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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2565

03/06/2023

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The bill was read for the first time and referred to the Committee on Rules and Legislative Administration

1.1 A bill for an act

1.2 relating to education; providing for early childhood programs; appropriating money;

1.3 amending Minnesota Statutes 2022, sections 119A.52; 120A.20, subdivision 1;

1.4 120A.41; 121A.19; 124D.03, subdivisions 5a, 12; 124D.1158, subdivision 3;

1.5 124D.141, subdivision 2; 124D.151, subdivisions 1, 2, 3, 4, 6, 7, by adding a

1.6 subdivision; 124D.165, subdivisions 2, 3, 6; 124D.59, subdivision 2; 125A.13;

1.7 126C.05, subdivisions 1, 3; 126C.10, subdivision 2d; proposing coding for new

1.8 law in Minnesota Statutes, chapter 122A; repealing Minnesota Statutes 2022,

1.9 section 124D.151, subdivisions 5, 6.

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

1.11 Section 1. Minnesota Statutes 2022, section 119A.52, is amended to read:

1.12 **119A.52 DISTRIBUTION OF APPROPRIATION.**

1.13 (a) The commissioner of education must distribute money appropriated for that purpose

1.14 to federally designated Head Start programs to expand services and to serve additional

1.15 low-income children. ~~Migrant and Indian reservation programs must be initially allocated~~

1.16 ~~money based on the programs' share of federal funds.,~~ which may include costs associated

1.17 with program operations, infrastructure, or reconfiguration to serve children from birth to

1.18 age five in center-based services. The distribution must occur in the following order: (1)

1.19 10.72 percent of the total Head Start appropriation must be initially allocated to federally

1.20 designated Tribal Head Start programs; (2) the Tribal Head Start portion of the appropriation

1.21 must be initially allocated to Tribal Head Start programs based on the programs' share of

1.22 federal funds; and (3) migrant programs must be initially allocated funding based on the

1.23 programs' share of federal funds. The remaining money must be initially allocated to the

1.24 remaining local agencies based equally on the agencies' share of federal funds and on the

1.25 proportion of eligible children in the agencies' service area who are not currently being

2.1 served. A Head Start program must be funded at a per child rate equal to its contracted,
2.2 federally funded base level at the start of the fiscal year. For all agencies without a federal
2.3 Early Head Start rate, the state average federal cost per child for Early Head Start applies.
2.4 In allocating funds under this paragraph, the commissioner of education must assure that
2.5 each Head Start program in existence in 1993 is allocated no less funding in any fiscal year
2.6 than was allocated to that program in fiscal year 1993. Before paying money to the programs,
2.7 the commissioner must notify each program of its initial allocation and how the money must
2.8 be used. Each program must present a plan under section 119A.535. For any program that
2.9 cannot utilize its full allocation at the beginning of the fiscal year, the commissioner must
2.10 reduce the allocation proportionately. Money available after the initial allocations are reduced
2.11 must be redistributed to eligible programs.

2.12 (b) The commissioner must develop procedures to make payments to programs based
2.13 upon the number of children reported to be enrolled during the required time period of
2.14 program operations. Enrollment is defined by federal Head Start regulations. The procedures
2.15 must include a reporting schedule, corrective action plan requirements, and financial
2.16 consequences to be imposed on programs that do not meet full enrollment after the period
2.17 of corrective action. Programs reporting chronic underenrollment, as defined by the
2.18 commissioner, will have their subsequent program year allocation reduced proportionately.
2.19 Funds made available by prorating payments and allocations to programs with reported
2.20 underenrollment will be made available to the extent funds exist to fully enrolled Head Start
2.21 programs through a form and manner prescribed by the department.

2.22 (c) Programs with approved innovative initiatives that target services to high-risk
2.23 populations, including homeless families and families living in homeless shelters and
2.24 transitional housing, are exempt from the procedures in paragraph (b). This exemption does
2.25 not apply to entire programs. The exemption applies only to approved innovative initiatives
2.26 that target services to high-risk populations, including homeless families and families living
2.27 in homeless shelters, transitional housing, and permanent supportive housing.

2.28 Sec. 2. Minnesota Statutes 2022, section 120A.20, subdivision 1, is amended to read:

2.29 Subdivision 1. **Age limitations; pupils.** (a) All schools supported in whole or in part
2.30 by state funds are public schools. Admission to a public school is free to any person who:
2.31 (1) resides within the district that operates the school; (2) is under 21 years of age or who
2.32 meets the requirements of paragraph (c); and (3) satisfies the minimum age requirements
2.33 imposed by this section. Notwithstanding the provisions of any law to the contrary, the

3.1 conduct of all students under 21 years of age attending a public secondary school is governed
 3.2 by a single set of reasonable rules and regulations promulgated by the school board.

3.3 (b) A person shall not be admitted to a public school: (1) as a public prekindergarten
 3.4 pupil, unless the pupil is at least four years of age as of September 1 of the calendar year
 3.5 in which the school year for which the pupil seeks admission commences; (2) as a
 3.6 kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar
 3.7 year in which the school year for which the pupil seeks admission commences; or ~~(2)~~ (3)
 3.8 as a 1st grade student, unless the pupil is at least six years of age on September 1 of the
 3.9 calendar year in which the school year for which the pupil seeks admission commences or
 3.10 has completed kindergarten; except that any school board may establish a policy for
 3.11 admission of selected pupils at an earlier age under section 124D.02.

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

3.17 **EFFECTIVE DATE.** This section is effective July 1, 2025.

3.18 Sec. 3. Minnesota Statutes 2022, section 120A.41, is amended to read:

3.19 **120A.41 LENGTH OF SCHOOL YEAR; HOURS OF INSTRUCTION.**

3.20 (a) A school board's annual school calendar must include at least 425 hours of instruction
 3.21 for a kindergarten student without a disability, 935 hours of instruction for a student in
 3.22 grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not
 3.23 including summer school. The school calendar for all-day kindergarten must include at least
 3.24 850 hours of instruction for the school year. The school calendar for a prekindergarten
 3.25 student under section 124D.151, if offered by the district, must include ~~at least 350~~ between
 3.26 425 and 850 hours of instruction for the school year. A school board's annual calendar must
 3.27 include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day
 3.28 week schedule has been approved by the commissioner under section 124D.126.

3.29 (b) A school board's annual school calendar may include plans for up to five days of
 3.30 instruction provided through online instruction due to inclement weather. The inclement
 3.31 weather plans must be developed according to section 120A.414.

3.32 **EFFECTIVE DATE.** This section is effective July 1, 2025.

4.1 Sec. 4. Minnesota Statutes 2022, section 121A.19, is amended to read:

4.2 **121A.19 DEVELOPMENTAL SCREENING AID.**

4.3 Each school year, the state must pay a district for each child or student screened by the
 4.4 district according to the requirements of section 121A.17. The amount of state aid for each
 4.5 child or student screened shall be: (1) ~~\$75~~ \$98 for a child screened at age three; (2) ~~\$50~~ \$65
 4.6 for a child screened at age four; (3) ~~\$40~~ \$52 for a child screened at age five or six prior to
 4.7 kindergarten; and (4) ~~\$30~~ \$39 for a student screened within 30 days after first enrolling in
 4.8 a public school kindergarten if the student has not previously been screened according to
 4.9 the requirements of section 121A.17. If this amount of aid is insufficient, the district may
 4.10 permanently transfer from the general fund an amount that, when added to the aid, is
 4.11 sufficient. Developmental screening aid shall not be paid for any student who is screened
 4.12 more than 30 days after the first day of attendance at a public school kindergarten, except
 4.13 if a student transfers to another public school kindergarten within 30 days after first enrolling
 4.14 in a Minnesota public school kindergarten program. In this case, if the student has not been
 4.15 screened, the district to which the student transfers may receive developmental screening
 4.16 aid for screening that student when the screening is performed within 30 days of the transfer
 4.17 date.

