



Minnesota Senate

S.F. No. 2277, 2nd Engrossment - 84th Legislative Session (2005-2006) Posted on May 05, 2005

1.1 A bill for an act
1.2 relating to education; providing for early childhood,
1.3 family, and adult education including early childhood,
1.4 child care, adult basic education, and prevention
1.5 policy; providing for a study; providing for reports;
1.6 appropriating money; amending Minnesota Statutes 2004,
1.7 sections 13.32, subdivision 2; 119A.46, subdivisions
1.8 1, 2, 3, 8; 119B.09, subdivision 1; 119B.13, by adding
1.9 a subdivision; 121A.17, subdivisions 1, 3, 5, by
1.10 adding a subdivision; 121A.19; 124D.135, subdivision
1.11 1; 124D.15, subdivisions 1, 3, 5, 10, 12, by adding
1.12 subdivisions; 124D.16, subdivision 2; 124D.22,
1.13 subdivision 3; 124D.531, subdivisions 1, 4; 2005 S.F.
1.14 No. 1879, article 2, section 1, subdivisions 2, 3, 4,
1.15 5, 10, if enacted; 2005 S.F. No. 1879, article 2,
1.16 section 2, subdivision 2, if enacted; proposing coding
1.17 for new law in Minnesota Statutes, chapters 121A;
1.18 124D; repealing Minnesota Statutes 2004, sections
1.19 124D.15, subdivisions 2, 4, 6, 7, 8, 9, 11, 13;
1.20 124D.16, subdivisions 1, 4.

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

1.22 ARTICLE 1

1.23 EARLY CHILDHOOD

1.24 Section 1. Minnesota Statutes 2004, section 13.32,
1.25 subdivision 2, is amended to read:

1.26 Subd. 2. [STUDENT HEALTH AND CENSUS DATA; DATA ON
1.27 PARENTS.] (a) Health data concerning students, including but not
1.28 limited to, data concerning immunizations, notations of special
1.29 physical or mental problems and records of school nurses are
1.30 educational data. Access by parents to student health data
1.31 shall be pursuant to section 13.02, subdivision 8.

1.32 (b) Pupil census data, including emergency information and
1.33 family information are educational data.

2.1 (c) Results from student mental health screenings must be
2.2 released to the child's parents or legal guardians and must not
2.3 be maintained in the student record, unless the parent or
2.4 guardian consents to the inclusion of the screening in the
2.5 student record under section 121A.17, subdivision 3, paragraph
2.6 (b), clause (1).

2.7 (d) Data concerning parents are private data on individuals
2.8 but may be treated as directory information if the same
2.9 procedures that are used by a school district to designate
2.10 student data as directory information under subdivision 5 are
2.11 followed.

2.12 Sec. 2. Minnesota Statutes 2004, section 121A.17,
2.13 subdivision 1, is amended to read:

2.14 Subdivision 1. [EARLY CHILDHOOD DEVELOPMENTAL SCREENING.]
2.15 Every school board must provide for a mandatory program of early

2.16 childhood developmental screening for children at least once
2.17 before school entrance, targeting children who are between 3-1/2
2.18 three and four years old. This screening program must be
2.19 established either by one board, by two or more boards acting in
2.20 cooperation, by service cooperatives, by early childhood family
2.21 education programs, or by other existing programs. This
2.22 screening examination is a mandatory requirement for a student
2.23 to continue attending kindergarten or first grade in a public
2.24 school. A child need not submit to developmental screening
2.25 provided by a board if the child's health records indicate to
2.26 the board that the child has received comparable developmental
2.27 screening from a public or private health care organization or
2.28 individual health care provider. A student identification
2.29 number, as defined by the commissioner of education, shall be
2.30 assigned at the time of early childhood developmental screening
2.31 or at the time of the provision of health records indicating a
2.32 comparable screening. Each school district must provide the
2.33 essential data in accordance with section 125B.07, subdivision
2.34 6, to the Department of Education. Districts are encouraged to
2.35 reduce the costs of preschool developmental screening programs
2.36 by utilizing volunteers and public or private health care
3.1 organizations or individual health care providers in
3.2 implementing the program.

3.3 Sec. 3. Minnesota Statutes 2004, section 121A.17,
3.4 subdivision 3, is amended to read:

3.5 Subd. 3. [SCREENING PROGRAM.] (a) A screening program must
3.6 include at least the following components: developmental
3.7 assessments, a socioemotional development screening, hearing and
3.8 vision screening or referral, immunization review and referral,
3.9 the child's height and weight, identification of risk factors
3.10 that may influence learning, screening for autism spectrum
3.11 disorders, an interview with the parent about the child, and
3.12 referral for assessment, diagnosis, and treatment or referrals
3.13 to appropriate resources when potential needs are identified.
3.14 For purposes of this section, socioemotional screening means
3.15 assessing a child's ability, in the context of family,
3.16 community, and cultural expectations, to (1) experience,
3.17 control, and express emotions; (2) form close and secure
3.18 interpersonal relationships; and (3) explore and experience
3.19 surroundings and learn from them.

3.20 The district and the person performing or supervising the
3.21 screening must provide a parent or guardian with clear written
3.22 notice that the parent or guardian may decline to answer
3.23 questions or provide information about family circumstances that
3.24 might affect development and identification of risk factors that
3.25 may influence learning and that the socioemotional development
3.26 part of the early childhood screening is voluntary as described
3.27 in paragraph (b). The notice must clearly state that declining
3.28 to answer questions or provide information does not prevent the
3.29 child from being enrolled in kindergarten or first grade if all
3.30 other screening components are met. If a parent or guardian is
3.31 not able to read and comprehend the written notice, the district
3.32 and the person performing or supervising the screening must
3.33 convey the information in another manner. The notice must also
3.34 inform the parent or guardian that a child need not submit to
3.35 the district screening program if the child's health records
3.36 indicate to the school that the child has received comparable

4.1 developmental screening performed within the preceding 365 days
4.2 by a public or private health care organization or individual
4.3 health care provider. The notice must be given to a parent or
4.4 guardian at the time the district initially provides information
4.5 to the parent or guardian about screening and must be given
4.6 again at the screening location.

4.7 (b)(1) The socioemotional component of the developmental
4.8 assessment may be included in the early childhood development
4.9 screening if the parent or guardian has been provided with a
4.10 clear written notice that this component of the screening is
4.11 voluntary, and the parent or guardian has signed a document
4.12 developed and approved by the commissioner either allowing or
4.13 declining the socioemotional development component of the early
4.14 childhood developmental screening and either allowing or
4.15 declining the inclusion of the screening in the student record.
4.16 The socioemotional component of the developmental assessment
4.17 shall be conducted with a screening instrument approved by the
4.18 commissioner of human services, as the designated state mental
4.19 health authority, according to criteria that are updated and
4.20 issued annually to ensure that approved screening instruments
4.21 are valid and useful for this population.

4.22 (2) All other screening components shall be consistent with
4.23 the standards of the state commissioner of health for early
4.24 developmental screening programs. A developmental screening
4.25 program must not provide laboratory tests or a physical
4.26 examination to any child. The district must request from the
4.27 public or private health care organization or the individual
4.28 health care provider the results of any laboratory test or
4.29 physical examination within the 12 months preceding a child's
4.30 scheduled screening.

4.31 (c) If a child is without health coverage, the school
4.32 district must refer the child to an appropriate health care
4.33 provider.

4.34 (d) A board may offer additional components such as
4.35 nutritional, physical and dental assessments, review of family
4.36 circumstances that might affect development, blood pressure,
5.1 laboratory tests, and health history.

