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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH  
SESSION

HOUSE FILE No. 26

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Authored by Thissen

The bill was read for the first time and referred to the Committee on E-12 Education

1.1 A bill for an act  
1.2 relating to education; creating a unified administrative structure for early learning  
1.3 opportunities; amending Minnesota Statutes 2006, section 124D.02, subdivision  
1.4 1.

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

1.6 Section 1. Minnesota Statutes 2006, section 124D.02, subdivision 1, is amended to  
1.7 read:

1.8 Subdivision 1. **Kindergarten instruction.** (a) The board may establish and  
1.9 maintain one or more kindergartens for the instruction of children and after July 1, 1974,  
1.10 shall provide kindergarten instruction for all eligible children, either in the district or in  
1.11 another district. All children to be eligible for kindergarten must be at least five years  
1.12 of age on September 1 of the calendar year in which the school year commences. In  
1.13 addition all children selected under an early admissions policy established by the school  
1.14 board may be admitted. Nothing in this section shall prohibit a school district from  
1.15 establishing Head Start, prekindergarten, or nursery school classes for children below  
1.16 kindergarten age. Any school board with evidence that providing kindergarten will  
1.17 cause an extraordinary hardship on the school district may apply to the commissioner of  
1.18 education for an exception.

1.19 (b) For purposes of demonstrating the efficacy of integrating early childhood  
1.20 education and care with early elementary grades, the board and any existing  
1.21 prekindergarten program, including Head Start or any other relevant public or private  
1.22 entity may, with the approval of the commissioner of education, enter into an agreement to  
1.23 provide early education and care for children under a unified administrative structure that  
1.24 establishes an education continuum for children during the prekindergarten, kindergarten,

2.1 and postkindergarten years through at least grade three. The agreement shall provide  
2.2 for the education, support, and empowerment of parents and special education for the  
2.3 children as needed. To assist in the development of an early education and care entity,  
2.4 and notwithstanding any law to the contrary, the commissioners of education and human  
2.5 services may waive or modify existing rules or requirements in line with research on  
2.6 best practices demonstrating long-term outcomes for children. To facilitate such a  
2.7 demonstration, the commissioners may make special allocations or grants.

2.8 The agreement may provide for a nonprofit corporation or a charter school to  
2.9 achieve the administrative structure and authorize the payment to the entity of any funds  
2.10 received for children enrolled in the educational continuum. Tuition, participant fees, or  
2.11 both may be charged for children not yet in kindergarten.

2.12 The agreement shall:

2.13 (1) create a management board that represents the school board, the participating  
2.14 prekindergarten programs, and other relevant public and private entities;

2.15 (2) provide for the alignment of curricular approaches, professional development  
2.16 opportunities, child/student assessment, and evaluation;

2.17 (3) provide instruction within the framework of research and evaluation of best  
2.18 practices; and

2.19 (4) not extend beyond ten years, but shall be renewable.

2.20 **EFFECTIVE DATE.** This section is effective July 1, 2007.