4.18 Sec. 5. **122A.731 GRANTS FOR GROW YOUR OWN EARLY CHILDHOOD**
 4.19 **EDUCATOR PROGRAMS.**

4.20 Subdivision 1. **Establishment.** The commissioner of education must award grants for
 4.21 Grow Your Own Early Childhood Educator programs established under this section in order
 4.22 to develop an early childhood education workforce that more closely reflects the state's
 4.23 increasingly diverse student population and ensures all students have equitable access to
 4.24 high-quality early educators.

4.25 Subd. 2. **Grow Your Own Early Childhood Educator programs.** (a)
 4.26 Minnesota-licensed family child care or licensed center-based child care programs, school
 4.27 district or charter school early learning programs, Head Start programs, institutions of higher
 4.28 education, and other community partnership nongovernmental organizations may apply for
 4.29 a grant to host, build, or expand an early childhood educator preparation program that leads
 4.30 to an individual earning the credential or degree needed to enter or advance in the early
 4.31 childhood education workforce. Examples include programs that help interested individuals
 4.32 earn the child development associate (CDA) credential, an associate's degree in child
 4.33 development, or a bachelor's degree in early childhood studies or early childhood licensures.

5.1 The grant recipient must use at least 80 percent of grant funds for student stipends, tuition
5.2 scholarships, or unique student teaching or field placement experiences.

5.3 (b) Programs providing financial support to interested individuals may require a
5.4 commitment from the individuals awarded, as determined by the commissioner, to teach in
5.5 the program or school for a reasonable amount of time that does not exceed one year.

5.6 Subd. 3. **Grant procedure.** (a) Eligible programs must apply for a grant under this
5.7 section in the form and manner specified by the commissioner. To the extent that there are
5.8 sufficient applications, the commissioner must, to the extent practicable, award an equal
5.9 number of grants between applicants in greater Minnesota and those in the metropolitan
5.10 area.

5.11 (b) For the 2023-2024 school year and later, grant applications for new and existing
5.12 programs must be received by the commissioner no later than January 15 of the year prior
5.13 to the school year in which the grant will be used. The commissioner must review all
5.14 applications and notify grant recipients by March 15 or as soon as practicable of the
5.15 anticipated amount awarded. If the commissioner determines that sufficient funding is
5.16 unavailable for the grants, the commissioner must notify grant applicants by June 30 or as
5.17 soon as practicable that there are insufficient funds.

5.18 Subd. 4. **Grow Your Own Early Childhood Education program account.** (a) An
5.19 account is established in the special revenue fund known as the "Grow Your Own Early
5.20 Childhood Education program account."

5.21 (b) Funds appropriated for the Grow Your Own Early Childhood Education program
5.22 under this section must be transferred to the Grow Your Own Early Childhood Education
5.23 program account in the special revenue fund.

5.24 (c) Money in the account is annually appropriated to the commissioner for the Grow
5.25 Your Own Early Childhood Education program under this section. Any returned funds are
5.26 available to be regrant. Grant recipients may apply to use grant money over a period of
5.27 up to 60 months.

5.28 (d) Up to \$175,000 annually is appropriated to the commissioner for costs associated
5.29 with administering and monitoring the program under this section.

5.30 Subd. 5. **Report.** Grant recipients must annually report to the commissioner in the form
5.31 and manner determined by the commissioner on their activities under this section, including
5.32 the number of educators supported through grant funds and the number of educators obtaining
5.33 credentials by type. Data must indicate the beginning level of education and ending level

6.1 of education of individual participants and an assessment of program effectiveness, including
 6.2 participant feedback, areas for improvement, and employment changes and current
 6.3 employment status, where applicable, after completing preparation programs. The
 6.4 commissioner must publish a report for the public that summarizes the activities and
 6.5 outcomes of grant recipients and what was done to promote sharing of effective practices
 6.6 among grant recipients and potential grant applicants.

6.7 Sec. 6. Minnesota Statutes 2022, section 124D.03, subdivision 5a, is amended to read:

6.8 Subd. 5a. **Lotteries.** If a school district has more applications than available seats at a
 6.9 specific grade level, it must hold an impartial lottery following the January 15 deadline to
 6.10 determine which students will receive seats. The district must give priority to enrolling
 6.11 siblings of currently enrolled students, students seeking enrollment into kindergarten who
 6.12 were open enrolled in voluntary prekindergarten or school readiness plus programs in the
 6.13 district, students whose applications are related to an approved integration and achievement
 6.14 plan, and children of the school district's staff, and students residing in that part of a
 6.15 municipality, defined under section 469.1812, subdivision 3, where:

6.16 ~~(1) the student's resident district does not operate a school building;~~

6.17 ~~(2) the municipality is located partially or fully within the boundaries of at least five~~
 6.18 ~~school districts;~~

6.19 ~~(3) the nonresident district in which the student seeks to enroll operates one or more~~
 6.20 ~~school buildings within the municipality; and~~

6.21 ~~(4) no other nonresident, independent, special, or common school district operates a~~
 6.22 ~~school building within the municipality.~~

6.23 The process for the school district lottery must be established in school district policy,
 6.24 approved by the school board, and posted on the school district's website.

6.25 Sec. 7. Minnesota Statutes 2022, section 124D.03, subdivision 12, is amended to read:

6.26 Subd. 12. **Termination of enrollment.** A district may terminate the enrollment of a
 6.27 nonresident student enrolled under this section or section 124D.08 at the end of a school
 6.28 year if the student meets the definition of a habitual truant under section 260C.007,
 6.29 subdivision 19, the student has been provided appropriate services under chapter 260A, and
 6.30 the student's case has been referred to juvenile court. A district may also terminate the
 6.31 enrollment of a nonresident student over the age of 17 enrolled under this section if the
 6.32 student is absent without lawful excuse for one or more periods on 15 school days and has

7.1 not lawfully withdrawn from school under section 120A.22, subdivision 8. Starting in the
 7.2 2023-2024 school year, a district may terminate the enrollment of a nonresident preschool
 7.3 student under this section or section 125A.13 when the student meets age eligibility
 7.4 requirements for kindergarten or reaches age five by September 1.

7.5 Sec. 8. Minnesota Statutes 2022, section 124D.1158, subdivision 3, is amended to read:

7.6 Subd. 3. **Program reimbursement.** Each school year, the state must reimburse each
 7.7 participating school 30 cents for each reduced-price breakfast, 55 cents for each fully paid
 7.8 breakfast served to students in grades 1 to 12, and \$1.30 for each fully paid breakfast served
 7.9 to a prekindergarten student enrolled in an approved voluntary prekindergarten program
 7.10 under section 124D.151, early childhood special education student participating in a program
 7.11 authorized under section 124D.151, or a kindergarten student.

