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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 1056

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to education; modifying certain early childhood education provisions;
1.3 appropriating money; amending Minnesota Statutes 2006, sections 124D.13,
1.4 subdivisions 1, 2, by adding a subdivision; 124D.135, subdivisions 3, 5, 6;
1.5 proposing coding for new law in Minnesota Statutes, chapter 124D.

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

1.7 Section 1. Minnesota Statutes 2006, section 124D.13, subdivision 1, is amended to
1.8 read:

1.9 Subdivision 1. **Establishment; purpose.** A district that provides a community
1.10 education program under sections 124D.18 and 124D.19 may establish an early childhood
1.11 family education program. Two or more districts, each of which provides a community
1.12 education program, may cooperate to jointly provide an early childhood family education
1.13 program. The purpose of the early childhood family education program is to provide
1.14 parenting education to support children's learning and development.

1.15 Sec. 2. Minnesota Statutes 2006, section 124D.13, subdivision 2, is amended to read:

1.16 Subd. 2. **Program characteristics requirements.** (a) Early childhood family
1.17 education programs are programs for children in the period of life from birth to
1.18 kindergarten, for the parents and other relatives of these children, and for expectant
1.19 parents. To the extent that funds are insufficient to provide programs for all children,
1.20 early childhood family education programs should emphasize programming for a child
1.21 from birth to age three and encourage parents and other relatives to involve four- and
1.22 five-year-old children in school readiness programs, and other public and nonpublic early
1.23 learning programs. A district may not limit participation to school district residents. Early
1.24 childhood family education programs ~~may include the following~~ must provide:

2.1 (1) programs to educate parents and other relatives about the physical, mental,
2.2 and emotional development of children;

2.3 ~~(2) programs to enhance the skills of parents and other relatives in providing for their~~
2.4 ~~children's learning and development~~ structured learning activities requiring interaction
2.5 between children and their parents or relatives;

2.6 (3) structured learning experiences activities for children ~~and parents and other~~
2.7 ~~relatives~~ that promote children's development and positive interaction with peers, which
2.8 are held while parents or relatives attend parent education classes;

2.9 ~~(4) activities designed to detect children's physical, mental, emotional, or behavioral~~
2.10 ~~problems that may cause learning problems;~~

2.11 ~~(5) activities and materials designed to encourage self-esteem, skills, and behavior~~
2.12 ~~that prevent sexual and other interpersonal violence;~~

2.13 ~~(6) educational materials which may be borrowed for home use;~~

2.14 ~~(7)~~ (4) information on related community resources;

2.15 ~~(8) programs to prevent~~ (5) information, materials, and activities that support the
2.16 safety of children, including prevention of child abuse and neglect; and

2.17 ~~(9) other programs or activities to improve the health, development, and school~~
2.18 ~~readiness of children; or~~

2.19 ~~(10) activities designed to maximize development during infancy.~~

2.20 (6) a community outreach plan to ensure participation by families who reflect the
2.21 racial, cultural, and economic diversity of the school district.

2.22 The programs must not include activities for children that do not require substantial
2.23 involvement of the children's parents or other relatives. The ~~programs~~ program must be
2.24 reviewed periodically to assure the instruction and materials are not racially, culturally, or
2.25 sexually biased. The programs must encourage parents to be aware of practices that may
2.26 affect equitable development of children.

2.27 (b) For the purposes of this section, "relative" or "relatives" means noncustodial
2.28 grandparents or other persons related to a child by blood, marriage, adoption, or foster
2.29 placement, excluding parents.

2.30 Sec. 3. Minnesota Statutes 2006, section 124D.13, is amended by adding a subdivision
2.31 to read:

2.32 Subd. 13. **Plan and program data submission requirements.** (a) An early
2.33 childhood family education program must submit a biennial plan addressing the
2.34 requirements of subdivision 3 for approval by the commissioner. The plan must also
2.35 describe how the program provides parenting education and ensures participation of

3.1 families representative of the school district. A school district must submit the plan for
 3.2 approval by the commissioner in the form and manner prescribed by the commissioner.
 3.3 One-half of districts, as determined by the commissioner, must first submit a biennial plan
 3.4 by April 1, 2009, and the remaining districts must first submit a plan by April 1, 2010.