5.2 (e) If a statement signed by the child's parent or guardian
5.3 is submitted to the administrator or other person having general
5.4 control and supervision of the school that the child has not
5.5 been screened because of conscientiously held beliefs of the
5.6 parent or guardian, the screening is not required.

5.7 (f) The district must develop and implement community
5.8 outreach plans to diverse populations to promote all children
5.9 being screened at least once before school entrance, targeting
5.10 children who are between three and four years old. Districts
5.11 are encouraged to include parents, early care and education
5.12 programs, community partners, public or private health care
5.13 organizations, and individual health care providers in the
5.14 development of the outreach plans.

5.15 Sec. 4. Minnesota Statutes 2004, section 121A.17, is
5.16 amended by adding a subdivision to read:

5.17 Subd. 4a. [FOLLOW-UP SOCIOEMOTIONAL DEVELOPMENT
5.18 SCREENING.] If the results of a school district conducted
5.19 socioemotional development screening of a child indicates a need
5.20 for further assessment, the district is not financially
5.21 responsible for a mental health diagnostic assessment. The

5.22 district must notify a child's parent or legal guardian of the
5.23 screening results, and may provide the child's parent or legal
5.24 guardian with referrals to community providers. If a child is
5.25 without health coverage, the district must inform the child's
5.26 parent or legal guardian of an appropriate health care
5.27 provider. This subdivision does not preclude the district from
5.28 providing educational assessments.

5.29 Sec. 5. Minnesota Statutes 2004, section 121A.17,
5.30 subdivision 5, is amended to read:

5.31 Subd. 5. [DEVELOPMENTAL SCREENING PROGRAM INFORMATION.]
5.32 The board must inform each resident family with a child eligible
5.33 to participate in the developmental screening program about the
5.34 availability of the program and the state's requirement that a
5.35 child receive developmental screening, or present health records
5.36 documenting that the child has received comparable developmental
6.1 screening performed within the preceding 365 days by a public or
6.2 private health care organization or individual health care
6.3 provider, not later than 30 days after the first day of
6.4 attending kindergarten in a public school. A school district
6.5 must inform each resident family that the family has the option
6.6 to participate in the screening conducted by the school district
6.7 or receive screening conducted by a public or private health
6.8 organization or individual health care provider.

6.9 Sec. 6. Minnesota Statutes 2004, section 121A.19, is
6.10 amended to read:

6.11 121A.19 [DEVELOPMENTAL SCREENING AID.]

6.12 Each school year, the state must pay a district ~~\$40~~ \$50 for
6.13 each three-year-old child screened; \$40 for each four-year-old
6.14 child screened; and \$30 for each five-year-old child screened
6.15 prior to kindergarten according to the requirements of section
6.16 121A.17. If this amount of aid is insufficient, the district
6.17 may permanently transfer from the general fund an amount that,
6.18 when added to the aid, is sufficient.

6.19 Sec. 7. [121A.2201] [PSYCHOTROPIC DRUGS.]

6.20 A parent's refusal to consent to the administration of a
6.21 psychotropic drug to the parent's child or to a psychiatric
6.22 evaluation, screening, or examination of a student or child
6.23 shall not be used as grounds, by itself, for prohibiting the
6.24 child from attending a class or participating in a
6.25 school-related activity.

6.26 A school district must not recommend that a student use a
6.27 psychotropic drug.

6.28 Sec. 8. Minnesota Statutes 2004, section 124D.135,
6.29 subdivision 1, is amended to read:

6.30 Subdivision 1. [REVENUE.] The revenue for early childhood
6.31 family education programs for a school district equals ~~\$120 for~~
6.32 ~~fiscal years 2003 and 2004 and~~ \$96 for fiscal year ~~2005~~ 2006 and
6.33 \$112 for fiscal year 2007 and later, times the greater of:

6.34 (1) 150; or

6.35 (2) the number of people under five years of age residing
6.36 in the district on October 1 of the previous school year.

7.1 Sec. 9. [124D.145] [EARLY LEARNING GUIDELINES.]

7.2 Subdivision 1. [COMMISSIONERS OF EDUCATION AND HUMAN
7.3 SERVICES.] The commissioners of education and human services
7.4 shall disseminate information to parents or legal guardians and
7.5 provide information and training guidance to early care and
7.6 education providers on the early learning guidelines developed

7.7 for three- and four-year-old children that describe what
7.8 children should know and be able to do to be prepared for
7.9 kindergarten entrance.

7.10 Subd. 2. [COMMISSIONER OF HUMAN SERVICES.] The
7.11 commissioner of human services shall develop early learning
7.12 guidelines and distribute the guidelines to parents or legal
7.13 guardians and early care and education providers. The
7.14 guidelines must include what children from birth to age three
7.15 should know and be able to do to be prepared for kindergarten
7.16 entrance. The commissioner shall provide information to parents
7.17 or legal guardians and information and training to early care
7.18 education providers on the guidelines.

7.19 Subd. 3. [EARLY CARE AND EDUCATION PROGRAM PROVIDERS.] An
7.20 early care and education program or provider that receives state
7.21 money must be provided with a copy of the early learning
7.22 guidelines for children birth to age five developed by the
7.23 commissioners of education and human services to guide the
7.24 program or provider in early care and education practices.

7.25 Sec. 10. Minnesota Statutes 2004, section 124D.15,
7.26 subdivision 1, is amended to read:

7.27 Subdivision 1. [ESTABLISHMENT; PURPOSE.] A district or a
7.28 group of districts may establish a school readiness program
7.29 for eligible children age three to kindergarten entrance. The
7.30 purpose of a school readiness program is to provide all eligible
7.31 children adequate opportunities to participate in child
7.32 development programs that enable the children to enter school
7.33 with the necessary skills and behavior and family stability and
7.34 support to progress and flourish prepare children to enter
7.35 kindergarten.

7.36 Sec. 11. Minnesota Statutes 2004, section 124D.15,
8.1 subdivision 3, is amended to read:

8.2 Subd. 3. [PROGRAM ELIGIBILITY REQUIREMENTS.] A school
8.3 readiness program must include the following:

8.4 (1) a comprehensive plan to anticipate and meet the needs
8.5 of participating families by coordinating existing social
8.6 services programs and by fostering collaboration among agencies
8.7 or other community based organizations and programs that provide
8.8 a full range of flexible, family focused services to families
8.9 with young children conduct a child development assessment on
8.10 each child to guide intentional curriculum planning and promote
8.11 kindergarten readiness. This assessment must be conducted on
8.12 each child at entrance into the program and once prior to exit
8.13 of the program and be maintained as part of a child's cumulative
8.14 record;

8.15 (2) a development and learning component to help children
8.16 develop appropriate social, cognitive, and physical skills, and
8.17 emotional well-being;

8.18 (3) health referral services to address children's medical,
8.19 dental, mental health, and nutritional needs demonstrate use of
8.20 comprehensive curriculum based on early childhood research,
8.21 professional practice, and department guidelines that prepares
8.22 children for kindergarten;

8.23 (4) a nutrition component to meet children's daily
8.24 nutritional needs (3) arrange for early childhood screening and
8.25 appropriate referral;

8.26 (5) parents' involvement in meeting children's educational,
8.27 health, social service, and other needs (4) involve parents in