7.12 Sec. 9. Minnesota Statutes 2022, section 124D.141, subdivision 2, is amended to read:

7.13 Subd. 2. **Additional duties.** The following duties are added to those assigned to the
 7.14 council under federal law:

7.15 (1) make recommendations on the most efficient and effective way to leverage state and
 7.16 federal funding streams for early childhood and child care programs;

7.17 ~~(2) make recommendations on how to coordinate or colocate early childhood and child~~
 7.18 ~~care programs in one state Office of Early Learning. The council shall establish a task force~~
 7.19 ~~to develop these recommendations. The task force shall include two nonexecutive branch~~
 7.20 ~~or nonlegislative branch representatives from the council; six representatives from the early~~
 7.21 ~~childhood caucus; two representatives each from the Departments of Education, Human~~
 7.22 ~~Services, and Health; one representative each from a local public health agency, a local~~
 7.23 ~~county human services agency, and a school district; and two representatives from the~~
 7.24 ~~private nonprofit organizations that support early childhood programs in Minnesota. In~~
 7.25 ~~developing recommendations in coordination with existing efforts of the council, the task~~
 7.26 ~~force shall consider how to:~~

7.27 ~~(i) consolidate and coordinate resources and public funding streams for early childhood~~
 7.28 ~~education and child care, and ensure the accountability and coordinated development of all~~
 7.29 ~~early childhood education and child care services to children from birth to kindergarten~~
 7.30 ~~entrance;~~

7.31 ~~(ii) create a seamless transition from early childhood programs to kindergarten;~~

8.1 ~~(iii) encourage family choice by ensuring a mixed system of high-quality public and~~
8.2 ~~private programs, with local points of entry, staffed by well-qualified professionals;~~

8.3 ~~(iv) ensure parents a decisive role in the planning, operation, and evaluation of programs~~
8.4 ~~that aid families in the care of children;~~

8.5 ~~(v) provide consumer education and accessibility to early childhood education and child~~
8.6 ~~care resources;~~

8.7 ~~(vi) advance the quality of early childhood education and child care programs in order~~
8.8 ~~to support the healthy development of children and preparation for their success in school;~~

8.9 ~~(vii) develop a seamless service delivery system with local points of entry for early~~
8.10 ~~childhood education and child care programs administered by local, state, and federal~~
8.11 ~~agencies;~~

8.12 ~~(viii) ensure effective collaboration between state and local child welfare programs and~~
8.13 ~~early childhood mental health programs and the Office of Early Learning;~~

8.14 ~~(ix) develop and manage an effective data collection system to support the necessary~~
8.15 ~~functions of a coordinated system of early childhood education and child care in order to~~
8.16 ~~enable accurate evaluation of its impact;~~

8.17 ~~(x) respect and be sensitive to family values and cultural heritage; and~~

8.18 ~~(xi) establish the administrative framework for and promote the development of early~~
8.19 ~~childhood education and child care services in order to provide that these services, staffed~~
8.20 ~~by well-qualified professionals, are available in every community for all families that express~~
8.21 ~~a need for them.~~

8.22 ~~In addition, the task force must consider the following responsibilities for transfer to the~~
8.23 ~~Office of Early Learning:~~

8.24 ~~(A) responsibilities of the commissioner of education for early childhood education~~
8.25 ~~programs and financing under sections 119A.50 to 119A.535, 121A.16 to 121A.19, and~~
8.26 ~~124D.129 to 124D.2211;~~

8.27 ~~(B) responsibilities of the commissioner of human services for child care assistance,~~
8.28 ~~child care development, and early childhood learning and child protection facilities programs~~
8.29 ~~and financing under chapter 119B and section 256E.37; and~~

8.30 ~~(C) responsibilities of the commissioner of health for family home visiting programs~~
8.31 ~~and financing under section 145A.17.~~

9.1 ~~Any costs incurred by the council in making these recommendations must be paid from~~
 9.2 ~~private funds. If no private funds are received, the council must not proceed in making these~~
 9.3 ~~recommendations. The council must report its recommendations to the governor and the~~
 9.4 ~~legislature by January 15, 2011;~~

9.5 ~~(3)~~ (2) review program evaluations regarding high-quality early childhood programs;

9.6 ~~(4)~~ (3) make recommendations to the governor and legislature, including proposed
 9.7 legislation on how to most effectively create a high-quality early childhood system in
 9.8 Minnesota in order to improve the educational outcomes of children so that all children are
 9.9 school-ready ~~by 2020~~; and

9.10 ~~(5) make recommendations to the governor and the legislature by March 1, 2011, on the~~
 9.11 ~~creation and implementation of a statewide school readiness report card to monitor progress~~
 9.12 ~~toward the goal of having all children ready for kindergarten by the year 2020. The~~
 9.13 ~~recommendations shall include what should be measured including both children and system~~
 9.14 ~~indicators, what benchmarks should be established to measure state progress toward the~~
 9.15 ~~goal, and how frequently the report card should be published. In making their~~
 9.16 ~~recommendations, the council shall consider the indicators and strategies for Minnesota's~~
 9.17 ~~early childhood system report, the Minnesota school readiness study, developmental~~
 9.18 ~~assessment at kindergarten entrance, and the work of the council's accountability committee.~~
 9.19 ~~Any costs incurred by the council in making these recommendations must be paid from~~
 9.20 ~~private funds. If no private funds are received, the council must not proceed in making these~~
 9.21 ~~recommendations; and~~

9.22 ~~(6) make recommendations to the governor and the legislature on how to screen earlier~~
 9.23 ~~and comprehensively assess children for school readiness in order to provide increased early~~
 9.24 ~~interventions and increase the number of children ready for kindergarten. In formulating~~
 9.25 ~~their recommendations, the council shall consider (i) ways to interface with parents of~~
 9.26 ~~children who are not participating in early childhood education or care programs, (ii) ways~~
 9.27 ~~to interface with family child care providers, child care centers, and school-based early~~
 9.28 ~~childhood and Head Start programs, (iii) if there are age-appropriate and culturally sensitive~~
 9.29 ~~screening and assessment tools for three-, four-, and five-year-olds, (iv) the role of the~~
 9.30 ~~medical community in screening, (v) incentives for parents to have children screened at an~~
 9.31 ~~earlier age, (vi) incentives for early education and care providers to comprehensively assess~~
 9.32 ~~children in order to improve instructional practice, (vii) how to phase in increases in screening~~
 9.33 ~~and assessment over time, (viii) how the screening and assessment data will be collected~~
 9.34 ~~and used and who will have access to the data, (ix) how to monitor progress toward the goal~~
 9.35 ~~of having 50 percent of three-year-old children screened and 50 percent of entering~~

10.1 ~~kindergarteners assessed for school readiness by 2015 and 100 percent of three-year-old~~
 10.2 ~~children screened and entering kindergarteners assessed for school readiness by 2020, and~~
 10.3 ~~(x) costs to meet these benchmarks. The council shall consider the screening instruments~~
 10.4 ~~and comprehensive assessment tools used in Minnesota early childhood education and care~~
 10.5 ~~programs and kindergarten. The council may survey early childhood education and care~~
 10.6 ~~programs in the state to determine the screening and assessment tools being used or rely on~~
 10.7 ~~previously collected survey data, if available. For purposes of this subdivision, "school~~
 10.8 ~~readiness" is defined as the child's skills, knowledge, and behaviors at kindergarten entrance~~
 10.9 ~~in these areas of child development: social; self-regulation; cognitive, including language;~~
 10.10 ~~literacy, and mathematical thinking; and physical. For purposes of this subdivision,~~
 10.11 ~~"screening" is defined as the activities used to identify a child who may need further~~
 10.12 ~~evaluation to determine delay in development or disability. For purposes of this subdivision,~~
 10.13 ~~"assessment" is defined as the activities used to determine a child's level of performance in~~
 10.14 ~~order to promote the child's learning and development. Work on this duty will begin in~~
 10.15 ~~fiscal year 2012. Any costs incurred by the council in making these recommendations must~~
 10.16 ~~be paid from private funds. If no private funds are received, the council must not proceed~~
 10.17 ~~in making these recommendations. The council must report its recommendations to the~~
 10.18 ~~governor and legislature by January 15, 2013, with an interim report on February 15, 2011.~~

10.19 (4) review and provide input on the recommendations and implementation timelines
 10.20 developed by the Great Start For All Minnesota Children Task Force under Laws 2021,
 10.21 First Special Session chapter 7, article 14, section 18, subdivision 2.

