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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2292

02/28/2023

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

1.1 A bill for an act
1.2 relating to early childhood; removing obsolete language from voluntary
1.3 prekindergarten statutes; amending Minnesota Statutes 2022, section 124D.151,
1.4 subdivision 5.

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

1.6 Section 1. Minnesota Statutes 2022, section 124D.151, subdivision 5, is amended to read:

1.7 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
1.8 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
1.9 ~~to the commissioner by July 1, 2016.~~ To qualify for program approval for fiscal year 2018
1.10 ~~and later~~, a district or charter school must submit an application to the commissioner by
1.11 January 30 of the fiscal year prior to the fiscal year in which the program will be
1.12 implemented. The application must include:

1.13 (1) a description of the proposed program, including the number of hours per week the
1.14 program will be offered at each school site or mixed-delivery location;

1.15 (2) an estimate of the number of eligible children to be served in the program at each
1.16 school site or mixed-delivery location; and

1.17 (3) a statement of assurances signed by the superintendent or charter school director that
1.18 the proposed program meets the requirements of subdivision 2.

1.19 (b) The commissioner must review all applications ~~submitted for fiscal year 2017 by~~
1.20 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
1.21 by March 1 of the fiscal year in which the applications are received and determine whether
1.22 each application meets the requirements of paragraph (a).

2.1 (c) The commissioner must divide all applications for new or expanded voluntary
2.2 prekindergarten programs under this section meeting the requirements of paragraph (a) and
2.3 school readiness plus programs into four groups as follows: the Minneapolis and St. Paul
2.4 school districts; other school districts located in the metropolitan equity region as defined
2.5 in section 126C.10, subdivision 28; school districts located in the rural equity region as
2.6 defined in section 126C.10, subdivision 28; and charter schools. Within each group, the
2.7 applications must be ordered by rank using a sliding scale based on the following criteria:

2.8 (1) concentration of kindergarten students eligible for free or reduced-price lunches by
2.9 school site on October 1 of the previous school year. A school site may contract to partner
2.10 with a community-based provider or Head Start under subdivision 3 or establish an early
2.11 childhood center and use the concentration of kindergarten students eligible for free or
2.12 reduced-price meals from a specific school site as long as those eligible children are
2.13 prioritized and guaranteed services at the mixed-delivery site or early education center. For
2.14 school district programs to be operated at locations that do not have free and reduced-price
2.15 lunch concentration data for kindergarten programs for October 1 of the previous school
2.16 year, including mixed-delivery programs, the school district average concentration of
2.17 kindergarten students eligible for free or reduced-price lunches must be used for the rank
2.18 ordering;

2.19 (2) presence or absence of a three- or four-star Parent Aware rated program within the
2.20 school district or close proximity of the district. School sites with the highest concentration
2.21 of kindergarten students eligible for free or reduced-price lunches that do not have a three-
2.22 or four-star Parent Aware program within the district or close proximity of the district shall
2.23 receive the highest priority, and school sites with the lowest concentration of kindergarten
2.24 students eligible for free or reduced-price lunches that have a three- or four-star Parent
2.25 Aware rated program within the district or close proximity of the district shall receive the
2.26 lowest priority; and

2.27 (3) whether the district has implemented a mixed delivery system.

2.28 (d) The limit on participation for the programs as specified in subdivision 6 must initially
2.29 be allocated among the four groups based on each group's percentage share of the statewide
2.30 kindergarten enrollment on October 1 of the previous school year. Within each group, the
2.31 participation limit for fiscal years 2018 and 2019 must first be allocated to school sites
2.32 approved for aid in the previous year to ensure that those sites are funded for the same
2.33 number of participants as approved for the previous year. The remainder of the participation
2.34 limit for each group must be allocated among school sites in priority order until that region's
2.35 share of the participation limit is reached. If the participation limit is not reached for all

3.1 groups, the remaining amount must be allocated to the highest priority school sites, as
3.2 designated under this section, not funded in the initial allocation on a statewide basis. For
3.3 fiscal year 2020 and later, the participation limit must first be allocated to school sites
3.4 approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year
3.5 2018 based on the statewide rankings under paragraph (c).

3.6 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid
3.7 under this subdivision, it shall remain eligible for aid if it continues to meet program
3.8 requirements, regardless of changes in the concentration of students eligible for free or
3.9 reduced-price lunches.

3.10 (f) If the total number of participants approved based on applications submitted under
3.11 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
3.12 notify all school districts and charter schools of the amount that remains available within
3.13 30 days of the initial application deadline under paragraph (a), and complete a second round
3.14 of allocations based on applications received within 60 days of the initial application deadline.

3.15 (g) Procedures for approving applications submitted under paragraph (f) shall be the
3.16 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
3.17 highest priority school sites not funded in the initial allocation on a statewide basis.