8.28 program planning and decision making;
8.29 ~~(6) community outreach to ensure participation by families~~
8.30 ~~who represent the racial, cultural, and economic diversity of~~
8.31 ~~the community;~~ (5) coordinate with relevant community-based
8.32 services; and
8.33 ~~(7) community based staff and program resources, including~~
8.34 ~~interpreters, that reflect the racial and ethnic characteristics~~
8.35 ~~of the children participating in the program; and~~
8.36 ~~(8) a literacy component to ensure that the literacy needs~~
9.1 ~~of parents are addressed through referral to and cooperation~~ (6)
9.2 cooperate with adult basic education programs and other adult
9.3 literacy programs.
9.4 Sec. 12. Minnesota Statutes 2004, section 124D.15, is
9.5 amended by adding a subdivision to read:
9.6 Subd. 3a. [APPLICATION AND REPORTING REQUIREMENTS.] (a) A
9.7 school readiness program must submit a biennial plan to the
9.8 commissioner for approval to receive aid under section 124D.16.
9.9 The plan must document that the program will meet the program
9.10 requirements under subdivision 3. A school district shall
9.11 submit the biennial plan by April 1 to the commissioner on a
9.12 form prescribed by the commissioner. One-half of the districts
9.13 shall first submit the plan by April 1, 2006, and one-half of
9.14 the districts by April 1, 2007.
9.15 (b) Programs receiving school readiness funds must submit
9.16 an annual report to the department.
9.17 Sec. 13. Minnesota Statutes 2004, section 124D.15,
9.18 subdivision 5, is amended to read:
9.19 Subd. 5. [SERVICES WITH NEW OR EXISTING PROVIDERS.] A
9.20 ~~district is encouraged to may~~ contract with a public charter
9.21 school or nonprofit community-based organization to provide
9.22 eligible children developmentally appropriate services that meet
9.23 the program requirements in subdivision 3. In the alternative,
9.24 a district may pay tuition or fees to place an eligible child in
9.25 an existing program. A district may establish a new program
9.26 where no existing, reasonably accessible program meets the
9.27 program requirements in subdivision 3. A copy of each contract
9.28 must be submitted to the commissioner with the biennial plan.
9.29 Services may be provided in a site-based program or in the home
9.30 of the child or a combination of both. The district may not
9.31 restrict participation to district residents.
9.32 Sec. 14. Minnesota Statutes 2004, section 124D.15,
9.33 subdivision 10, is amended to read:
9.34 Subd. 10. [SUPERVISION.] A program provided by a board
9.35 must be supervised by a licensed early childhood teacher, a
9.36 certified early childhood educator, or a licensed parent
10.1 educator. ~~A program provided according to a contract between a~~
10.2 ~~district and a nonprofit organization or another private~~
10.3 ~~organization must be supervised and staffed according to the~~
10.4 ~~terms of the contract.~~
10.5 Sec. 15. Minnesota Statutes 2004, section 124D.15,
10.6 subdivision 12, is amended to read:
10.7 Subd. 12. [PROGRAM FEES.] A district ~~may~~ must adopt a
10.8 sliding fee schedule based on a family's income but must waive a
10.9 fee for a participant unable to pay. ~~The fees charged must be~~
10.10 ~~designed to enable eligible children of all socioeconomic levels~~
10.11 ~~to participate in the program.~~
10.12 Sec. 16. Minnesota Statutes 2004, section 124D.15, is

10.13 amended by adding a subdivision to read:

10.14 Subd. 14. [ASSISTANCE.] The department must provide
10.15 assistance to districts with programs described in this section.

10.16 Sec. 17. Minnesota Statutes 2004, section 124D.16,
10.17 subdivision 2, is amended to read:

10.18 Subd. 2. [AMOUNT OF AID.] (a) A district is eligible to
10.19 receive school readiness aid for eligible prekindergarten pupils
10.20 enrolled in a school readiness program under section 124D.15 if
10.21 the ~~program~~ biennial plan required by ~~subdivision 1~~ section
10.22 124D.15, subdivision 3a, has been approved by the commissioner.

10.23 (b) For fiscal year 2002 and thereafter, a district must
10.24 receive school readiness aid equal to:

10.25 (1) the number of ~~eligible~~ four-year-old children in the
10.26 district on October 1 for the previous school year times the
10.27 ratio of 50 percent of the total school readiness aid for that
10.28 year to the total number of ~~eligible~~ four-year-old children
10.29 reported to the commissioner for the previous school year; plus

10.30 (2) the number of pupils enrolled in the school district
10.31 from families eligible for the free or reduced school lunch
10.32 program for the ~~second~~ previous school year times the ratio of
10.33 50 percent of the total school readiness aid for that year to
10.34 the total number of pupils in the state from families eligible
10.35 for the free or reduced school lunch program for the ~~second~~
10.36 previous school year.

11.1 Sec. 18. [124D.175] [MINNESOTA EARLY LEARNING FOUNDATION.]

11.2 Subdivision 1. [GOAL.] The Minnesota Early Learning
11.3 Foundation is a public-private partnership which shall identify
11.4 cost-effective ways to deliver quality early care and education
11.5 experiences and parent education for families whose children are
11.6 at risk of being unprepared for school. The partnership shall
11.7 also develop infrastructure supports and accountability measures
11.8 to increase quality of early care and education settings and
11.9 build community capacity for school readiness. The partnership
11.10 shall evaluate the resulting benefits and long-term savings to
11.11 the Minnesota economy and the effectiveness of strategies for
11.12 increasing children's readiness for school at kindergarten
11.13 entrance.

11.14 Subd. 2. [BOARD.] The Minnesota Early Learning Foundation,
11.15 once established under section 501(c)(3) of the Internal Revenue
11.16 Code, shall be governed by a board made up of public and private
11.17 citizens with more than 50 percent of the members from the
11.18 private sector. The governor shall appoint the public sector
11.19 members, including members from government, academia, and civil
11.20 society.

11.21 A review and planning advisory committee shall provide
11.22 knowledgeable counsel and advice to the executive director and
11.23 board for development of policies and procedures for the
11.24 Minnesota Early Learning Foundation and review of cost-effective
11.25 strategies for strengthening Minnesota's early care and
11.26 education capabilities. The committee shall include parents,
11.27 representatives of the early care and education field,
11.28 kindergarten through grade 12 education, public libraries, and
11.29 business leaders, and shall reflect the ethnic and geographic
11.30 diversity of the state of Minnesota.

11.31 Subd. 3. [MATCHING FUNDS; AWARDS.] The Minnesota Early
11.32 Learning Foundation shall match dollars appropriated from the
11.33 state with nonpublic dollars raised by the board. The board

11.34 shall award grants for:

11.35 (1) projects, including pilot projects that demonstrate

11.36 successful approaches to the delivery of early childhood

12.1 services and parent education to low-income families;

12.2 (2) scholarships to low-income families to access early

12.3 childhood parent education and high-quality early learning

12.4 programs for their children; and

12.5 (3) strategies to improve the quality of early care and

12.6 education through early learning standards and assessment, a

12.7 quality rating system, program improvement grants, and

12.8 professional development grants.

12.9 Sec. 19. 2005 S.F. No. 1879, article 2, section 1,

12.10 subdivision 2, if enacted, is amended to read:

12.11 Subd. 2. [SCHOOL READINESS.] For revenue for school

12.12 readiness programs under Minnesota Statutes, sections 124D.15

12.13 and 124D.16:

12.14 ~~\$9,020,000~~ \$10,706,000 2006

12.15 ~~\$9,042,000~~ \$11,042,000 2007

12.16 The 2006 appropriation includes \$1,417,000 for 2005 and

12.17 ~~\$7,603,000~~ \$9,289,000 for 2006.