10.22 Sec. 10. Minnesota Statutes 2022, section 124D.151, subdivision 1, is amended to read:

10.23 Subdivision 1. **Establishment; purpose.** ~~A district, a charter school, a group of districts,~~
 10.24 ~~a group of charter schools, or a group of districts and charter schools~~ school district, charter
 10.25 school, center-based, or family child care provider licensed under section 245A.03, or Head
 10.26 Start agency licensed under section 245A.03 that meets program requirements under
 10.27 subdivision 2 may establish a voluntary public prekindergarten program for eligible
 10.28 four-year-old children. The purpose of a voluntary public prekindergarten program is to
 10.29 prepare children for success as they enter kindergarten in the following year.

10.30 **EFFECTIVE DATE.** This section is effective July 1, 2025.

10.31 Sec. 11. Minnesota Statutes 2022, section 124D.151, subdivision 2, is amended to read:

10.32 Subd. 2. **Program requirements.** ~~(a)~~ A voluntary public prekindergarten program
 10.33 provider must:

11.1 (1) provide instruction through play-based learning to foster children's social and
 11.2 emotional development, cognitive development, physical and motor development, and
 11.3 language and literacy skills, including the native language and literacy skills of English
 11.4 learners, to the extent practicable;

11.5 (2) ~~measure each child's cognitive and social skills~~ assess each child's progress toward
 11.6 the state's early learning standards at program entrance and exit using a
 11.7 commissioner-approved formative measure aligned to the state's early learning standards
 11.8 when the child enters and again before the child leaves the program, screening and progress
 11.9 monitoring measures, and other age-appropriate versions from the state-approved menu of
 11.10 kindergarten entry profile measures age-appropriate assessment unless otherwise indicated
 11.11 by the child's individualized educational program. The results of the assessment data must
 11.12 be submitted to the department in the form and manner prescribed by the commissioner;

11.13 (3) provide comprehensive program content aligned with the state early learning
 11.14 standards, including the implementation of curriculum, assessment, and intentional
 11.15 instructional strategies aligned with the state early learning standards, and kindergarten
 11.16 through grade 3 academic standards that meet the needs of all learners;

11.17 (4) provide instructional content and activities that are of sufficient length and intensity
 11.18 to address learning needs including offering a program ~~with at least 350~~ between 425 and
 11.19 850 hours of instruction per school year for a prekindergarten student;

11.20 (5) provide voluntary public prekindergarten instructional staff salaries comparable and
 11.21 set salary schedules equivalent to the salaries of local kindergarten through grade 12
 11.22 instructional staff public school district elementary school staff with similar credentials and
 11.23 experience for school district and charter public prekindergarten program sites, and to the
 11.24 extent practicable, for Head Start and licensed center and family child care sites;

11.25 (6) employ a lead teacher for each voluntary public prekindergarten classroom who has
 11.26 at least a bachelor's degree in early education or a related field no later than July 1, 2031.
 11.27 Teachers employed by an eligible provider for at least three of the last five years immediately
 11.28 preceding July 1, 2025, who meet the necessary content knowledge and teaching skills for
 11.29 early childhood educators, as demonstrated through measures determined by the state, may
 11.30 be employed as a lead teacher. "Lead teacher" means an individual with primary
 11.31 responsibility for the instruction and care of eligible children in a classroom;

11.32 ~~(6)~~ (7) coordinate appropriate kindergarten transition with families, community-based
 11.33 prekindergarten programs, and school district kindergarten programs;

12.1 ~~(7)~~ (8) involve parents in program ~~planning~~ decision-making and transition planning by
 12.2 implementing parent engagement strategies that include culturally and linguistically
 12.3 responsive activities in prekindergarten through third grade that are aligned with early
 12.4 childhood family education under section 124D.13;

12.5 ~~(8)~~ (9) coordinate with relevant community-based services, including health and social
 12.6 service agencies, to ensure children have access to comprehensive services;

12.7 ~~(9)~~ (10) coordinate with all relevant school district programs and services including
 12.8 early childhood special education, homeless students, and English learners;

12.9 ~~(10)~~ (11) ensure staff-to-child ratios of one-to-ten and a maximum group size of 20
 12.10 children in school-based programs, staff-to-child ratio and group size as required for center
 12.11 and family child care licensing for center-based and family-based child care sites, and
 12.12 staff-to-child ratio and group size as determined by Head Start standards for Head Start
 12.13 sites; and

12.14 ~~(11)~~ (12) provide high-quality coordinated professional development, training, and
 12.15 coaching for ~~both school district, Head Start, and community-based early learning licensed~~
 12.16 center and family-based providers that is informed by a measure of adult-child interactions
 12.17 and enables teachers to be highly knowledgeable in early childhood curriculum content,
 12.18 assessment, native and English language development programs, and instruction; ~~and.~~

12.19 ~~(12) implement strategies that support the alignment of professional development,~~
 12.20 ~~instruction, assessments, and prekindergarten through grade 3 curricula.~~

12.21 ~~(b) A voluntary prekindergarten program must have teachers knowledgeable in early~~
 12.22 ~~childhood curriculum content, assessment, native and English language programs, and~~
 12.23 ~~instruction.~~

12.24 ~~(c) Districts and charter schools must include their strategy for implementing and~~
 12.25 ~~measuring the impact of their voluntary prekindergarten program under section 120B.11~~
 12.26 ~~and provide results in their world's best workforce annual summary to the commissioner of~~
 12.27 ~~education.~~

12.28 **EFFECTIVE DATE.** This section is effective July 1, 2025.

12.29 Sec. 12. Minnesota Statutes 2022, section 124D.151, subdivision 3, is amended to read:

12.30 Subd. 3. **Mixed delivery of services program plan.** A district or charter school may
 12.31 contract with a charter school, Head Start or child care centers, family child care programs
 12.32 licensed under section 245A.03, or a community-based organization to provide eligible

13.1 ~~children with developmentally appropriate services that meet the program requirements in~~
13.2 ~~subdivision 2. Components of a mixed-delivery plan include strategies for recruitment,~~
13.3 ~~contracting, and monitoring of fiscal compliance and program quality. All public~~
13.4 prekindergarten programs within each school district boundary that receive funding for
13.5 voluntary public prekindergarten programs must develop and submit a mixed delivery
13.6 program plan to the Department of Education by July 1, 2025, and every other year thereafter,
13.7 in a manner and format prescribed by the commissioner. The plan must ensure alignment
13.8 of all public prekindergarten program providers within the school district boundary in
13.9 meeting the program requirements in subdivision 2 and must include:

13.10 (1) a description of the process used to convene and get group agreement among all
13.11 public prekindergarten program providers within the district boundaries in order to coordinate
13.12 efforts regarding the requirements in subdivision 2;

13.13 (2) a description of the public prekindergarten program providers within the school
13.14 district boundaries, including but not limited to the name and location of partners, and the
13.15 number of hours and days per week the program will be offered at each program site;

13.16 (3) an estimate of the number of eligible children to be served in the program at each
13.17 school site or mixed-delivery location;

13.18 (4) a plan for recruitment, outreach, and communication regarding the availability of
13.19 public prekindergarten programming within the community;

13.20 (5) coordination and offering of professional development opportunities, as needed;

13.21 (6) coordination of the required child assessments, as needed, and continuous quality
13.22 improvement efforts to ensure quality instruction;

13.23 (7) a plan for providing the services and supports included in the individualized education
13.24 program for any child in the voluntary public prekindergarten program;

13.25 (8) a plan to get to salaries equivalent to school staff with comparable credentials and
13.26 experience;

13.27 (9) a detailed plan for transitioning children and families to kindergarten; and

13.28 (10) a statement of assurances signed by the superintendent, charter school director,
13.29 Head Start director, and child care program director or owner that the proposed program
13.30 meets the requirements of subdivision 2. A statement of assurances must be submitted in
13.31 the mixed delivery program plan and must be signed by an individual from each public
13.32 prekindergarten program provider with authority to enter into the agreement.

