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State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE No. 1086

February 19, 2007

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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 finance; making four-year-old students eligible for extended
1.3 time programs; amending Minnesota Statutes 2006, section 126C.05, subdivision
1.4 15.

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

1.6 Section 1. Minnesota Statutes 2006, section 126C.05, subdivision 15, is amended to
1.7 read:

1.8 Subd. 15. **Learning year pupil units.** (a) When a pupil is enrolled in a learning
1.9 year program under section 124D.128, an area learning center under sections 123A.05 and
1.10 123A.06, an alternative program approved by the commissioner, or a contract alternative
1.11 program under section 124D.68, subdivision 3, paragraph (d), or subdivision 3a, for more
1.12 than 1,020 hours in a school year for a secondary student, more than 935 hours in a school
1.13 year for an elementary student, or more than 425 hours in a school year for a kindergarten
1.14 student without a disability, that pupil may be counted as more than one pupil in average
1.15 daily membership for purposes of section 126C.10, subdivision 2a. The amount in excess
1.16 of one pupil must be determined by the ratio of the number of hours of instruction
1.17 provided to that pupil in excess of: (i) the greater of 1,020 hours or the number of hours
1.18 required for a full-time secondary pupil in the district to 1,020 for a secondary pupil; (ii)
1.19 the greater of 935 hours or the number of hours required for a full-time elementary pupil
1.20 in the district to 935 for an elementary pupil in grades 1 through 6; and (iii) the greater of
1.21 425 hours or the number of hours required for a full-time kindergarten student without a
1.22 disability in the district to 425 for a kindergarten student without a disability. Hours that
1.23 occur after the close of the instructional year in June shall be attributable to the following
1.24 fiscal year. A kindergarten student must not be counted as more than 1.2 pupils in average

2.1 daily membership under this subdivision. A student in grades 1 through 12 must not be
2.2 counted as more than 1.2 pupils in average daily membership under this subdivision.

2.3 (b)(i) To receive general education revenue for a pupil in an alternative program
2.4 that has an independent study component, a district must meet the requirements in this
2.5 paragraph. The district must develop, for the pupil, a continual learning plan consistent
2.6 with section 124D.128, subdivision 3. Each school district that has a state-approved public
2.7 alternative program must reserve revenue in an amount equal to at least 90 percent of the
2.8 district average general education revenue per pupil unit less compensatory revenue per
2.9 pupil unit times the number of pupil units generated by students attending a state-approved
2.10 public alternative program. The amount of reserved revenue available under this
2.11 subdivision may only be spent for program costs associated with the state-approved public
2.12 alternative program. Compensatory revenue must be allocated according to section
2.13 126C.15, subdivision 2.

2.14 (ii) General education revenue for a pupil in an approved alternative program
2.15 without an independent study component must be prorated for a pupil participating for
2.16 less than a full year, or its equivalent. The district must develop a continual learning plan
2.17 for the pupil, consistent with section 124D.128, subdivision 3. Each school district that
2.18 has a state-approved public alternative program must reserve revenue in an amount equal
2.19 to at least 90 percent of the district average general education revenue per pupil unit less
2.20 compensatory revenue per pupil unit times the number of pupil units generated by students
2.21 attending a state-approved public alternative program. The amount of reserved revenue
2.22 available under this subdivision may only be spent for program costs associated with the
2.23 state-approved public alternative program. Compensatory revenue must be allocated
2.24 according to section 126C.15, subdivision 2.

2.25 (iii) General education revenue for a pupil in an approved alternative program that
2.26 has an independent study component must be paid for each hour of teacher contact
2.27 time and each hour of independent study time completed toward a credit or graduation
2.28 standards necessary for graduation. Average daily membership for a pupil shall equal the
2.29 number of hours of teacher contact time and independent study time divided by 1,020.

2.30 (iv) For an alternative program having an independent study component, the
2.31 commissioner shall require a description of the courses in the program, the kinds of
2.32 independent study involved, the expected learning outcomes of the courses, and the means
2.33 of measuring student performance against the expected outcomes.

2.34 (c) A school district may count a pupil who is at least four years of age, not yet
2.35 enrolled in kindergarten, and participating in a learning year program as not more than
2.36 .2 pupils in average daily membership for purposes of extended time revenue only. For

3.1 purposes of this paragraph, the hours of instruction for a full-time pupil in average daily
3.2 membership equal 850.

3.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2008.