

**SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION**

S.F. No. 4580

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DATE
05/07/2020

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Introduction and first reading
Referred to E-12 Finance and Policy

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to education; establishing a distance learning broadband access grant
1.3 program; requiring the commissioner to equitably distribute the state education
1.4 agencies reserve portion of the Elementary and Secondary School Emergency
1.5 Relief Funds; requiring school districts and charter schools to use Elementary and
1.6 Secondary School Emergency Relief Funds for certain purposes; requiring school
1.7 districts and charter schools to use the September 2020 permanent school fund
1.8 apportionment for certain purposes; appropriating money.

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

1.10 Section 1. **DISTANCE LEARNING BROADBAND ACCESS GRANT PROGRAM.**

1.11 **Subdivision 1. Definition.** For the purposes of this section, "commissioner" means the
1.12 commissioner of education.

1.13 **Subd. 2. Establishment.** A distance learning broadband access grant program is
1.14 established in the Department of Education to provide temporary wireless or wire-line
1.15 broadband access to students currently lacking Internet access so that the students may
1.16 participate in distance learning offered by school districts and charter schools during the
1.17 peacetime public health emergency period that relates to the infectious disease known as
1.18 COVID-19.

1.19 **Subd. 3. Eligible expenditures.** A grant awarded under this section may be used to:

1.20 (1) provide a student with a data card, USB modem, or other mobile or temporary
1.21 broadband device that enables the student to access learning materials available on the
1.22 Internet through a mobile or temporary wireless or wire-line broadband connection;

2.1 (2) reimburse a school district or charter school for actual costs incurred to provide
 2.2 emergency distance learning wireless or wire-line broadband access during the 2019-2020
 2.3 school year; and

2.4 (3) reimburse a school district or charter school for the cost of wireless or wire-line
 2.5 broadband Internet access for households with students that did not otherwise have Internet
 2.6 access before March 13, 2020, for the 2019-2020 school year.

2.7 Subd. 4. **Eligible applicants.** A Minnesota school district or charter school may apply
 2.8 for a grant award under this section.

2.9 Subd. 5. **Application review.** (a) An applicant for a grant under this section must file
 2.10 an application with the commissioner on a form developed by the commissioner. The
 2.11 commissioner may consult with the commissioner of employment and economic development
 2.12 when developing the form.

2.13 (b) An application for a grant under this subdivision must describe a school district's or
 2.14 charter school's approach to identify and prioritize access for students unable to access the
 2.15 Internet for distance learning and may include a description of local or private matching
 2.16 grants or in-kind contributions.

2.17 (c) A school district or charter school may develop its application in cooperation with
 2.18 the school district's or charter school's community education department, the school district's
 2.19 or charter school's adult basic education program provider, a public library, an Internet
 2.20 service provider, or other community partner.

2.21 (d) The commissioner must award grants under this section on a first-come, first-served
 2.22 basis.

2.23 (e) The commissioner must develop administrative procedures governing the application
 2.24 and grant award process.

2.25 Subd. 6. **Grant amount.** The commissioner must establish a maximum per-pupil amount
 2.26 for grants awarded under this section based on (1) the number of districts and charter schools
 2.27 that apply for a grant, and (2) the availability of federal money for a similar purpose.

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

2.29 Sec. 2. **ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF**
 2.30 **FUND; STATE EDUCATIONAL AGENCIES RESERVE.**

2.31 The commissioner of education must equitably distribute to school districts and charter
 2.32 schools on a per pupil basis the state education agencies reserve portion of the Elementary

3.1 and Secondary School Emergency Relief Fund authorized under the federal Coronavirus
3.2 Aid, Relief, and Economic Security Act, estimated at \$14,013,725. A school district or
3.3 charter school must use the funds to provide mental health services and support for students
3.4 or to purchase educational technology for students, including hardware, software, or
3.5 connectivity.

3.6 Sec. 3. **PERMANENT SCHOOL FUND; SEPTEMBER 2020 APPORTIONMENT.**

3.7 Notwithstanding any law to the contrary, a school district or charter school must use the
3.8 September 2020 permanent school fund apportionment under Minnesota Statutes, section
3.9 127A.33, to provide mental health services and support for students or to purchase
3.10 educational technology for students, including hardware, software, or connectivity.

3.11 Sec. 4. **APPROPRIATION.**

3.12 \$8,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner
3.13 of employment and economic development for transfer to the commissioner of education
3.14 for emergency distance learning wireless or wire-line broadband access for student grants
3.15 for school districts and charter schools under section 1. Up to five percent of the appropriation
3.16 under this paragraph may be used to reimburse reasonable costs incurred by the Department
3.17 of Education to administer section 1. This is a onetime appropriation. Any funds that remain
3.18 unexpended on September 30, 2020, are transferred to the border-to-border broadband fund
3.19 account established in Minnesota Statutes, section 116J.396. By December 1, 2020, the
3.20 commissioner of education must report to the legislature regarding the number of districts
3.21 and charter schools that received grants under section 1 and the number of students that
3.22 were provided Internet access. The report must also identify the costs to administer the grant
3.23 program and the amount transferred to the border-to-border broadband fund.

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