14.1 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.2 Sec. 13. Minnesota Statutes 2022, section 124D.151, is amended by adding a subdivision
14.3 to read:

14.4 **Subd. 3a. Funding.** (a) School district and charter school voluntary public prekindergarten
14.5 programs are funded based on the number of eligible pupils enrolled as authorized under
14.6 chapters 124D, 124E, and 126C.

14.7 (b) Head Start, center, and family child care providers that are licensed under section
14.8 245A.03 are funded in a form and manner prescribed by the commissioner of education at
14.9 a maximum per pupil allowance as established in paragraph (c). The commissioner must
14.10 prorate the allowance if the number of instructional hours is less than the maximum.

14.11 (c) The Head Start, center, and family child care maximum allowance for fiscal years
14.12 2026 and 2027 is \$11,200. The Head Start, center, and family child care maximum allowance
14.13 for fiscal year 2028 and later equals the product of \$11,200 times the ratio of the formula
14.14 allowance under section 126C.10, subdivision 2, for the current fiscal year to the formula
14.15 allowance under section 126C.10, subdivision 2, for fiscal year 2027.

14.16 (d) Up to \$4,000,000 in fiscal year 2026 and \$4,500,000 in fiscal year 2027 and thereafter
14.17 may be used by the commissioner for distribution of funds to Head Start, center, and family
14.18 child care providers, including via a third party administrator.

14.19 **EFFECTIVE DATE.** This section is effective July 1, 2025.

14.20 Sec. 14. Minnesota Statutes 2022, section 124D.151, subdivision 4, is amended to read:

14.21 **Subd. 4. Eligibility.** ~~A~~ (a) An eligible child means a child who:

14.22 (1) is four years of age as of September 1 in the calendar year in which the school year
14.23 commences is; and

14.24 (2) meets at least one of the following criteria:

14.25 (i) qualifies for free or reduced-price meals;

14.26 (ii) is an English language learner as defined by section 124D.59, subdivision 2;

14.27 (iii) is American Indian;

14.28 (iv) is experiencing homelessness;

14.29 (v) has an individualized education plan under section 125A.08;

15.1 (vi) was identified as having a potential risk factor that may influence learning through
 15.2 health and developmental screening under sections 121.19 to 121A.16;

15.3 (vii) is in foster care; kinship care, including children receiving Northstar kinship
 15.4 assistance under chapter 256N; or is in need of child protection services;

15.5 (viii) has a parent who is a migrant or seasonal agriculture laborer under section 181.85;
 15.6 or

15.7 (ix) has a parent who is incarcerated.

15.8 (b) An eligible child is eligible to participate in a voluntary public prekindergarten
 15.9 program free of charge. An eligible four-year-old child served in a mixed-delivery system
 15.10 by a child care center, family child care program licensed under section 245A.03, or
 15.11 community-based organization Programs may charge a sliding fee for the instructional hours
 15.12 that exceed 850 during the school year, any hours that provide before or after school child
 15.13 care during the school year, or any hours that provide child care during the summer. A child
 15.14 that does not meet the eligibility requirements in paragraph (a), clause (2), may participate
 15.15 in the same classroom as eligible children and may be charged a sliding fee as long as the
 15.16 mixed-delivery partner state funding was not awarded a seat for that child.

15.17 (c) Each eligible child must complete a health and developmental screening within 90
 15.18 days of program enrollment under sections 121A.16 to 121A.19, and provide documentation
 15.19 of required immunizations under section 121A.15.

15.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

15.21 Sec. 15. Minnesota Statutes 2022, section 124D.151, subdivision 6, is amended to read:

15.22 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
 15.23 paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school
 15.24 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
 15.25 school district or charter school under section 126C.05, subdivision 1, paragraph (e).

15.26 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
 15.27 number of participants in the voluntary prekindergarten and school readiness plus programs
 15.28 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160
 15.29 participants for fiscal years 2019, 2020, 2021, 2022, and 2023, and 3,160 participants for
 15.30 fiscal years 2024 and later.

15.31 **EFFECTIVE DATE.** This section is effective for revenue for fiscal years 2024 and
 15.32 2025.

16.1 Sec. 16. Minnesota Statutes 2022, section 124D.151, subdivision 7, is amended to read:

16.2 Subd. 7. **Financial accounting.** An eligible school district or charter school must record
 16.3 expenditures attributable to voluntary public prekindergarten pupils according to guidelines
 16.4 prepared by the commissioner under section 127A.17. Center-based and family child care
 16.5 providers and Head Start agencies must record expenditures attributable to voluntary public
 16.6 prekindergarten pupils according to guidelines developed and approved by the commissioner
 16.7 of education.

16.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

16.9 Sec. 17. Minnesota Statutes 2022, section 124D.165, subdivision 2, is amended to read:

16.10 Subd. 2. **Family eligibility.** (a) For a family to receive an early learning scholarship,
 16.11 parents or guardians must have an eligible child and meet at least one of the following
 16.12 eligibility requirements:

16.13 ~~(1) have an eligible child; and~~

16.14 ~~(2) (1) have income equal to or less than 185 200 percent of federal poverty level income~~
 16.15 ~~in the current calendar year; or;~~

16.16 ~~(2) be able to document their child's current participation in the free and reduced-price~~
 16.17 ~~lunch meal program or Child and Adult Care Food Program, National School Lunch Act,~~
 16.18 ~~United States Code, title 42, sections 1751 and 1766; the Food Distribution Program on~~
 16.19 ~~Indian Reservations, Food and Nutrition Act, United States Code, title 7, sections 2011-2036;~~
 16.20 ~~Head Start under the federal Improving Head Start for School Readiness Act of 2007;~~
 16.21 ~~Minnesota family investment program under chapter 256J; child care assistance programs~~
 16.22 ~~under chapter 119B; the supplemental nutrition assistance program; or placement~~

16.23 ~~(3) have a child referred as in need of child protection services or placed in foster care~~
 16.24 ~~under section 260C.212.~~

16.25 (b) An "eligible child" means a child who has not yet enrolled in kindergarten and is:

16.26 ~~(1) at least three but not yet five years of age on September 1 of the current school year;~~

16.27 ~~(2) a sibling from birth to age five of a child who has been awarded a scholarship under~~
 16.28 ~~this section provided the sibling attends the same program as long as funds are available;~~

16.29 ~~(3) the child of a parent under age 21 who is pursuing a high school degree or a course~~
 16.30 ~~of study for a high school equivalency test; or~~

16.31 ~~(4) homeless, in foster care, or in need of child protective services.~~

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

17.4 (d) Early learning scholarships may not be counted as earned income for the purposes
 17.5 of medical assistance under chapter 256B, MinnesotaCare under chapter 256L, Minnesota
 17.6 family investment program under chapter 256J, child care assistance programs under chapter
 17.7 119B, or Head Start under the federal Improving Head Start for School Readiness Act of
 17.8 2007.