12.18 The 2007 appropriation includes ~~\$1,415,000~~ \$1,729,000 for

12.19 2006 and ~~\$7,627,000~~ \$9,313,000 for 2007.

12.20 Sec. 20. 2005 S.F. No. 1879, article 2, section 1,

12.21 subdivision 3, if enacted, is amended to read:

12.22 Subd. 3. [EARLY CHILDHOOD FAMILY EDUCATION AID.] For early

12.23 childhood family education aid under Minnesota Statutes, section

12.24 124D.135:

12.25 ~~\$11,958,000~~ \$16,765,000 2006

12.26 ~~\$12,292,000~~ \$18,039,000 2007

12.27 The 2006 appropriation includes ~~\$1,861,000~~ \$1,862,000 for

12.28 2005 and ~~\$10,097,000~~ \$14,903,000 for 2006.

12.29 The 2007 appropriation includes ~~\$1,880,000~~ \$2,776,000 for

12.30 2006 and ~~\$10,412,000~~ \$15,263,000 for 2007.

12.31 Sec. 21. 2005 S.F. No. 1879, article 2, section 1,

12.32 subdivision 4, if enacted, is amended to read:

12.33 Subd. 4. [HEALTH AND DEVELOPMENTAL SCREENING AID.] For

12.34 health and developmental screening aid under Minnesota Statutes,

12.35 sections 121A.17 and 121A.19:

12.36 ~~\$2,661,000~~ \$3,076,000 2006

13.1 ~~\$2,661,000~~ \$3,512,000 2007

13.2 The 2006 appropriation includes ~~\$417,000~~ \$418,000 for 2005

13.3 and ~~\$2,244,000~~ \$2,658,000 for 2006.

13.4 The 2007 appropriation includes ~~\$417,000~~ \$495,000 for 2006

13.5 and ~~\$2,244,000~~ \$3,017,000 for 2007.

13.6 Sec. 22. 2005 S.F. No. 1879, article 2, section 1,

13.7 subdivision 5, if enacted, is amended to read:

13.8 Subd. 5. [HEAD START PROGRAM.] For Head Start programs

13.9 under Minnesota Statutes, section 119A.52:

13.10 ~~\$17,100,000~~ \$20,868,000 2006

13.11 ~~\$17,100,000~~ \$21,000,000 2007

13.12 Sec. 23. [COORDINATION OF EARLY CARE AND EDUCATION

13.13 PROGRAMS.]

13.14 (a) The commissioners of education, human services, and

13.15 health shall identify how they will coordinate activities and

13.16 resources, with input from local communities and tribal

13.17 governments, including setting priorities, aligning policies,

13.18 and leveraging existing resources to achieve the goal for

13.19 increased school readiness of all Minnesota children. The
13.20 commissioners shall report on the progress made, which must
13.21 include information on:
13.22 (1) coordinating and disseminating resources and
13.23 information on school readiness and early care and education,
13.24 health and nutrition, including child mental health and family
13.25 support to:
13.26 (i) parents and families with children birth to age five
13.27 through key entry points, such as women, infants, and children
13.28 (WIC), family home visiting, child welfare, public and private
13.29 health care providers, and other public programs; and
13.30 (ii) early care and education providers, public and private
13.31 health care providers, foster care providers, temporary care
13.32 providers, shelters, crisis nurseries, and other facilities
13.33 providing long-term or temporary care for young children, birth
13.34 to age five;
13.35 (2) supporting families, schools, and communities in
13.36 facilitating the transition of young children into the
14.1 kindergarten environment;
14.2 (3) identifying, coordinating, and sharing resources and
14.3 strategies between state departments that address the cultural
14.4 and linguistic needs of families served;
14.5 (4) amending the state Medicaid plan to expand the use of
14.6 the child and teen checkup funding for allowable child
14.7 development services, such as outreach for early childhood
14.8 screening, and streamlining the process for voluntary
14.9 certification of school districts as child and teen checkup
14.10 providers; and
14.11 (5) referring children ages three to five in the child
14.12 welfare system to the Interagency Early Intervention System for
14.13 a developmental screening and referral to services if problems
14.14 are identified.
14.15 (b) The commissioners shall report to the senate and house
14.16 of representatives committees having jurisdiction over early
14.17 care and education by March 1, 2006.
14.18 Sec. 24. [SCHOOL READINESS KINDERGARTEN ASSESSMENT
14.19 INITIATIVE.]
14.20 Subdivision 1. [ESTABLISHMENT.] The commissioner of
14.21 education shall establish a system for assessing the school
14.22 readiness of children entering kindergarten, building on the two
14.23 school readiness studies conducted by the Department of
14.24 Education in 2002 and 2003. The department shall also set
14.25 biennial milestones for progress in the number of children
14.26 reaching proficiency on all measures of the assessment.
14.27 Subd. 2. [DESCRIPTION.] (a) The school readiness
14.28 kindergarten assessment initiative must be implemented in all
14.29 school districts in Minnesota on a voluntary basis over a
14.30 five-year period. The schedule for implementation is as follows:
14.31 (1) fiscal year 2006, 6,000 entering kindergarteners;
14.32 (2) fiscal year 2007, 18,000 entering kindergarteners;
14.33 (3) fiscal year 2008, 30,000 entering kindergarteners;
14.34 (4) fiscal year 2009, 45,000 entering kindergarteners; and
14.35 (5) fiscal year 2010, 60,000 entering kindergarteners.
14.36 (b) Results of the assessment must be included in the
15.1 annual school performance report cards under Minnesota Statutes,
15.2 section 120B.36.
15.3 Subd. 3. [EVALUATION AND REPORTING.] The commissioner

15.4 shall evaluate the effectiveness of the data gathering system
15.5 for implementing developmental assessments at kindergarten
15.6 entrance on a school-by-school basis. The commissioner shall
15.7 report to the senate and house of representatives committees
15.8 having jurisdiction over early childhood education on the
15.9 progress toward reaching the milestones in odd-numbered years
15.10 beginning with fiscal year 2007.

15.11 Sec. 25. [ADDITIONAL EARLY CHILDHOOD FAMILY EDUCATION AID;
15.12 FISCAL YEAR 2006.]

15.13 A district that has levied for early childhood family
15.14 education revenue for fiscal year 2006 and that complies with
15.15 the provisions of Minnesota Statutes, section 124D.13, shall
15.16 receive supplemental early childhood family education aid
15.17 revenue in fiscal year 2006 equal to \$16 times the greater of
15.18 150 or the number of children under five years of age residing
15.19 in the school district on October 1 of the previous school
15.20 year. This revenue is in addition to any state aid the district
15.21 may receive under Minnesota Statutes, section 124D.135,
15.22 subdivision 4, and must be used for early childhood family
15.23 education programs.

15.24 Sec. 26. [GRANTS TO PROMOTE KINDERGARTEN READINESS AND
15.25 SUPPORT FAMILIES.]

15.26 Subdivision 1. [ADMINISTRATION.] The commissioner of
15.27 education shall award a planning grant for \$50,000 to develop a
15.28 project in Northwest Hennepin County that will promote the
15.29 school readiness of children by coordinating and collaborating
15.30 with community-based and neighborhood-based services that help
15.31 stabilize at-risk families, and that support and assist parents
15.32 in meeting the health and developmental needs of their children
15.33 at the earliest possible age.

