

A bill for an act

relating to education; providing for prekindergarten through grade 12 education, including general education, education excellence, special programs, facilities and technology, libraries, nutrition, accounting, early childhood education, and state agencies; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2008, sections 120A.41; 120B.128; 122A.14, by adding a subdivision; 122A.18, subdivisions 1, 2; 122A.23, subdivision 2; 122A.40, subdivision 5, by adding a subdivision; 122A.41, subdivisions 2, 4; 123B.75, subdivision 5; 123B.77, subdivision 1a; 126C.10, subdivision 2a; 127A.441; 127A.45, subdivisions 2, 3, 13, by adding a subdivision; Minnesota Statutes 2009 Supplement, sections 122A.09, subdivision 4; 122A.40, subdivisions 6, 8; 122A.41, subdivisions 3, 5; 124D.10, subdivision 13; Laws 2009, chapter 96, article 1, section 24; article 2, section 67; article 3, section 21; article 4, section 12; article 5, section 13; article 6, section 11; article 7, sections 3, subdivision 2; 5; proposing coding for new law in Minnesota Statutes, chapter 127A.

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

ARTICLE 1

GENERAL EDUCATION

Section 1. Minnesota Statutes 2008, section 120A.41, is amended to read:

120A.41 LENGTH OF SCHOOL YEAR; DAYS HOURS OF INSTRUCTION.
A school board's annual school calendar must include at least ~~the number of days of student instruction the board formally adopted as its school calendar at the beginning of the 1996-1997 school year~~ 425 hours of instruction for a kindergarten student without a disability, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school.

Sec. 2. Minnesota Statutes 2008, section 123B.75, subdivision 5, is amended to read:

Subd. 5. **Levy recognition.** (a) "School district tax settlement revenue" means the current, delinquent, and manufactured home property tax receipts collected by the county and distributed to the school district.

~~(b) For fiscal year 2004 and later years, In June of each year 2010, the school district must recognize as revenue, in the fund for which the levy was made, the lesser of:~~

~~(1) the sum of May, June, and July school district tax settlement revenue received in that calendar year, plus general education aid according to section 126C.13, subdivision 4, received in July and August of that calendar year; or~~

~~(2) the sum of:~~

~~(i) 31 percent of the referendum levy certified according to section 126C.17, in calendar year 2000; and~~

~~(ii) the entire amount of the levy certified in the prior calendar year according to section 124D.86, subdivision 4, for school districts receiving revenue under sections 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision 6.~~

(c) For fiscal year 2011 and later years, in June of each year, the school district must recognize as revenue, in the fund for which the levy was made, the lesser of:

(1) the sum of May, June, and July school district tax settlement revenue received in that calendar year, plus general education aid according to section 126C.13, subdivision 4, received in July and August of that calendar year; or

(2) the sum of:

(i) the greater of 48.6 percent of the referendum levy certified according to section 126C.17, in the prior calendar year or 31 percent of the referendum levy certified according to section 126C.17, in calendar year 2000; plus

(ii) the entire amount of the levy certified in the prior calendar year according to section 124D.86, subdivision 4, for school districts receiving revenue under sections 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision 6; plus

(iii) 48.6 percent of the amount of the levy certified in the prior calendar year for the school district's general and community service funds, plus or minus auditor's adjustments, not including the levy portions that are assumed by the state, that remains after subtracting the referendum levy certified according to section 126C.17 and the amount recognized according to item (ii).

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Sec. 3. Minnesota Statutes 2009 Supplement, section 124D.10, subdivision 13, is amended to read:

Subd. 13. **Length of school year.** A charter school must provide instruction each year for at least the number of ~~days~~ hours required by section 120A.41. It may provide instruction throughout the year according to sections 124D.12 to 124D.127 or 124D.128.

Sec. 4. Minnesota Statutes 2008, section 126C.10, subdivision 2a, is amended to read:

Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is equal to the product of \$4,601 and the sum of the adjusted marginal cost pupil units of the district for each pupil in average daily membership in excess of 1.0 and less than 1.2 according to section 126C.05, subdivision 8, if the district has extended time average daily membership in the current year.