17.9 (e) A child from an adjoining state whose family resides at a Minnesota address as
 17.10 assigned by the United States Postal Service, who has received developmental screening
 17.11 under sections 121A.16 to 121A.19, who intends to enroll in a Minnesota school district,
 17.12 and whose family meets the criteria of paragraph (a) is eligible for an early learning
 17.13 scholarship under this section.

17.14 Sec. 18. Minnesota Statutes 2022, section 124D.165, subdivision 3, is amended to read:

17.15 Subd. 3. **Administration.** (a) The commissioner shall establish application timelines
 17.16 and determine the schedule for awarding scholarships that meets operational needs of eligible
 17.17 families and programs. The commissioner must give highest priority to applications from
 17.18 children who:

17.19 (1) are not yet four years of age;

17.20 ~~(1)~~ (2) have a parent under age 21 who is pursuing a high school diploma or a course of
 17.21 study for a high school equivalency test;

17.22 ~~(2)~~ (3) are in foster care ~~or otherwise;~~

17.23 (4) have been referred as in need of child protection or services; or

17.24 (5) have an incarcerated parent; or

17.25 ~~(3)~~ (6) have experienced homelessness in the last 24 months, as defined under the federal
 17.26 McKinney-Vento Homeless Assistance Act, United States Code, title 42, section 11434a.

17.27 (b) The commissioner may prioritize applications on additional factors including family
 17.28 income, geographic location, and whether the child's family is on a waiting list for a publicly
 17.29 funded program providing early education or child care services.

17.30 ~~(b)~~ (c) The commissioner shall establish a target for the average scholarship amount per
 17.31 child based on the results of the rate survey conducted under section 119B.02.

18.1 ~~(e)~~ (d) A four-star rated program that has children eligible for a scholarship enrolled in
18.2 or on a waiting list for a program beginning in July, August, or September may notify the
18.3 commissioner, in the form and manner prescribed by the commissioner, each year of the
18.4 program's desire to enhance program services or to serve more children than current funding
18.5 provides. The commissioner may designate a predetermined number of scholarship slots
18.6 for that program and notify the program of that number. For fiscal year 2018 and later, the
18.7 statewide amount of funding directly designated by the commissioner must not exceed the
18.8 funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district
18.9 or Head Start program qualifying under this paragraph may use its established registration
18.10 process to enroll scholarship recipients and may verify a scholarship recipient's family
18.11 income in the same manner as for other program participants.

18.12 ~~(d)~~ (e) A scholarship is awarded for a 12-month period. If the scholarship recipient has
18.13 not been accepted and subsequently enrolled in a rated program within ~~ten~~ three months of
18.14 the awarding of the scholarship, the scholarship cancels and the recipient must reapply in
18.15 order to be eligible for another scholarship. An extension can be requested if a program is
18.16 unavailable for the child within the three-month timeline. A child may not be awarded more
18.17 than one scholarship in a 12-month period.

18.18 ~~(e)~~ (f) A child who receives a scholarship who has not completed development screening
18.19 under sections 121A.16 to 121A.19 must complete that screening within 90 days of first
18.20 attending an eligible program or within 90 days after the child's third birthday if awarded
18.21 a scholarship under the age of three.

18.22 ~~(f)~~ (g) For fiscal year 2017 and later, a school district or Head Start program enrolling
18.23 scholarship recipients under paragraph (c) may apply to the commissioner, in the form and
18.24 manner prescribed by the commissioner, for direct payment of state aid. Upon receipt of
18.25 the application, the commissioner must pay each program directly for each approved
18.26 scholarship recipient enrolled under paragraph (c) according to the metered payment system
18.27 or another schedule established by the commissioner.

18.28 Sec. 19. Minnesota Statutes 2022, section 124D.165, subdivision 6, is amended to read:

18.29 Subd. 6. **Early learning scholarship account.** (a) An account is established in the
18.30 special revenue fund known as the "early learning scholarship account."

18.31 (b) Funds appropriated for early learning scholarships under this section must be
18.32 transferred to the early learning scholarship account in the special revenue fund.

19.1 (c) Money in the account is annually appropriated to the commissioner for early learning
19.2 scholarships under this section. Any returned funds are available to be regranted.

19.3 (d) Up to ~~\$950,000~~ \$2,133,000 annually is appropriated to the commissioner for costs
19.4 associated with administering and monitoring early learning scholarships.

19.5 (e) The commissioner may use funds under paragraph (c) for the purpose of family
19.6 outreach and distribution of scholarships.

19.7 Sec. 20. Minnesota Statutes 2022, section 124D.59, subdivision 2, is amended to read:

19.8 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten through
19.9 grade 12; an early childhood special education student under Part B, section 619 of the
19.10 Individuals with Disabilities Education Act, United States Code, title 20, section 1419; or
19.11 a prekindergarten student enrolled in an approved voluntary prekindergarten program under
19.12 section 124D.151 or a school readiness plus program who meets the requirements under
19.13 subdivision 2a or the following requirements:

19.14 (1) the pupil, as declared by a parent or guardian first learned a language other than
19.15 English, comes from a home where the language usually spoken is other than English, or
19.16 usually speaks a language other than English; and

19.17 (2) the pupil is determined by a valid assessment measuring the pupil's English language
19.18 proficiency and by developmentally appropriate measures, which might include observations,
19.19 teacher judgment, parent recommendations, or developmentally appropriate assessment
19.20 instruments, to lack the necessary English skills to participate fully in academic classes
19.21 taught in English.

19.22 (b) A pupil enrolled in a Minnesota public school in any grade 4 through 12 who in the
19.23 previous school year took a commissioner-provided assessment measuring the pupil's
19.24 emerging academic English, shall be counted as an English learner in calculating English
19.25 learner pupil units under section 126C.05, subdivision 17, and shall generate state English
19.26 learner aid under section 124D.65, subdivision 5, if the pupil scored below the state cutoff
19.27 score or is otherwise counted as a nonproficient participant on the assessment measuring
19.28 the pupil's emerging academic English, or, in the judgment of the pupil's classroom teachers,
19.29 consistent with section 124D.61, clause (1), the pupil is unable to demonstrate academic
19.30 language proficiency in English, including oral academic language, sufficient to successfully
19.31 and fully participate in the general core curriculum in the regular classroom.

19.32 (c) Notwithstanding paragraphs (a) and (b), a pupil in early childhood special education
19.33 or prekindergarten under section 124D.151, through grade 12 shall not be counted as an

20.1 English learner in calculating English learner pupil units under section 126C.05, subdivision
 20.2 17, and shall not generate state English learner aid under section 124D.65, subdivision 5,
 20.3 if:

20.4 (1) the pupil is not enrolled during the current fiscal year in an educational program for
 20.5 English learners under sections 124D.58 to 124D.64; or

20.6 (2) the pupil has generated seven or more years of average daily membership in Minnesota
 20.7 public schools since July 1, 1996.

20.8 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

20.9 Sec. 21. Minnesota Statutes 2022, section 125A.13, is amended to read:

20.10 **125A.13 SCHOOL OF PARENTS' CHOICE.**

20.11 (a) Nothing in this chapter must be construed as preventing parents of a child with a
 20.12 disability from sending the child to a school of their choice, if they so elect, subject to
 20.13 admission standards and policies adopted according to sections 125A.62 to 125A.64 and
 20.14 125A.66 to 125A.73, and all other provisions of chapters 120A to 129C.

