutes, section 120A.22.

3.11 (b) A parent may terminate a parent-based distance learning program by submitting
3.12 written notice to the student's enrolling school. A parent who terminates a parent-based
3.13 distance learning program for the student may not request another parent-based distance
3.14 learning period for that student.

3.15 Subd. 5. **School responsibilities.** (a) A school district or charter school that enrolls an
3.16 eligible parent-based distance learning student may continue to count that student as an
3.17 enrolled pupil according to Minnesota Statutes, section 126C.05, subdivision 1, and any
3.18 other school funding formulas under Minnesota Statutes, chapters 124D, 125A, and 126C.

3.19 (b) A school district or charter school that enrolls a student under paragraph (a) must
3.20 provide the eligible student with a computer, textbooks, individualized instructional materials,
3.21 standardized tests, and software and education technology in the same manner as for other
3.22 students attending the school. If the student's family does not have access to adequate Internet
3.23 service, the school must provide Internet services for the student. If the school provides
3.24 access to noninteractive coursework online, the school must make this coursework available
3.25 to the student.

3.26 (c) The enrolling school is not required to provide the student access to its teachers as
3.27 a part of the parent-based distance learning program.

3.28 (d) The enrolling school is not required to provide compulsory instruction under
3.29 Minnesota Statutes, section 120A.22, for any student participating in parent-based distance
3.30 learning.

3.31 (e) Upon written request of the parent who has terminated a parent-based distance
3.32 learning program, the enrolling school must reassign a parent-based distance learning student

4.1 to the school's regular distance learning program. The school must place the student in the
4.2 same manner as it would a student transferring from another school.

4.3 Subd. 6. **Grade progression and graduation.** (a) The enrolling school must recognize
4.4 the courses completed by a parent-based distance learning program student in the same
4.5 manner as it recognizes any other student's courses who transfers into the school.

4.6 (b) A parent-based distance learning student in grade 12 during the 2020-2021 school
4.7 year who satisfies the school's graduation requirements and successfully completes the
4.8 parent-based distance learning program must be awarded a diploma from the school where
4.9 the student is enrolled.

4.10 **EFFECTIVE DATE.** This section is effective for the 2020-2021 school year only.