(b) A school district's extended time revenue may be used for extended day programs, extended week programs, summer school, and other programming authorized under the learning year program.

Sec. 5. **[127A.431] REDUCTION OF AID FOR NOT PROVIDING REQUIRED HOURS OF INSTRUCTION.**

The commissioner shall reduce the state aid paid to a school district or charter school that does not provide instruction for at least the number of hours required under section 120A.41. If instruction is not provided for the required number of hours, state aid shall be reduced by the difference between the required number of hours and the number of hours instruction is provided, divided by the required number of hours, multiplied by 60 percent of the basic revenue, as defined in section 126C.10, subdivision 2, of the district or charter school for that year. However, a district or charter school not providing the required number of hours may appeal to the commissioner for a waiver of the state aid reduction if (1) the circumstances causing loss of instructional time below the required minimum number of hours are beyond the control of the board, and (2) a good faith attempt is made to make up time lost due to these circumstances.

Sec. 6. Minnesota Statutes 2008, section 127A.441, is amended to read:

127A.441 AID REDUCTION; LEVY REVENUE RECOGNITION CHANGE.

Each year, the state aids payable to any school district for that fiscal year that are recognized as revenue in the school district's general and community service funds shall be adjusted by an amount equal to (1) the amount the district recognized as revenue for the prior fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b) or (c), minus (2)

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the amount the district recognized as revenue for the current fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b) or (c). For purposes of making the aid adjustments under this section, the amount the district recognizes as revenue for either the prior fiscal year or the current fiscal year pursuant to section 123B.75, subdivision 5, paragraph (b), shall not include any amount levied pursuant to section 124D.86, subdivision 4, for school districts receiving revenue under sections 124D.86, subdivision 3, clauses (1), (2), and (3); 126C.41, subdivisions 1, 2, and 3, paragraphs (b), (c), and (d); 126C.43, subdivision 2; 126C.457; and 126C.48, subdivision 6. Payment from the permanent school fund shall not be adjusted pursuant to this section. The school district shall be notified of the amount of the adjustment made to each payment pursuant to this section.

Sec. 7. Minnesota Statutes 2008, section 127A.45, subdivision 2, is amended to read:

Subd. 2. **Definitions.** (a) The term "other district receipts" means payments by county treasurers pursuant to section 276.10, apportionments from the school endowment fund pursuant to section 127A.33, apportionments by the county auditor pursuant to section 127A.34, subdivision 2, and payments to school districts by the commissioner of revenue pursuant to chapter 298.

(b) The term "cumulative amount guaranteed" means the product of
(1) the cumulative disbursement percentage shown in subdivision 3; times
(2) the sum of
(i) the current year aid payment percentage of the estimated aid and credit entitlements paid according to subdivision 13; plus
(ii) 100 percent of the entitlements paid according to subdivisions 11 and 12; plus
(iii) the other district receipts.

(c) The term "payment date" means the date on which state payments to districts are made by the electronic funds transfer method. If a payment date falls on a Saturday, a Sunday, or a weekday which is a legal holiday, the payment shall be made on the immediately preceding business day. The commissioner may make payments on dates other than those listed in subdivision 3, but only for portions of payments from any preceding payment dates which could not be processed by the electronic funds transfer method due to documented extenuating circumstances.

(d) The current year aid payment percentage equals ~~90~~ 73.

Sec. 8. Minnesota Statutes 2008, section 127A.45, subdivision 3, is amended to read:

Subd. 3. **Payment dates and percentages.** (a) For fiscal year 2004 and later, the commissioner shall pay to a district on the dates indicated an amount computed as

follows: the cumulative amount guaranteed minus the sum of (a) the district's other district receipts through the current payment, and (b) the aid and credit payments through the immediately preceding payment. For purposes of this computation, the payment dates and the cumulative disbursement percentages are as follows:

	Payment date	Percentage
Payment 1	July 15:	5.5
Payment 2	July 30:	8.0
Payment 3	August 15:	17.5
Payment 4	August 30:	20.0
Payment 5	September 15:	22.5
Payment 6	September 30:	25.0
Payment 7	October 15:	27.0
Payment 8	October 30:	30.0
Payment 9	November 15:	32.5
Payment 10	November 30:	36.5
Payment 11	December 15:	42.0
Payment 12	December 30:	45.0
Payment 13	January 15:	50.0
Payment 14	January 30:	54.0
Payment 15	February 15:	58.0
Payment 16	February 28:	63.0
Payment 17	March 15:	68.0
Payment 18	March 30:	74.0
Payment 19	April 15:	78.0
Payment 20	April 30:	85.0
Payment 21	May 15:	90.0
Payment 22	May 30:	95.0
Payment 23	June 20:	100.0

~~(b) In addition to the amounts paid under paragraph (a), for fiscal year 2004, the commissioner shall pay to a district on the dates indicated an amount computed as follows:~~

Payment 3	August 15: the final adjustment for the prior fiscal year for the state paid property tax credits established in section 273.1392
Payment 4	August 30: one-third of the final adjustment for the prior fiscal year for all aid entitlements except state paid property tax credits
Payment 6	September 30: one-third of the final adjustment for the prior fiscal year for all aid entitlements except state paid property tax credits
Payment 8	October 30: one-third of the final adjustment for the prior fiscal year for all aid entitlements except state paid property tax credits

~~(c) In addition to the amounts paid under paragraph (a), for fiscal year 2005 and later, the commissioner shall pay to a district on the dates indicated an amount computed as follows:~~

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6.1	Payment 3	August 15: the final adjustment for the prior fiscal year for the state paid
6.2		property tax credits established in section 273.1392
6.3	Payment 4	August 30: 30 percent of the final adjustment for the prior fiscal year for
6.4		all aid entitlements except state paid property tax credits
6.5	Payment 6	September 30: 40 percent of the final adjustment for the prior fiscal year
6.6		for all aid entitlements except state paid property tax credits
6.7	Payment 8	October 30: 30 percent of the final adjustment for the prior fiscal year
6.8		for all aid entitlements except state paid property tax credits

6.9 Sec. 9. Minnesota Statutes 2008, section 127A.45, is amended by adding a subdivision
6.10 to read:

6.11 Subd. 7b. **Advance final payment.** (a) Notwithstanding subdivisions 3 and 7, a
6.12 school district or a charter school exceeding its expenditure limitations under section
6.13 123B.83 as of June 30 of the prior fiscal year may receive a portion of its final payment
6.14 for the current fiscal year on June 20, if requested by the district or charter school. The
6.15 amount paid under this subdivision must not exceed the lesser of:

6.16 (1) the difference between 90 percent and the current year payment percentage in
6.17 subdivision 2, paragraph (d), in the current fiscal year times the sum of the district or
6.18 charter school's general education aid plus the aid adjustment in section 127A.50 for
6.19 the current fiscal year; or

6.20 (2) the amount by which the district or charter school's net negative unreserved
6.21 general fund balance as of June 30 of the prior fiscal year exceeds 2.5 percent of the
6.22 district or charter school's expenditures for that fiscal year.

6.23 (b) The state total advance final payment under this subdivision for any year must
6.24 not exceed \$7,500,000. If the amount requested exceeds \$7,500,000, the advance final
6.25 payment for each eligible district must be reduced proportionately.

6.26 Sec. 10. Minnesota Statutes 2008, section 127A.45, subdivision 13, is amended to read:

6.27 Subd. 13. **Aid payment percentage.** Except as provided in subdivisions 11, 12, 12a,
6.28 and 14, each fiscal year, all education aids and credits in this chapter and chapters 120A,
6.29 120B, 121A, 122A, 123A, 123B, 124D, 125A, 125B, 126C, 134, and section 273.1392,
6.30 shall be paid at the current year aid payment percentage of the estimated entitlement during
6.31 the fiscal year of the entitlement. ~~For the purposes of this subdivision, a district's estimated~~
6.32 ~~entitlement for special education excess cost aid under section 125A.79 for fiscal year~~
6.33 ~~2005 equals 70 percent of the district's entitlement for the second prior fiscal year. For the~~
6.34 purposes of this subdivision, a district's estimated entitlement for special education excess
6.35 cost aid under section 125A.79 for fiscal year 2006 and later equals 74.0 percent of the
6.36 district's entitlement for the current fiscal year. The final adjustment payment, according

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to subdivision 9, must be the amount of the actual entitlement, after adjustment for actual data, minus the payments made during the fiscal year of the entitlement.

