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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 57

07/13/2020 Authored by Gruenhagen
The bill was read for the first time and referred to the Education Finance Division

1.1 A bill for an act
1.2 relating to education finance; creating a choice scholarship program with enrollment
1.3 options for students; authorizing general education revenue for nonpublic school
1.4 use for a transfer student; proposing coding for new law in Minnesota Statutes,
1.5 chapter 124D.

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

1.7 Section 1. [124D.031] CHOICE SCHOLARSHIPS; ENROLLMENT OPTIONS FOR
1.8 STUDENTS.

1.9 Subdivision 1. Student eligibility. A student who attends a school operated by a school
1.10 district or a charter school for at least one school year and whose family income is equal to
1.11 or less than 185 percent of the federal poverty level is eligible to enroll in a qualifying
1.12 nonpublic school under this section or a nonresident district school or program under section
1.13 124D.03.

1.14 Subd. 2. Nonpublic school eligibility. (a) To be eligible to participate under this section,
1.15 a nonpublic school must:

1.16 (1) notify the commissioner of its intent to participate;

1.17 (2) accept students on a random basis, except that a nonpublic school may give preference
1.18 to any sibling of a student already enrolled in the nonpublic school;

1.19 (3) comply with section 121A.04 and chapter 363A;

1.20 (4) make reasonable accommodations to meet the requirements under the Americans
1.21 with Disabilities Act, Public Law 101-336;

2.1 (5) adopt an antidiscrimination, harassment prevention, and violence prevention policy
2.2 that complies with section 121A.03, and a policy to prevent intimidation and bullying; and

2.3 (6) submit data to the commissioner in the form and manner required by the commissioner
2.4 so that the school may be included in the state's annual school performance report cards
2.5 under section 120B.36.

2.6 (b) The nonpublic school must administer either the statewide reading and math
2.7 assessments under section 120B.30 or a nationally norm-referenced standardized achievement
2.8 exam to an eligible student upon request of that student.

2.9 (c) The commissioner must ensure that the nonpublic school complies with the
2.10 requirements of this subdivision.

2.11 Subd. 3. **Tuition funding.** If a student transfers to a nonpublic school under this section,
2.12 and upon receiving proof that the student is enrolled in the nonpublic school, the
2.13 commissioner must make quarterly payments to the student's parent or guardian in an amount
2.14 equal to the lesser of the state average general education revenue per pupil unit, calculated
2.15 without transportation sparsity revenue, or the nonpublic school's operating and debt service
2.16 cost per pupil that is related to educational programming, as determined by the commissioner.
2.17 The commissioner must send the payment check to the nonpublic school and the parent or
2.18 guardian must restrictively endorse the payment check for the nonpublic school's use.

2.19 Subd. 4. **Student transportation.** A resident school district is responsible for providing
2.20 transportation within the district's borders for a student who enrolls in a nonpublic school
2.21 under this section. The resident school district must receive transportation funding equal to
2.22 the actual costs in the current school year for those transportation services.

2.23 Subd. 5. **Testing.** The state must pay the nonpublic school costs of administering
2.24 assessments under section 120B.30 in the same manner as for public schools.

2.25 Subd. 6. **Curriculum review; exempt from instruction.** Each participating nonpublic
2.26 school must provide a procedure for a parent, a guardian, or an adult student to review the
2.27 content of instructional materials and, if found objectionable, make reasonable arrangements
2.28 with school personnel for alternative instruction. Alternative instruction may be provided
2.29 by a parent, a guardian, or an adult student if the alternative instruction, if any, offered by
2.30 the participating nonpublic school does not adequately address the concerns of the parent,
2.31 guardian, or adult student. The participating nonpublic school is not required to pay for the
2.32 costs of alternative instruction provided by a parent, a guardian, or an adult student. School
2.33 personnel may not impose an academic or other penalty upon a student merely for arranging

3.1 alternative instruction under this section. School personnel may evaluate and assess the
3.2 quality of the student's work.

3.3 Subd. 7. **List of participating schools.** The commissioner must publish and maintain
3.4 on the Department of Education's website a list of qualifying nonpublic schools and the
3.5 number of students attending each of the schools on a choice scholarship.

3.6 **EFFECTIVE DATE.** This section is effective for the 2022-2023 school year and later.