15.34 Subd. 2. [PROGRAM COMPONENTS.] (a) Planning projects
15.35 eligible for grant funding under this section must propose to:

15.36 (1) collaborate and coordinate delivery of services with
16.1 community organizations and agencies serving children and their
16.2 families;

16.3 (2) target services to families with children with services
16.4 increasing based on financial needs;

16.5 (3) build on existing services and coordinate a continuum
16.6 of essential services, including, but not limited to, health
16.7 services, family economic assistance, parent education and
16.8 support, and preschool programs;

16.9 (4) provide strategic outreach efforts to families using
16.10 culturally specific social support, information, outreach, and
16.11 other programs to promote healthy development of children and to
16.12 help parents obtain the information, resources, and parenting
16.13 skills needed to nurture and care for their children;

16.14 (5) offer programs to expand public and private
16.15 collaboration to promote the development of a coordinated and
16.16 culturally specific system of services available to all
16.17 families; and

16.18 (6) offer other programs or services to improve the health,
16.19 development, and school readiness of children in target
16.20 neighborhoods and communities.

16.21 Subd. 3. [ELIGIBLE GRANTEEES.] An application for a grant
16.22 may be submitted by a nonprofit organization, or consortium of
16.23 nonprofit organizations, that demonstrates collaborative effort
16.24 with at least one unit of local government.

16.25 Subd. 4. [DISTRIBUTION.] To the extent possible, the
16.26 commissioner shall award a grant to applicants with experience
16.27 or demonstrated ability in providing comprehensive,
16.28 multidisciplinary, community-based programs with objectives
16.29 similar to those listed in subdivision 2, or in providing other
16.30 human services or social services programs using a
16.31 multidisciplinary, community-based approach.
16.32 Subd. 5. [APPLICATIONS.] The application must be submitted
16.33 on forms provided by the commissioner of education. The grant
16.34 application must include:
16.35 (1) a description of the specific community that will be
16.36 served under the program and the name, address, and a
17.1 description of each community agency or agencies involved in the
17.2 planning process;
17.3 (2) a letter of intent from each community agency
17.4 identified in clause (1) that indicates the agency's willingness
17.5 to participate in the program planning; and
17.6 (3) a description of how public and private resources,
17.7 including schools, health care facilities, government agencies,
17.8 neighborhood organizations, and other resources, will be
17.9 coordinated in the planning process.
17.10 Subd. 6. [MATCH.] Each dollar of state money must be
17.11 matched with 50 cents of nonstate money. A program may match
17.12 state money with in-kind contributions, including volunteer
17.13 assistance.
17.14 Subd. 7. [ADVISORY COMMITTEE.] Each grantee must establish
17.15 a program advisory board to advise the grantee on program
17.16 design. The board must include representatives of local units
17.17 of government and representatives of the project area who
17.18 reflect the geographic, cultural, racial, and ethnic diversity
17.19 of that community.
17.20 [EFFECTIVE DATE.] This section is effective for revenue for
17.21 fiscal year 2006.
17.22 Sec. 27. [APPROPRIATIONS.]
17.23 Subdivision 1. [DEPARTMENT OF EDUCATION.] The sums
17.24 indicated in this section are appropriated from the general fund
17.25 to the Department of Education for the fiscal years designated.
17.26 Subd. 2. [MINNESOTA EARLY LEARNING FOUNDATION.] For the
17.27 Minnesota Early Learning Foundation under Minnesota Statutes,
17.28 section 124D.175:
17.29 \$ 2,500,000 2006
17.30 This is a onetime appropriation. Any amounts not expended
17.31 in fiscal year 2006 may be carried forward to fiscal year 2007.
17.32 Subd. 3. [DEPARTMENT OF EDUCATION ADMINISTRATION.] For the
17.33 Department of Education to administer the provisions of this
17.34 article:
17.35 \$ 450,000 2006
17.36 \$ 500,000 2007
18.1 These amounts must be added to the department's base
18.2 appropriations.
18.3 Subd. 4. [KINDERGARTEN READINESS AND FAMILY SUPPORT.] For
18.4 grants to promote kindergarten readiness and support families
18.5 under section 26:
18.6 \$ 50,000 2006
18.7 This appropriation is available until June 30, 2007.
18.8 Sec. 28. [REPEALER.]
18.9 (a) Minnesota Statutes 2004, sections 124D.15, subdivisions

18.10 2, 4, 6, 7, 8, 9, 11, and 13; and 124D.16, subdivision 4, are
18.11 repealed.

18.12 (b) Minnesota Statutes 2004, section 124D.16, subdivision
18.13 1, is repealed effective July 1, 2006.

18.14 ARTICLE 2

18.15 CHILD CARE

18.16 Section 1. Minnesota Statutes 2004, section 119B.09,
18.17 subdivision 1, is amended to read:

18.18 Subdivision 1. [GENERAL ELIGIBILITY REQUIREMENTS FOR ALL
18.19 APPLICANTS FOR CHILD CARE ASSISTANCE.] (a) Child care services
18.20 must be available to families who need child care to find or
18.21 keep employment or to obtain the training or education necessary
18.22 to find employment and who:

18.23 (1) meet the requirements of section 119B.05; receive MFIP
18.24 assistance; and are participating in employment and training
18.25 services under chapter 256J or 256K;

18.26 (2) have household income below the eligibility levels for
18.27 MFIP; or

18.28 (3) have household income less than or equal to ~~175~~ 200
18.29 percent of the federal poverty guidelines, adjusted for family
18.30 size, at program entry and less than 250 percent of the federal
18.31 poverty guidelines, adjusted for family size, at program exit.

18.32 (b) Child care services must be made available as in-kind
18.33 services.

18.34 (c) All applicants for child care assistance and families
18.35 currently receiving child care assistance must be assisted and
18.36 required to cooperate in establishment of paternity and
19.1 enforcement of child support obligations for all children in the
19.2 family as a condition of program eligibility. For purposes of
19.3 this section, a family is considered to meet the requirement for
19.4 cooperation when the family complies with the requirements of
19.5 section 256.741.

19.6 **[EFFECTIVE DATE.]** This section is effective July 1, 2005.

19.7 Sec. 2. Minnesota Statutes 2004, section 119B.13, is
19.8 amended by adding a subdivision to read:

19.9 Subd. 7. [PROVIDER RATE BONUS FOR MONTESSORI
19.10 ACCREDITATION.] A Montessori child care provider accredited by
19.11 the American Montessori Society, the Association Montessori
19.12 International-USA, or the National Center for Montessori
19.13 Education shall be paid a ten percent bonus above the maximum
19.14 child care assistance rate.