3.5 (b) Districts receiving early childhood family education revenue under section
 3.6 124D.135 must submit annual program data to the department by July 15 in the form and
 3.7 manner prescribed by the commissioner.

3.8 (c) Beginning with levies for fiscal year 2011, a school district must submit its annual
 3.9 program data to the department before it may certify a levy under section 124D.135.
 3.10 Districts selected by the commissioner to submit a biennial plan by April 1, 2010, must
 3.11 also have an approved plan on file with the commissioner before certifying a levy under
 3.12 section 124D.135 for fiscal year 2011. Beginning with levies for fiscal year 2012, all
 3.13 districts must submit annual program data and have an approved biennial plan on file with
 3.14 the commissioner before certifying a levy under section 124D.135.

3.15 Sec. 4. Minnesota Statutes 2006, section 124D.135, subdivision 3, is amended to read:

3.16 Subd. 3. **Early childhood family education levy.** ~~For fiscal year 2001 to obtain~~
 3.17 ~~early childhood family education revenue, a district may levy an amount equal to the tax~~
 3.18 ~~rate of .5282 percent times the adjusted tax capacity of the district for the year preceding~~
 3.19 ~~the year the levy is certified. Beginning with levies for fiscal year 2002, By September~~
 3.20 30 of each year, the commissioner shall establish a tax rate for early childhood family
 3.21 education revenue that raises ~~\$21,027,000 for fiscal year 2002 and \$22,135,000 in each~~
 3.22 ~~fiscal year 2003 and each subsequent year.~~ If the amount of the early childhood family
 3.23 education levy would exceed the early childhood family education revenue, the early
 3.24 childhood family education levy must equal the early childhood family education revenue.
 3.25 Beginning with levies for fiscal year 2011, a district may not certify an early childhood
 3.26 family education levy unless it has met the annual program data reporting and biennial
 3.27 plan requirements under section 124D.13, subdivision 13.

3.28 Sec. 5. Minnesota Statutes 2006, section 124D.135, subdivision 5, is amended to read:

3.29 Subd. 5. **Use of revenue restricted.** Early childhood family education revenue may
 3.30 be used only for early childhood family education programs.

3.31 (a) Not more than five percent of early childhood family education revenue, as
 3.32 defined in subdivision 7, may be used to administer early childhood family education
 3.33 programs.

4.1 (b) An early childhood family education program may use up to ten percent of its
 4.2 early childhood family education revenue as defined in subdivision 1, including revenue
 4.3 from participant fees, for equipment that is used in the early childhood family education
 4.4 program. This revenue may only be used for the following purposes:

4.5 (1) to purchase or lease computers and related materials; and

4.6 (2) to purchase or lease equipment for instruction for participating children and
 4.7 their families.

4.8 If a district anticipates an unusual circumstance requiring its early childhood family
 4.9 education program capital expenditures to exceed the ten percent limitation, prior approval
 4.10 to exceed the limit must be obtained in writing from the commissioner.

4.11 Sec. 6. Minnesota Statutes 2006, section 124D.135, subdivision 6, is amended to read:

4.12 Subd. 6. **Home visiting levy.** A district that is eligible to levy for early childhood
 4.13 family education under subdivision 3 and that enters into a collaborative agreement to
 4.14 provide education services and social services to families with young children may levy
 4.15 an amount equal to \$1.60 times the number of people under five years of age residing in
 4.16 the district on September 1 of the last school year. Levy revenue under this subdivision
 4.17 must not be included as revenue under subdivision 1. The revenue must be used for home
 4.18 visiting programs under section 124D.13, subdivision 4.

4.19 Sec. 7. **[124D.163] TARGETED TRAINING OF EARLY CHILDHOOD**
 4.20 **PROFESSIONALS TO IMPROVE SCHOOL READINESS.**

4.21 Subdivision 1. **Establishment; purpose.** The commissioner of education shall
 4.22 provide a training program for the purpose of improving the school readiness of
 4.23 prekindergarten children.