Sec. 11. Laws 2009, chapter 96, article 1, section 24, is amended to read:

Sec. 24. APPROPRIATIONS; STATE.

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

Subd. 2. **General education aid.** For general education aid under Minnesota Statutes, section 126C.13, subdivision 4:

5,195,504,000		
\$ <u>4,307,758,000</u>	.....	2010
5,626,994,000		
\$ <u>4,927,599,000</u>	.....	2011

The 2010 appropriation includes ~~\$555,864,000~~ \$554,696,000 for 2009 and ~~\$4,639,640,000~~ \$3,753,062,000 for 2010.

The 2011 appropriation includes ~~\$500,976,000~~ \$1,366,755,000 for 2010 and ~~\$5,126,018,000~~ \$3,560,844,000 for 2011.

Subd. 3. **Enrollment options transportation.** For transportation of pupils attending postsecondary institutions under Minnesota Statutes, section 124D.09, or for transportation of pupils attending nonresident districts under Minnesota Statutes, section 124D.03:

48,000		
\$ <u>36,000</u>	.....	2010
52,000		
\$ <u>38,000</u>	.....	2011

Subd. 4. **Abatement revenue.** For abatement aid under Minnesota Statutes, section 127A.49:

1,175,000		
\$ <u>1,000,000</u>	.....	2010
1,034,000		
\$ <u>1,141,000</u>	.....	2011

The 2010 appropriation includes \$140,000 for 2009 and ~~\$1,035,000~~ \$860,000 for 2010.

The 2011 appropriation includes ~~\$115,000~~ \$317,000 for 2010 and ~~\$919,000~~ \$824,000 for 2011.

Subd. 5. **Consolidation transition.** For districts consolidating under Minnesota Statutes, section 123A.485:

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8.1 ~~854,000~~
8.2 \$ 679,000 2010
8.3 ~~927,000~~
8.4 \$ 916,000 2011

8.5 The 2010 appropriation includes \$0 for 2009 and ~~\$854,000~~ \$679,000 for 2010.

8.6 The 2011 appropriation includes ~~\$94,000~~ \$250,000 for 2010 and ~~\$833,000~~ \$666,000
8.7 for 2011.

8.8 Subd. 6. **Nonpublic pupil education aid.** For nonpublic pupil education aid under
8.9 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

8.10 ~~17,250,000~~
8.11 \$ 14,303,000 2010
8.12 ~~17,889,000~~
8.13 \$ 17,785,000 2011

8.14 The 2010 appropriation includes \$1,647,000 for 2009 and ~~\$15,603,000~~ \$12,656,000
8.15 for 2010.

8.16 The 2011 appropriation includes ~~\$1,733,000~~ \$4,680,000 for 2010 and ~~\$16,156,000~~
8.17 \$13,105,000 for 2011.

8.18 Subd. 7. **Nonpublic pupil transportation.** For nonpublic pupil transportation aid
8.19 under Minnesota Statutes, section 123B.92, subdivision 9:

8.20 ~~22,159,000~~
8.21 \$ 18,454,000 2010
8.22 ~~22,712,000~~
8.23 \$ 22,553,000 2011

8.24 The 2010 appropriation includes \$2,077,000 for 2009 and ~~\$20,082,000~~ \$16,377,000
8.25 for 2010.

8.26 The 2011 appropriation includes ~~\$2,231,000~~ \$6,056,000 for 2010 and ~~\$20,481,000~~
8.27 \$16,497,000 for 2011.