19.15 Sec. 3. [PARENT FEE SCHEDULE.]

19.16 Notwithstanding Minnesota Rules, part 3400.0100, subpart 4,
19.17 the parent fee schedule is as follows:

19.18 <u>Income Range (as a</u>	<u>Co-payment (as a</u>
19.19 <u>percent of the federal</u>	<u>percentage of adjusted</u>
19.20 <u>poverty guidelines)</u>	<u>gross income)</u>
19.21 <u>0-74.99%</u>	<u>\$0/month</u>
19.22 <u>75.00-99.99%</u>	<u>\$5/month</u>
19.23 <u>100.00-104.99%</u>	<u>3.23%</u>
19.24 <u>105.00-109.99%</u>	<u>3.23%</u>
19.25 <u>110.00-114.99%</u>	<u>3.23%</u>
19.26 <u>115.00-119.99%</u>	<u>3.23%</u>
19.27 <u>120.00-124.99%</u>	<u>3.60%</u>
19.28 <u>125.00-129.99%</u>	<u>3.60%</u>
19.29 <u>130.00-134.99%</u>	<u>3.60%</u>
19.30 <u>135.00-139.99%</u>	<u>3.60%</u>

19.31	<u>140.00-144.99%</u>	<u>3.97%</u>
19.32	<u>145.00-149.99%</u>	<u>3.97%</u>
19.33	<u>150.00-154.99%</u>	<u>3.97%</u>
19.34	<u>155.00-159.99%</u>	<u>4.75%</u>
19.35	<u>160.00-164.99%</u>	<u>4.75%</u>
19.36	<u>165.00-169.99%</u>	<u>5.51%</u>
19.37	<u>170.00-174.99%</u>	<u>5.88%</u>
20.1	<u>175.00-179.99%</u>	<u>6.25%</u>
20.2	<u>180.00-184.99%</u>	<u>6.98%</u>
20.3	<u>185.00-189.99%</u>	<u>7.35%</u>
20.4	<u>190.00-194.99%</u>	<u>7.72%</u>
20.5	<u>195.00-199.99%</u>	<u>8.45%</u>
20.6	<u>200.00-204.99%</u>	<u>9.92%</u>
20.7	<u>205.00-209.99%</u>	<u>12.22%</u>
20.8	<u>210.00-214.99%</u>	<u>12.65%</u>
20.9	<u>215.00-219.99%</u>	<u>13.09%</u>
20.10	<u>220.00-224.99%</u>	<u>13.52%</u>
20.11	<u>225.00-229.99%</u>	<u>14.35%</u>
20.12	<u>230.00-234.99%</u>	<u>15.71%</u>
20.13	<u>235.00-239.99%</u>	<u>16.28%</u>
20.14	<u>240.00-244.99%</u>	<u>17.37%</u>
20.15	<u>245.00-249.99%</u>	<u>18.00%</u>
20.16	<u>250%</u>	<u>ineligible</u>
20.17	<u>A family's monthly co-payment fee is the fixed percentage</u>	
20.18	<u>established for the income range multiplied by the highest</u>	
20.19	<u>possible income within that income range.</u>	
20.20	Sec. 4. 2005 S.F. No. 1879, article 2, section 2,	
20.21	subdivision 2, is amended to read:	
20.22	Subd. 2. [BASIC SLIDING FEE.] For basic sliding fee under	
20.23	Minnesota Statutes, section 119B.03:	
20.24	<u>\$30,262,000</u>	<u>\$32,892,000</u> 2006
20.25	<u>\$30,262,000</u>	<u>\$32,928,000</u> 2007
20.26	<u>The general fund base is increased by \$7,109,000 in fiscal</u>	
20.27	<u>years 2008 and 2009 for basic sliding fee child care assistance.</u>	
20.28	Sec. 5. [REPORT ON MEETING GOALS OF THE CHILD CARE	
20.29	ASSISTANCE PROGRAM.]	
20.30	<u>The commissioner of human services shall monitor the</u>	
20.31	<u>progress related to meeting the goals of the child care</u>	
20.32	<u>assistance program, which is to provide child care assistance to</u>	
20.33	<u>low-income working families to allow parents to work and to</u>	
20.34	<u>access child care in the private market, and to ensure that</u>	
20.35	<u>children from low-income families are well cared for and ready</u>	
20.36	<u>to learn when they arrive at school. The commissioner of human</u>	
21.1	<u>services shall report the findings to the senate and house of</u>	
21.2	<u>representatives committees having jurisdiction over child care</u>	
21.3	<u>issues on an annual basis beginning January 15, 2006.</u>	
21.4	Sec. 6. [VOLUNTARY QUALITY RATING SYSTEM FOR CHILD CARE.]	
21.5	<u>(a) The commissioner of human services, in partnership with</u>	
21.6	<u>the Ready 4 K Quality Rating System Task Force and other</u>	
21.7	<u>interested organizations, shall develop a plan by January 15,</u>	
21.8	<u>2006, for a voluntary quality rating system for child care that</u>	
21.9	<u>provides consumer information to parents, identifies quality</u>	
21.10	<u>child care settings, and raises the quality of care in child</u>	
21.11	<u>care settings. The plan shall include the process for choosing</u>	
21.12	<u>an early care and education nonprofit organization to administer</u>	
21.13	<u>the quality rating system.</u>	
21.14	<u>(b) The quality rating system must:</u>	

21.15 (1) be aligned with the early learning guidelines developed
21.16 by the commissioners of education and human services;
21.17 (2) be research-based;
21.18 (3) provide easy-to-understand information for parents;
21.19 (4) be objective and verifiable;
21.20 (5) be fair and representative of the care provided by
21.21 child care programs;
21.22 (6) be aligned with the Head Start performance standards
21.23 and the Minnesota Department of Education's standards for school
21.24 readiness programs in the public schools; and
21.25 (7) include at a minimum:
21.26 (i) quality learning environment indicators;
21.27 (ii) staff qualification indicators;
21.28 (iii) family involvement and parent education indicators;
21.29 and
21.30 (iv) program evaluation.

21.31 Sec. 7. [STUDY ON STANDARD STATEWIDE CHILD CARE LICENSE
21.32 FEE.]

21.33 The commissioner of human services, in conjunction with the
21.34 Minnesota Association of County Social Services Administrators
21.35 and the Minnesota Licensed Family Child Care Association, shall
21.36 study the feasibility of setting a standard statewide license
22.1 fee for licensed family child care providers, and shall make
22.2 recommendations on a statewide standard fee in a report to the
22.3 chairs of the senate and house of representatives committees
22.4 having jurisdiction over child care issues. The report is due
22.5 January 15, 2006.

22.6 Sec. 8. [APPROPRIATIONS.]

22.7 Subdivision 1. [DEPARTMENT OF HUMAN SERVICES.] The sums
22.8 indicated in this section are appropriated from the general fund
22.9 to the Department of Human Services for the fiscal years
22.10 designated.

22.11 Subd. 2. [BASIC SLIDING FEE UNEXPENDED FUNDS.]
22.12 Notwithstanding Minnesota Statutes, section 119B.03, subdivision
22.13 5, paragraph (b), and Minnesota Rules, part 3400.0060, subpart
22.14 4d, federal money available due to prior year underspending is
22.15 appropriated for purposes allowed under Minnesota Statutes,
22.16 section 119B.03, as follows:

22.17	<u>\$4,865,208</u>	<u>.....</u>	<u>2006</u>
22.18	<u>\$8,710,841</u>	<u>.....</u>	<u>2007</u>
22.19	<u>\$2,381,287</u>	<u>.....</u>	<u>2008</u>
22.20	<u>\$2,381,287</u>	<u>.....</u>	<u>2009</u>

22.21 Subd. 3. [DEPARTMENT OF HUMAN SERVICES.] For the
22.22 Department of Human Services to administer the provisions of
22.23 this article:

22.24	<u>\$ 200,000</u>	<u>.....</u>	<u>2006</u>
22.25	<u>\$ 150,000</u>	<u>.....</u>	<u>2007</u>

22.26 The amount appropriated for fiscal year 2007 is added to
22.27 the department's base appropriations.

22.28 ARTICLE 3

22.29 ADULT BASIC EDUCATION

22.30 Section 1. [124D.205] [SUPPLEMENTAL COMMUNITY EDUCATION
22.31 REVENUE.]

22.32 A district that has levied for community education revenue
22.33 for fiscal year 2006 and that complies with the provisions of
22.34 Minnesota Statutes, section 124D.19, shall receive supplemental
22.35 state aid revenue in fiscal year 2006 and each year thereafter,

22.36 equal to 20 cents times the greater of 1,335 or the population
23.1 of the district determined according to section 275.14. This
23.2 revenue is in addition to any state aid the district may receive
23.3 under section 124D.20, subdivision 7, and must be used according
23.4 to subdivision 8 of that section.