4.24 Subd. 2. **Eligible participants.** The training program is available to all staff in
 4.25 school readiness programs as defined in section 124D.15, Head Start programs as defined
 4.26 in section 119A.50, and child care centers as defined in chapter 245A. The commissioner
 4.27 of education shall consult with the commissioner of human services to identify child care
 4.28 center program participants and implement the training program for child care center
 4.29 program participants.

4.30 Subd. 3. **Training content.** The commissioner shall develop three foundational
 4.31 and sequential training modules on child observation, child and program assessment,
 4.32 and curriculum planning.

4.33 Subd. 4. **Availability.** To the extent practical, the training will be made available
 4.34 throughout the state on an ongoing basis. In addition to the geographic availability, the

5.1 commissioner must consider the availability of training to meet the needs of diverse
5.2 cultural groups. Training materials may be translated and training may be delivered in
5.3 other languages as determined by the commissioner. The training may be provided
5.4 through a variety of methods that may include on-site and Web-based delivery.

5.5 **Sec. 8. [124D.164] IMPROVE EDUCATIONAL OFFERINGS IN SCHOOL**
5.6 **READINESS, HEAD START, AND CHILD CARE PROGRAMS.**

5.7 Subdivision 1. **Establishment; purpose.** A program is established to improve the
5.8 educational offerings in school readiness, Head Start, and licensed child care programs.

5.9 Subd. 2. **Recipients of services.** A recipient of services must be a:

5.10 (1) licensed child care center as defined in chapter 245A that is eligible to participate
5.11 in the federal Child and Adult Care Food Program;

5.12 (2) federally designated Head Start program as defined in section 119A.50; or

5.13 (3) a school readiness program as defined in section 124D.15 with at least 25 percent
5.14 of the children served in the program qualifying for free and reduced price lunch.

5.15 Subd. 3. **Required program components.** A school district receiving funds under
5.16 this section must provide the following services to the designated recipients of services
5.17 identified in its application:

5.18 (1) compensatory instruction that accelerates children's literacy and language
5.19 development and mathematical thinking; and

5.20 (2) ongoing assessment of children's progress aligned with early learning guidelines.
5.21 The compensatory instruction must be provided by a public school teacher with a valid
5.22 early childhood license for at least three hours per day for four days per week for children
5.23 in the year prior to kindergarten entrance. Funds cannot be used to supplant existing
5.24 school readiness expenditures authorized under section 124D.16.

5.25 Subd. 4. **Application process and requirements.** (a) A district must submit an
5.26 application to the commissioner of education in the form and manner prescribed by the
5.27 commissioner.

5.28 (b) The application must include a plan that:

5.29 (1) identifies the program sites where services will be provided;

5.30 (2) provides for instructional content and activities of sufficient length and intensity
5.31 to address learning needs of children most at risk of not being fully prepared for
5.32 kindergarten;

5.33 (3) provides for instruction that accelerates literacy and language development
5.34 and mathematical thinking;

6.1 (4) integrates the language, literacy, and mathematical learning components with
6.2 ongoing program curriculum; and

6.3 (5) incorporates formal and ongoing assessment of children's progress aligned to
6.4 early learning guidelines at program entrance and at program exit.

6.5 Subd. 5. **Selection and award.** When reviewing an application, the commissioner
6.6 of education must determine whether all the requirements of subdivision 4 are met. The
6.7 commissioner must consider geographical distribution of funds, as well as a distribution
6.8 of funds that reflects the cultural diversity of the service area. The commissioner of
6.9 education will consult with the commissioner of human services in the development and
6.10 implementation of the application review and award process. Programs receiving awards
6.11 under this section are eligible for continued funding if program requirements are met
6.12 according to the standards established by the commissioner of education and funds are
6.13 appropriated.