20.15 (b) The parent of a student with a disability not yet enrolled in kindergarten and not open
 20.16 enrolled in a nonresident district may ~~request that the resident district enter into a tuition~~
 20.17 ~~agreement with~~ elect a school in the nonresident district ~~if:~~

20.18 ~~(1) where~~ where the child is enrolled in a Head Start program or a licensed child care setting
 20.19 in the nonresident district; ~~and, provided~~

20.20 ~~(2)~~ the child can be served in the same setting as other children in the nonresident district
 20.21 with the same level of disability.

20.22 Sec. 22. Minnesota Statutes 2022, section 126C.05, subdivision 1, is amended to read:

20.23 Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age
 20.24 of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in
 20.25 average daily membership enrolled in the district of residence, in another district under
 20.26 sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under
 20.27 chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,
 20.28 123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03
 20.29 to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

20.30 (a) A prekindergarten pupil with a disability who is enrolled in a program approved by
 20.31 the commissioner and has an individualized education program is counted as the ratio of

21.1 the number of hours of assessment and education service to 825 times 1.0 with a minimum
21.2 average daily membership of 0.28, but not more than 1.0 pupil unit.

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

21.5 ~~(e) A kindergarten pupil with a disability who is enrolled in a program approved by the~~
21.6 ~~commissioner is counted as the ratio of the number of hours of assessment and education~~
21.7 ~~services required in the fiscal year by the pupil's individualized education program to 875,~~
21.8 ~~but not more than one.~~

21.9 ~~(d)~~ (c) For fiscal years 2024 and 2025, a prekindergarten pupil who is not included in
21.10 paragraph (a) or (b) and is enrolled in an approved a voluntary public prekindergarten
21.11 program under section 124D.151 is counted as the ratio of the number of hours of instruction
21.12 to 850 times 1.0, but not more than 0.6 pupil units. For fiscal year 2026 and later, a
21.13 prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled in a voluntary
21.14 public prekindergarten program under section 124D.151 is counted as the ratio of the number
21.15 of hours of instruction to 850 times 1.0, but not less than 0.6 or more than 1.0 pupil units.

21.16 ~~(e)~~ (d) A kindergarten pupil ~~who is not included in paragraph (e)~~ is counted as 1.0 pupil
21.17 unit if the pupil is enrolled in a free all-day, every day kindergarten program available to
21.18 all kindergarten pupils at the pupil's school that meets the minimum hours requirement in
21.19 section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,
21.20 every day kindergarten program available to all kindergarten pupils at the pupil's school.

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

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

21.23 ~~(h)~~ (g) A pupil who is in the postsecondary enrollment options program is counted as
21.24 1.2 pupil units.

21.25 ~~(i)~~ (h) For fiscal years 2018 through ~~2023~~ 2025, a prekindergarten pupil who:

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

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

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

21.31 is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more
21.32 than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same

22.1 manner as a voluntary prekindergarten student for all general education and other school
 22.2 funding formulas. This paragraph expires July 1, 2025.

22.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

22.4 Sec. 23. Minnesota Statutes 2022, section 126C.05, subdivision 3, is amended to read:

22.5 Subd. 3. **Compensation revenue pupil units.** Compensation revenue pupil units must
 22.6 be computed according to this subdivision.

22.7 (a) The compensation revenue concentration percentage for each building in a district
 22.8 equals the product of 100 times the ratio of:

22.9 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
 22.10 plus one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
 22.11 previous fiscal year; to

22.12 (2) the number of pupils enrolled in the building on October 1 of the previous fiscal
 22.13 year.

22.14 (b) The compensation revenue pupil weighting factor for a building equals the lesser of
 22.15 one or the quotient obtained by dividing the building's compensation revenue concentration
 22.16 percentage by 80.0.

22.17 (c) The compensation revenue pupil units for a building equals the product of:

22.18 (1) the sum of the number of pupils enrolled in the building eligible to receive free lunch
 22.19 and one-half of the pupils eligible to receive reduced priced lunch on October 1 of the
 22.20 previous fiscal year; times

22.21 (2) the compensation revenue pupil weighting factor for the building; times

22.22 (3) .60.

22.23 (d) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten programs under
 22.24 section 124D.151, charter schools, and contracted alternative programs in the first year of
 22.25 operation, compensation revenue pupil units shall be computed using data for the current
 22.26 fiscal year. If the voluntary prekindergarten program, charter school, or contracted alternative
 22.27 program begins operation after October 1, compensatory revenue pupil units shall be
 22.28 computed based on pupils enrolled on an alternate date determined by the commissioner,
 22.29 and the compensation revenue pupil units shall be prorated based on the ratio of the number
 22.30 of days of student instruction to 170 days.

23.1 ~~(e) Notwithstanding paragraphs (a) to (c), for voluntary prekindergarten seats discontinued~~
 23.2 ~~in fiscal year 2024 due to the reduction in the participation limit under section 124D.151,~~
 23.3 ~~subdivision 6, those discontinued seats must not be used to calculate compensation revenue~~
 23.4 ~~pupil units for fiscal year 2024.~~

23.5 ~~(f)~~ (e) The percentages in this subdivision must be based on the count of individual
 23.6 pupils and not on a building average or minimum.

23.7 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

23.8 Sec. 24. Minnesota Statutes 2022, section 126C.10, subdivision 2d, is amended to read:

23.9 Subd. 2d. **Declining enrollment revenue.** (a) A school district's declining enrollment
 23.10 revenue equals the greater of zero or the product of: (1) 28 percent of the formula allowance
 23.11 for that year and (2) the difference between the adjusted pupil units for the preceding year
 23.12 and the adjusted pupil units for the current year.

23.13 (b) Notwithstanding paragraph (a), for public prekindergarten programs for fiscal year
 23.14 ~~2024~~ 2026 only, prekindergarten pupil units under section 126C.05, subdivision 1, paragraph
 23.15 ~~(d)~~ (c), must be excluded from the calculation of declining enrollment revenue.

23.16 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2024 and later.

23.17 Sec. 25. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

23.18 Subdivision 1. Department of Education. The sums indicated in this section are
 23.19 appropriated from the general fund to the Department of Education for the fiscal years
 23.20 designated.

23.21 Subd. 2. Grow Your Own. (a) For grants to develop, continue, or expand Grow Your
 23.22 Own programs under Minnesota Statutes, sections 122A.73, 122A.731, and 122A.732:

23.23 \$ 24,000,000 2024

23.24 \$ 24,000,000 2025

23.25 (b) Of these amounts:

23.26 (1) \$12,500,000 each year is for programs under Minnesota Statutes, section 122A.73,
 23.27 and is subject to the requirements under section 122A.73, subdivision 5;

23.28 (2) \$1,500,000 each year is for Grow Your Own Early Childhood Educator programs
 23.29 under Minnesota Statutes, section 122A.731, and is subject to the requirements under
 23.30 Minnesota Statutes, 122A.731, subdivision 4; and

24.1 (3) \$10,000,000 each year is for Grow Your Own Shortage Area programs under
 24.2 Minnesota Statutes, section 122A.732, and is subject to the requirements under Minnesota
 24.3 Statutes, 122A.732, subdivision 4.

24.4 Subd. 3. **Early childhood teacher shortage.** (a) For grants to Minnesota institutions of
 24.5 higher education to address the early childhood education teacher shortage:

24.6 \$ 478,000 2024

24.7 \$ 478,000 2025

24.8 (b) Grant funds may be used to provide tuition and other supports to students.