23.5 Sec. 2. Minnesota Statutes 2004, section 124D.531,
23.6 subdivision 1, is amended to read:

23.7 Subdivision 1. [STATE TOTAL ADULT BASIC EDUCATION AID.]

23.8 (a) The state total adult basic education aid for fiscal year
23.9 2004 equals \$34,388,000. The state total adult basic education
23.10 aid for fiscal year 2005 ~~and later is~~ equals \$36,509,000. The
23.11 state total adult basic education aid for fiscal year 2006
23.12 equals \$37,604,000. The state total adult basic education aid
23.13 for later fiscal years equals:

23.14 (1) the state total adult basic education aid for the
23.15 preceding fiscal year; times

23.16 (2) the lesser of:

23.17 (i) 1.03; or

23.18 (ii) the ratio of the state total contact hours in the
23.19 first prior program year to the state total contact hours in the
23.20 second prior program year. The ratio cannot be less than 1.00.

23.21 Beginning in fiscal year 2002, two percent of the state total
23.22 adult basic education aid must be set aside for adult basic
23.23 education supplemental service grants under section 124D.522.

23.24 (b) The state total adult basic education aid, excluding
23.25 basic population aid, equals the difference between the amount
23.26 computed in paragraph (a), and the state total basic population
23.27 aid under subdivision 2.

23.28 Sec. 3. Minnesota Statutes 2004, section 124D.531,
23.29 subdivision 4, is amended to read:

23.30 Subd. 4. [ADULT BASIC EDUCATION PROGRAM AID LIMIT.] (a)
23.31 Notwithstanding subdivisions 2 and 3, the total adult basic
23.32 education aid for a program per prior year contact hour must not
23.33 exceed \$21 per prior year contact hour computed under
23.34 subdivision 3, clause (2).

23.35 (b) For fiscal year 2004, the aid for a program under
23.36 subdivision 3, clause (2), adjusted for changes in program
24.1 membership, must not exceed the aid for that program under
24.2 subdivision 3, clause (2), for fiscal year 2003 by more than the
24.3 greater of eight percent or \$10,000.

24.4 (c) For fiscal year 2005, the aid for a program under
24.5 subdivision 3, clause (2), adjusted for changes in program
24.6 membership, must not exceed the sum of the aid for that program
24.7 under subdivision 3, clause (2), and Laws 2003, First Special
24.8 Session chapter 9, article 9, section 8, paragraph (a), for the
24.9 preceding fiscal year by more than the greater of eight percent
24.10 or \$10,000.

24.11 (d) For fiscal year 2006 and later, the aid for a program
24.12 under subdivision 3, clause (2), adjusted for changes in program
24.13 membership, must not exceed the aid for that program under
24.14 subdivision 3, clause (2), for the first preceding fiscal year
24.15 by more than the greater of eight percent or \$10,000.

24.16 (e) Adult basic education aid is payable to a program for
24.17 unreimbursed costs.

24.18 (f) Any adult basic education aid that is not paid to a
24.19 program because of the program aid limitation under paragraph
24.20 (a) must be added to the state total adult basic education aid

24.21 for the next fiscal year under subdivision 1. Any adult basic
24.22 education aid that is not paid to a program because of the
24.23 program aid limitations under paragraph (b), (c), or (d) must be
24.24 reallocated among programs by adjusting the rate per contact
24.25 hour under subdivision 3, clause (2).

24.26 [EFFECTIVE DATE.] This section is effective the day
24.27 following final enactment and applies for revenue distributions
24.28 for fiscal years 2006 and later.

24.29 Sec. 4. [124D.532] [ADULT LITERACY GRANTS FOR RECENT
24.30 IMMIGRANTS TO MINNESOTA.]

24.31 Subdivision 1. [ESTABLISHMENT.] An adult literacy grant
24.32 program for recent immigrants to Minnesota is established in
24.33 order to meet the English language needs of the unanticipated
24.34 refugees and immigrants to the state of Minnesota.

24.35 Subd. 2. [GRANTS.] The commissioner of education shall
24.36 consult adult basic education service providers in establishing
25.1 the form and manner of the grant program. The commissioner
25.2 shall award grants to organizations providing adult literacy
25.3 services in order to help offset the additional costs due to
25.4 unanticipated high enrollments of recent refugees and immigrants.

25.5 Sec. 5. 2005 S.F. No. 1879, article 2, section 1,
25.6 subdivision 10, if enacted, is amended to read:

25.7 Subd. 10. [ADULT BASIC EDUCATION AID.] For adult basic
25.8 education aid under Minnesota Statutes, section 124D.531:

25.9 ~~\$36,388,000~~ \$37,539,000 2006

25.10 ~~\$36,418,000~~ \$38,678,000 2007

25.11 The 2006 appropriation includes \$5,707,000 for 2005 and
25.12 ~~\$30,681,000~~ \$31,832,000 for 2006.

25.13 The 2007 appropriation includes ~~\$5,713,000~~ \$5,928,000 for
25.14 2006 and ~~\$30,705,000~~ \$32,750,000 for 2007.

25.15 Sec. 6. [APPROPRIATIONS.]

25.16 Subdivision 1. [DEPARTMENT OF EDUCATION.] The sums
25.17 indicated in this section are appropriated from the general fund
25.18 to the Department of Education for the fiscal years designated.

25.19 Subd. 2. [SUPPLEMENTAL COMMUNITY EDUCATION REVENUE.] For
25.20 the supplemental community education revenue under Minnesota
25.21 Statutes, section 124D.205:

25.22 \$ 871,000 2006

25.23 \$1,044,000 2007

25.24 The 2006 appropriation includes \$871,000 for fiscal year
25.25 2006.

25.26 The 2007 appropriation includes \$162,000 for fiscal year
25.27 2006 and \$882,000 for fiscal year 2007.

25.28 Subd. 3. [ADULT LITERACY GRANTS FOR RECENT IMMIGRANTS TO
25.29 MINNESOTA.] For adult literacy grants for recent immigrants to
25.30 Minnesota:

25.31 \$1,500,000 2006

25.32 \$1,500,000 2007

25.33 ARTICLE 4

25.34 PREVENTION POLICY

25.35 Section 1. Minnesota Statutes 2004, section 119A.46,
25.36 subdivision 1, is amended to read:

26.1 Subdivision 1. [DEFINITIONS.] (a) The definitions in
26.2 section 144.9501 and in this subdivision apply to this section.

26.3 (b) "Eligible organization" means a lead contractor, city,
26.4 board of health, community health department, community action
26.5 agency as defined in section 119A.374, or community development

26.6 corporation.

26.7 (c) "Commissioner" means the commissioner of ~~education~~
26.8 health, or the commissioner of the Minnesota Housing Finance
26.9 Agency as authorized by section 462A.05, subdivision 15c.

26.10 Sec. 2. Minnesota Statutes 2004, section 119A.46,
26.11 subdivision 2, is amended to read:

26.12 Subd. 2. [GRANTS; ADMINISTRATION.] Within the limits of
26.13 the available appropriation, the commissioner must develop a
26.14 swab team services program which may make demonstration and
26.15 training grants to eligible organizations to train workers to
26.16 provide swab team services and swab team services for
26.17 residential property. Grants may be awarded to nonprofit
26.18 organizations to provide technical assistance and training to
26.19 ensure quality and consistency within the statewide program.
26.20 Grants must be awarded to help ensure full-time employment to
26.21 workers providing swab team services and must be awarded for a
26.22 two-year period.