6.14 **Sec. 9. [124D.165] EARLY CHILDHOOD SCHOLARSHIPS.**

6.15 Subdivision 1. **Purpose.** The commissioner must establish an early childhood
6.16 scholarship fund to improve the school readiness of prekindergarten children at risk
6.17 of being unprepared for kindergarten. Scholarships are available for the purpose of
6.18 participating in an approved program as specified in subdivision 4 the year prior to
6.19 kindergarten entrance.

6.20 Subd. 2. **Eligibility.** A parent or legal guardian of a four-year-old child with a
6.21 household income that does not exceed 180 percent of the federal poverty guidelines,
6.22 adjusted for family size, is eligible to apply for an annual scholarship of up to \$4,000 for
6.23 each eligible child.

6.24 Subd. 3. **Scholarship application, award, and process.** Parents or guardians
6.25 meeting the eligibility requirements defined in subdivision 2 may apply for a scholarship
6.26 certificate. Application must be made according to the form and manner prescribed by the
6.27 commissioner. The certificates must be redeemable for instruction at an approved early
6.28 childhood program, as specified in subdivision 4, for up to one year from the date of
6.29 issue or until the child for whom the scholarship is designated enrolls in kindergarten,
6.30 whichever occurs first. The commissioner shall annually award scholarship certificates to
6.31 eligible applicants in the order applications are received until all funds available for the
6.32 year have been obligated. Recipients may not transfer a scholarship certificate to another
6.33 person. The parent or guardian may transfer the scholarship certificate to another approved
6.34 early childhood program according to requirements established by the commissioner.

7.1 Subd. 4. **Program approval.** A program must be approved by the commissioner
 7.2 to be eligible to receive state early childhood scholarship program funds on behalf of
 7.3 an enrolled scholarship certificate recipient. Early childhood programs must apply for
 7.4 approval in the form and manner prescribed by the commissioner and must be:

- 7.5 (1) a federally designated Head Start program as defined in section 119A.50;
- 7.6 (2) a school readiness program as defined in section 124D.15; or
- 7.7 (3) a licensed child care program as defined in chapter 245A.

7.8 The application must include evidence that the program provides research-based
 7.9 instruction to support school readiness. Programs must submit any program changes
 7.10 related to approval as they occur and must reapply for approval every three years.

7.11 Subd. 5. **Payments to approved programs.** The commissioner shall issue
 7.12 payments of scholarship funds on a reimbursement basis to approved programs as defined
 7.13 in subdivision 4 for services provided that are comparable to service costs for program
 7.14 participants who do not receive a scholarship. Scholarship funds may not be used for
 7.15 services that are available at no cost to nonscholarship recipient families. Approved
 7.16 programs must maintain documentation of services provided and the commissioner shall
 7.17 verify information submitted by approved programs to ensure appropriate services were
 7.18 provided to eligible recipients for whom state early childhood scholarship funds are paid.
 7.19 Scholarship funds awarded to families receiving other forms of assistance, such as child
 7.20 care assistance, must be used to supplement and may not be used to supplant services
 7.21 provided through that assistance.

7.22 Subd. 6. **Scholarship not income for purposes of other publicly funded**
 7.23 **programs.** Notwithstanding any law to the contrary, the receipt of a scholarship does not
 7.24 count as earned income for the purposes of medical assistance, MinnesotaCare, MFIP,
 7.25 child care assistance, or Head Start programs.

7.26 **Sec. 10. APPROPRIATIONS.**

7.27 Subdivision 1. **Department of Education.** The sums indicated in this section are
 7.28 appropriated from the general fund to the Department of Education for the fiscal years
 7.29 designated.

