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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3364

02/12/2024 Authored by Clardy, Kotyza-Witthuhn and Virnig
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; requiring priority for children placed in foster care to access
1.3 school-age care programs; modifying school-age care revenue eligibility and uses;
1.4 appropriating money; amending Minnesota Statutes 2022, sections 124D.19,
1.5 subdivision 11; 124D.22; Laws 2023, chapter 55, article 11, section 11, subdivision
1.6 10.

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

1.8 Section 1. Minnesota Statutes 2022, section 124D.19, subdivision 11, is amended to read:

1.9 Subd. 11. School-age care programs. (a) A school board may offer, as part of a
1.10 community education program, a school-age care program for children from kindergarten
1.11 through grade 6 for the purpose of expanding students' learning opportunities. If the school
1.12 board chooses not to offer a school-age care program, it may allow an appropriate insured
1.13 community group, for profit entity or nonprofit organization to use available school facilities
1.14 for the purpose of offering a school-age care program.

1.15 (b) A school-age care program must include the following:

1.16 (1) adult supervised programs while school is not in session;

1.17 (2) parental involvement in program design and direction;

1.18 (3) partnerships with the kindergarten through grade 12 system, and other public, private,
1.19 or nonprofit entities;

1.20 (4) opportunities for trained secondary school pupils to work with younger children in
1.21 a supervised setting as part of a community service program; and

2.1 (5) access to available school facilities, including the gymnasium, sports equipment,  
 2.2 computer labs, and media centers, when not otherwise in use as part of the operation of the  
 2.3 school. The school district may establish reasonable rules relating to access to these facilities  
 2.4 and may require that:

2.5 (i) the organization request access to the facilities and prepare and maintain a schedule  
 2.6 of proposed use;

2.7 (ii) the organization provide evidence of adequate insurance to cover the activities to be  
 2.8 conducted in the facilities; and

2.9 (iii) the organization prepare and maintain a plan demonstrating the adequacy and training  
 2.10 of staff to supervise the use of the facilities.

2.11 (c) The district may charge a sliding fee based upon family income for school-age care  
 2.12 programs and may waive or charge a sliding fee for a child who has been placed in foster  
 2.13 care. The district may receive money from other public or private sources for the school-age  
 2.14 care program. The board of the district must develop standards for school-age child care  
 2.15 programs. The commissioner of education may not adopt rules for school-age care programs.

2.16 (d) The district shall maintain a separate account within the community services fund  
 2.17 for all funds related to the school-age care program.

2.18 (e) A district is encouraged to coordinate the school-age care program with its special  
 2.19 education, vocational education, adult basic education, early childhood family education  
 2.20 programs, kindergarten through grade 12 instruction and curriculum services, youth  
 2.21 development and youth service agencies, and with related services provided by other  
 2.22 governmental agencies and nonprofit agencies.

2.23 (f) A district must give highest priority to applications for school-age care programs  
 2.24 from children placed in foster care.

2.25 Sec. 2. Minnesota Statutes 2022, section 124D.22, is amended to read:

2.26 **124D.22 SCHOOL-AGE CARE REVENUE.**

2.27 Subdivision 1. **Eligibility.** A district that offers a school-age care program according to  
 2.28 section 124D.19, subdivision 11, is eligible for school-age care revenue for the additional  
 2.29 costs of providing services to children with disabilities, children who have been placed in  
 2.30 foster care, or ~~to~~ children experiencing family or related problems of a temporary nature  
 2.31 who participate in the school-age care program.

3.1 Subd. 2. **School-age care revenue.** The school-age care revenue for an eligible district  
 3.2 equals the approved additional cost of providing services to children with disabilities,  
 3.3 children who have been placed in foster care, or children experiencing family or related  
 3.4 problems of a temporary nature who participate in the school-age care program.

3.5 Subd. 3. **School-age care levy.** To obtain school-age care revenue, a school district may  
 3.6 levy an amount equal to the district's school-age care revenue as defined in subdivision 2  
 3.7 multiplied by the lesser of one, or the ratio of the quotient derived by dividing the adjusted  
 3.8 net tax capacity of the district for the year before the year the levy is certified by the resident  
 3.9 pupil units in the district for the school year to which the levy is attributable, to ~~\$2,318~~  
 3.10 \$.....

3.11 Subd. 4. **School-age care aid.** A district's school-age care aid is the difference between  
 3.12 its school-age care revenue and its school-age care levy. If a district does not levy the entire  
 3.13 amount permitted, school-age care aid must be reduced in proportion to the actual amount  
 3.14 levied.

3.15 Sec. 3. Laws 2023, chapter 55, article 11, section 11, subdivision 10, is amended to read:

3.16 Subd. 10. **School-age care aid.** (a) For school-age care aid under Minnesota Statutes,  
 3.17 section 124D.22:

3.18 \$ 1,000 ..... 2024

3.19 \$ ~~1,000~~ ..... ..... 2025

3.20 (b) The 2024 appropriation includes \$0 for 2023 and \$1,000 for 2024.

3.21 (c) The 2025 appropriation includes \$0 for 2024 and ~~\$1,000~~ \$..... for 2025.