26.23 Grants awarded under this section must be made in
26.24 consultation with the ~~commissioners of the Department of Health~~
26.25 and commissioner of the Housing Finance Agency, and
26.26 representatives of neighborhood groups from areas at high risk
26.27 for toxic lead exposure, a labor organization, the lead
26.28 coalition, community action agencies, and the legal aid
26.29 society. The consulting team must review grant applications and
26.30 recommend awards to eligible organizations that meet
26.31 requirements for receiving a grant under this section.

26.32 Sec. 3. Minnesota Statutes 2004, section 119A.46,
26.33 subdivision 3, is amended to read:

26.34 Subd. 3. [APPLICANTS.] (a) Interested eligible
26.35 organizations may apply to the commissioner for grants under
26.36 this section. Two or more eligible organizations may jointly
27.1 apply for a grant. Priority shall be given to community action
27.2 agencies in greater Minnesota and to either community action
27.3 agencies or neighborhood based nonprofit organizations in cities
27.4 of the first class. Of the total annual appropriation, 12.5
27.5 percent may be used for administrative purposes. The
27.6 commissioner may deviate from this percentage if a grantee can
27.7 justify the need for a larger administrative allowance. Of this
27.8 amount, up to five percent may be used by the commissioner for
27.9 state administrative purposes. Applications must provide
27.10 information requested by the commissioner, including at least
27.11 the information required to assess the factors listed in
27.12 paragraph (d).

27.13 (b) The commissioner must ~~coordinate with the commissioner~~
27.14 ~~of health who must~~ consult with boards of health to provide swab
27.15 team services for purposes of secondary prevention. The
27.16 priority for swab teams created by grants to eligible
27.17 organizations under this section must be work assigned by the
27.18 commissioner of health, or by a board of health if so designated
27.19 by the commissioner of health, to provide secondary prevention
27.20 swab team services to fulfill the requirements of section
27.21 144.9504, subdivision 6, in response to a lead order. Swab
27.22 teams assigned work under this section by the commissioner, that
27.23 are not engaged daily in fulfilling the requirements of section
27.24 144.9504, subdivision 6, must deliver swab team services in
27.25 response to elevated blood lead levels as defined in section
27.26 144.9501, subdivision 9, where lead orders were not issued, and

27.27 for purposes of primary prevention in census tracts known to be
27.28 in areas at high risk for toxic lead exposure as described in
27.29 section 144.9503, subdivision 2.

27.30 (c) Any additional money must be used for grants to
27.31 establish swab teams for primary prevention under section
27.32 144.9503, in census tracts in areas at high risk for toxic lead
27.33 exposure as determined under section 144.9503, subdivision 2.

27.34 (d) In evaluating grant applications, the commissioner must
27.35 consider the following criteria:

27.36 (1) the use of lead contractors and lead workers for
28.1 residential swab team services;

28.2 (2) the participation of neighborhood groups and
28.3 individuals, as swab team workers, in areas at high risk for
28.4 toxic lead exposure;

28.5 (3) plans for the provision of swab team services for
28.6 primary and secondary prevention as required under subdivision
28.7 4;

28.8 (4) plans for supervision, training, career development,
28.9 and postprogram placement of swab team members;

28.10 (5) plans for resident and property owner education on lead
28.11 safety;

28.12 (6) plans for distributing cleaning supplies to area
28.13 residents and educating residents and property owners on
28.14 cleaning techniques;

28.15 (7) sources of other funding and cost estimates for
28.16 training, lead inspections, swab team services, equipment,
28.17 monitoring, testing, and administration;

28.18 (8) measures of program effectiveness;

28.19 (9) coordination of program activities with other federal,
28.20 state, and local public health, job training, apprenticeship,
28.21 and housing renovation programs including programs under
28.22 sections 116L.86 to 116L.881; and

28.23 (10) prior experience in providing swab team services.

28.24 Sec. 4. Minnesota Statutes 2004, section 119A.46,
28.25 subdivision 8, is amended to read:

28.26 Subd. 8. [TESTING AND EVALUATION.] (a) Testing of the
28.27 environment is not necessary by swab teams whose work is
28.28 assigned by the commissioner of health or a designated board of
28.29 health under section 144.9504. The commissioner of health or
28.30 designated board of health must share the analytical testing
28.31 data collected on each residence for purposes of secondary
28.32 prevention under section 144.9504 with the swab team workers in
28.33 order to provide constructive feedback on their work and to the
28.34 commissioner for the purposes set forth in paragraph (c).

28.35 (b) For purposes of primary prevention evaluation, the
28.36 following samples must be collected: pretesting and posttesting
29.1 of one noncarpeted floor dust lead sample and a notation of the
29.2 extent and location of bare soil and of deteriorated lead-based
29.3 paint. The analytical testing data collected on each residence
29.4 for purposes of primary prevention under section 144.9503 must
29.5 be shared with the swab team workers in order to provide
29.6 constructive feedback on their work and to the commissioner for
29.7 the purposes set forth in paragraph (c).

29.8 (c) The commissioner of health must establish a program ~~in~~
29.9 ~~cooperation with the commissioner~~ to collect appropriate data as
29.10 required under paragraphs (a) and (b), in order to conduct an
29.11 ongoing evaluation of swab team services for primary and

29.12 secondary prevention. Within the limits of available
29.13 appropriations, the commissioner of health must conduct ~~or~~
29.14 ~~contract with the commissioner,~~ on up to 1,000 residences which
29.15 have received primary or secondary prevention swab team
29.16 services, a postremediation evaluation, on at least a quarterly
29.17 basis for a period of at least two years for each residence.
29.18 The evaluation must note the condition of the paint within the
29.19 residence, the extent of bare soil on the grounds, and collect
29.20 and analyze one noncarpeted floor dust lead sample. The data
29.21 collected must be evaluated to determine the efficacy of
29.22 providing swab team services as a method of reducing lead
29.23 exposure in young children. In evaluating this data, the
29.24 commissioner of health must consider city size, community
29.25 location, historic traffic flow, soil lead level of the property
29.26 by area or census tract, distance to industrial point sources
29.27 that emit lead, season of the year, age of the housing, age and
29.28 number of children living at the residence, the presence of pets
29.29 that move in and out of the residence, and other relevant
29.30 factors as the commissioner of health may determine.

29.31 Sec. 5. Minnesota Statutes 2004, section 124D.22,
29.32 subdivision 3, is amended to read:

29.33 Subd. 3. [SCHOOL-AGE CARE LEVY.] To obtain school-age care
29.34 revenue, a school district may levy an amount equal to the
29.35 district's school-age care revenue as defined in subdivision 2
29.36 multiplied by the lesser of one, or the ratio of the quotient
30.1 derived by dividing the adjusted net tax capacity of the
30.2 district for the year before the year the levy is certified by
30.3 the resident pupil units in the district for the school year to
30.4 which the levy is attributable, to ~~\$2,433~~ \$2,925.

30.5 [EFFECTIVE DATE.] This section is effective for revenue for
30.6 fiscal year 2007.

30.7 Sec. 6. [REVISOR'S INSTRUCTION.]

30.8 In the next edition of Minnesota Statutes, the revisor of
30.9 statutes shall renumber Minnesota Statutes, section 119A.46, as
30.10 section 144.9512.