24.9 (c) Any balance in the first year does not cancel but is available in the second year.

24.10 (d) The base for fiscal year 2026 and later is \$688,000.

24.11 Subd. 4. **School readiness.** (a) For revenue for school readiness programs under
 24.12 Minnesota Statutes, sections 124D.15 and 124D.16:

24.13 \$ 33,683,000 2024

24.14 \$ 33,683,000 2025

24.15 (b) The 2024 appropriation includes \$3,368,000 for 2023 and \$30,315,000 for 2024.

24.16 (c) The 2025 appropriation includes \$3,368,000 for 2024 and \$30,315,000 for 2025.

24.17 Subd. 5. **Early learning scholarships.** (a) For the early learning scholarship program
 24.18 under Minnesota Statutes, section 124D.165:

24.19 \$ 160,709,000 2024

24.20 \$ 160,709,000 2025

24.21 (b) This appropriation is subject to the requirements under Minnesota Statutes, section
 24.22 124D.165, subdivision 6.

24.23 (c) The base for fiscal year 2026 and later is \$132,509,000.

24.24 Subd. 6. **Head Start program.** (a) For Head Start programs under Minnesota Statutes,
 24.25 section 119A.52:

24.26 \$ 25,100,000 2024

24.27 \$ 25,100,000 2025

24.28 (b) Any balance in the first year does not cancel but is available in the second year.

24.29 Subd. 7. **Early childhood family education aid.** (a) For early childhood family education
 24.30 aid under Minnesota Statutes, section 124D.135:

25.1 \$ 38,607,000 2024

25.2 \$ 40,876,000 2025

25.3 (b) The 2024 appropriation includes \$3,518,000 for 2023 and \$35,089,000 for 2024.

25.4 (c) The 2025 appropriation includes \$3,898,000 for 2024 and \$36,978,000 for 2025.

25.5 Subd. 8. **Developmental screening aid.** (a) For developmental screening aid under

25.6 Minnesota Statutes, sections 121A.17 and 121A.19:

25.7 \$ 4,351,000 2024

25.8 \$ 4,359,000 2025

25.9 (b) The 2024 appropriation includes \$350,000 for 2023 and \$4,001,000 for 2024.

25.10 (c) The 2025 appropriation includes \$443,000 for 2024 and \$3,916,000 for 2025.

25.11 Subd. 9. **ParentChild+ program.** For a grant to the ParentChild+ program:

25.12 \$ 900,000 2024

25.13 \$ 900,000 2025

25.14 (b) The grant must be used for an evidence-based and research-validated early childhood
 25.15 literacy and school readiness program for children ages 16 months to four years at its existing
 25.16 suburban program location. The program must include urban and rural program locations
 25.17 for fiscal years 2024 and 2025.

25.18 (c) Any balance in the first year does not cancel but is available in the second year.

25.19 Subd. 10. **Kindergarten entrance assessment initiative and intervention program.** (a)

25.20 For the kindergarten entrance assessment initiative and intervention program under Minnesota
 25.21 Statutes, section 124D.162:

25.22 \$ 281,000 2024

25.23 \$ 281,000 2025

25.24 (b) The base for fiscal year 2026 is \$0.

25.25 Subd. 11. **Quality rating and improvement system.** (a) For transfer to the commissioner
 25.26 of human services for the purposes of expanding the quality rating and improvement system
 25.27 under Minnesota Statutes, section 124D.142, in greater Minnesota and increasing supports
 25.28 for providers participating in the quality rating and improvement system:

25.29 \$ 1,750,000 2024

25.30 \$ 1,750,000 2025

26.1 (b) The amounts in paragraph (a) must be in addition to any federal funding under the
 26.2 child care and development block grant authorized under Public Law 101-508 in that year
 26.3 for the system under Minnesota Statutes, section 124D.142.

26.4 Subd. 12. **Early childhood programs at Tribal contract schools.** (a) For early childhood
 26.5 family education programs at Tribal contract schools under Minnesota Statutes, section
 26.6 124D.83, subdivision 4:

26.7 \$ 68,000 2024

26.8 \$ 68,000 2025

26.9 (b) Any balance in the first year does not cancel but is available in the second year.

26.10 Subd. 13. **Educate parents partnership.** (a) For the educate parents partnership under
 26.11 Minnesota Statutes, section 124D.129:

26.12 \$ 49,000 2024

26.13 \$ 49,000 2025

26.14 (b) Any balance in the first year does not cancel but is available in the second year.

26.15 Subd. 14. **Home visiting aid.** (a) For home visiting aid under Minnesota Statutes, section
 26.16 124D.135:

26.17 \$ 391,000 2024

26.18 \$ 315,000 2025

26.19 (b) The 2024 appropriation includes \$41,000 for 2023 and \$350,000 for 2024.

26.20 (c) The 2025 appropriation includes \$38,000 for 2024 and \$277,000 for 2025.

26.21 Subd. 15. **Head Start, center, and family child care prekindergarten funding and**
 26.22 administration. For Head Start, center, and family child care public prekindergarten
 26.23 programs under Minnesota Statutes, section 124D.151, subdivision 3a:

26.24 \$ 0 2024

26.25 \$ 0 2025

26.26 (b) Any balance in the first year does not cancel and is available in the second year.

26.27 (c) The base for this forecast program in fiscal year 2026 is \$99,551,000 and the base
 26.28 for fiscal year 2027 is \$118,812,000.

26.29 Subd. 16. **Prekindergarten planning.** (a) For planning and implementation of public
 26.30 prekindergarten under Minnesota Statutes, section 124D.151, including contracts with third

27.1 parties with expertise in early childhood development, assessment, facilitation, project
 27.2 management, human centered design, coaching, and training:

27.3 \$ 5,233,000 2024

27.4 \$ 5,233,000 2025

27.5 (b) The base for fiscal year 2026 is \$4,394,000 and the base for fiscal year 2027 is
 27.6 \$4,544,000.

27.7 Sec. 26. **REPEALER.**

27.8 Minnesota Statutes 2022, section 124D.151, subdivisions 5 and 6, are repealed.

27.9 **EFFECTIVE DATE.** This section is effective July 1, 2025.

124D.151 VOLUNTARY PREKINDERGARTEN PROGRAM.

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

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

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

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

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

(c) The commissioner must divide all applications for new or expanded voluntary prekindergarten programs under this section meeting the requirements of paragraph (a) and school readiness plus programs into four groups as follows: the Minneapolis and St. Paul school districts; other school districts located in the metropolitan equity region as defined in section 126C.10, subdivision 28; school districts located in the rural equity region as defined in section 126C.10, subdivision 28; and charter schools. Within each group, the 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 lunches 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 lunch 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 lunches 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 lunches 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 lunches 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 requirements, regardless of changes in the concentration of students eligible for free or reduced-price lunches.

APPENDIX
Repealed Minnesota Statutes: 23-00124

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

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

Subd. 6. Participation limits. (a) Notwithstanding section 126C.05, subdivision 1, paragraph (d), the pupil units for a voluntary prekindergarten program for an eligible school district or charter school must not exceed 60 percent of the kindergarten pupil units for that school district or charter school under section 126C.05, subdivision 1, paragraph (e).

(b) In reviewing applications under subdivision 5, the commissioner must limit the total number of participants in the voluntary prekindergarten and school readiness plus programs under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160 participants for fiscal years 2019, 2020, 2021, 2022, and 2023, and 3,160 participants for fiscal years 2024 and later.