7.30 Subd. 2. **School readiness.** For revenue for school readiness programs under
 7.31 Minnesota Statutes, sections 124D.15 and 124D.16:

7.32	\$	<u>9,095,000</u>	<u>.....</u>	<u>2008</u>
7.33	\$	<u>9,095,000</u>	<u>.....</u>	<u>2009</u>

7.34 The 2008 appropriation includes \$909,000 for 2007 and \$8,186,000 for 2008.

8.1 The 2009 appropriation includes \$909,000 for 2008 and \$8,186,000 for 2009.

8.2 Subd. 3. **Early childhood family education aid.** For early childhood family
8.3 education aid under Minnesota Statutes, section 124D.135:

8.4 \$ 18,442,000 2008

8.5 \$ 18,871,000 2009

8.6 The 2008 appropriation includes \$1,801,000 for 2007 and \$16,641,000 for 2008.

8.7 The 2009 appropriation includes \$1,849,000 for 2008 and \$17,022,000 for 2009.

8.8 Subd. 4. **Health and developmental screening aid.** For health and developmental
8.9 screening aid under Minnesota Statutes, sections 121A.17 and 121A.19:

8.10 \$ 3,207,000 2008

8.11 \$ 3,371,000 2009

8.12 The 2008 appropriation includes \$293,000 for 2007 and \$2,914,000 for 2008.

8.13 The 2009 appropriation includes \$323,000 for 2008 and \$3,048,000 for 2009.

8.14 Subd. 5. **Head Start program.** For Head Start programs under Minnesota Statutes,
8.15 section 119A.52:

8.16 \$ 19,100,000 2008

8.17 \$ 19,100,000 2009

8.18 Subd. 6. **Educate parents partnership.** For the educate parents partnership under
8.19 Minnesota Statutes, section 124D.129:

8.20 \$ 50,000 2008

8.21 \$ 50,000 2009

8.22 Subd. 7. **Kindergarten entrance assessment initiative and intervention**
8.23 program. For the kindergarten entrance assessment initiative and intervention program
8.24 under Minnesota Statutes, section 124D.162:

8.25 \$ 287,000 2008

8.26 \$ 287,000 2009

8.27 Subd. 8. **Early childhood Part C.** For the expansion of early childhood Part C
8.28 services:

8.29 \$ 102,000 2008

8.30 This appropriation includes \$102,000 for 2007 and \$0 for 2008.

9.1 Subd. 9. **Early childhood family education program accountability initiative.**
 9.2 For the implementation of the early childhood family education program accountability
 9.3 initiative under Minnesota Statutes, section 124D.135:

9.4	\$	<u>211,000</u>	<u>.....</u>	<u>2008</u>
9.5	\$	<u>196,000</u>	<u>.....</u>	<u>2009</u>

9.6 Any balance in the first year does not cancel but is available in the second year. The
 9.7 base for this program in fiscal year 2010 and later is \$196,000.

9.8 Subd. 10. **Targeted training of early childhood professionals.** For the targeted
 9.9 training of early childhood professionals under Minnesota Statutes, section 124D.163:

9.10	\$	<u>155,000</u>	<u>.....</u>	<u>2008</u>
9.11	\$	<u>70,000</u>	<u>.....</u>	<u>2009</u>

9.12 Any balance in the first year does not cancel but is available in the second year. The
 9.13 base for this program in fiscal year 2010 and later is \$70,000.

9.14 Subd. 11. **Improve educational components in school readiness, Head Start,**
 9.15 **and child care programs.** For the educational components program under Minnesota
 9.16 Statutes, section 124D.164:

9.17	\$	<u>4,183,000</u>	<u>.....</u>	<u>2008</u>
9.18	\$	<u>4,183,000</u>	<u>.....</u>	<u>2009</u>

9.19 Of this amount, \$172,500 is to administer the grant program. Any balance in the first
 9.20 year does not cancel but is available in the second year.

9.21 Subd. 12. **Early childhood scholarship program.** For the early childhood
 9.22 scholarship program under Minnesota Statutes, section 124D.165:

9.23	\$	<u>392,000</u>	<u>.....</u>	<u>2008</u>
9.24	\$	<u>28,509,000</u>	<u>.....</u>	<u>2009</u>

9.25 Of these amounts, \$392,000 in fiscal year 2008 and \$342,000 in fiscal year 2009
 9.26 are to administer the scholarship program.

9.27 Any balance in the first year does not cancel but is available in the second year.
 9.28 The base for this program in fiscal year 2010 and later is \$28,509,000. Of this amount,
 9.29 \$342,000 is to administer the scholarship program.