8.28 Subd. 8. **One-room schoolhouse.** For a grant to Independent School District No.
8.29 690, Warroad, to operate the Angle Inlet School:

8.30 \$ 65,000 2010
8.31 \$ 65,000 2011

8.32 Subd. 9. **Independent School District No. 239, Rushford-Peterson.** For school
8.33 district flood enrollment impact aid as a result of the floods of August 2007:

8.34 \$ 158,000 2010

8.35 The base appropriation for later fiscal years is \$0.

8.36 Subd. 10. **Lancaster.** For a grant to Independent School District No. 356, Lancaster,
8.37 to replace the loss of sparsity revenue:

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9.1 \$ 100,000 2010

9.2 \$ 100,000 2011

9.3 The base appropriation for later fiscal years is \$0.

9.4 Subd. 11. **Compensatory revenue pilot project.** For grants for participation in the
9.5 compensatory revenue pilot program under Laws 2005, First Special Session chapter 5,
9.6 article 1, section 50:

9.7 \$ 2,175,000 2010

9.8 \$ 2,175,000 2011

9.9 Of this amount, \$1,500,000 in each year is for a grant to Independent School District
9.10 No. 11, Anoka-Hennepin; \$210,000 in each year is for a grant to Independent School
9.11 District No. 279, Osseo; \$160,000 in each year is for a grant to Independent School
9.12 District No. 281, Robbinsdale; \$75,000 in each year is for a grant to Independent School
9.13 District No. 286, Brooklyn Center; \$165,000 in each year is for a grant to Independent
9.14 School District No. 535, Rochester; and \$65,000 in each year is for a grant to Independent
9.15 School District No. 833, South Washington.

9.16 If a grant to a specific school district is not awarded, the commissioner may increase
9.17 the aid amounts to any of the remaining participating school districts.

9.18 This appropriation is part of the base budget for subsequent fiscal years.

ARTICLE 2

EDUCATION EXCELLENCE

9.21 Section 1. Minnesota Statutes 2008, section 120B.128, is amended to read:

**120B.128 EDUCATIONAL PLANNING AND ASSESSMENT SYSTEM
(EPAS) PROGRAM.**

(a) School districts and charter schools may elect to participate in the Educational Planning and Assessment System (EPAS) program offered by ACT, Inc. to provide a longitudinal, systematic approach to student educational and career planning, assessment, instructional support, and evaluation. The EPAS achievement tests include English, reading, mathematics, science, and components on planning for high school and postsecondary education, interest inventory, needs assessments, and student education plans. These tests are linked to the ACT assessment for college admission and allow students, parents, teachers, and schools to determine the student's college readiness before grades 11 and 12.

9.33 (b) The commissioner of education shall provide ACT Explore tests for students
9.34 in grade 8 and the ACT Plan test for students in grade 10 to assess individual student

10.1 academic strengths and weaknesses, academic achievement and progress, higher order
10.2 thinking skills, and college readiness. The state shall pay the test costs for school districts
10.3 and charter schools that choose to participate in the EPAS program. Any unexpended
10.4 funds may be used to cover the cost of appropriate data collection and analysis by the
10.5 state. The commissioner shall establish an application procedure and a process for state
10.6 payment of costs.

10.7 Sec. 2. Minnesota Statutes 2009 Supplement, section 122A.09, subdivision 4, is
10.8 amended to read:

10.9 Subd. 4. **License and rules.** (a) The board must adopt rules to license public school
10.10 teachers and interns subject to chapter 14.

10.11 (b) The board must adopt rules requiring a person to ~~successfully complete~~ pass a
10.12 skills examination in reading, writing, and mathematics as a requirement for ~~initial teacher~~
10.13 ~~licensure~~ entrance into a board-approved teacher preparation program. Such rules must
10.14 require college and universities offering a board-approved teacher preparation program to
10.15 provide remedial assistance to persons who did not achieve a qualifying score on the skills
10.16 examination, including those for whom English is a second language.

10.17 (c) The board must adopt rules to approve teacher preparation programs. The board,
10.18 upon the request of a postsecondary student preparing for teacher licensure or a licensed
10.19 graduate of a teacher preparation program, shall assist in resolving a dispute between the
10.20 person and a postsecondary institution providing a teacher preparation program when the
10.21 dispute involves an institution's recommendation for licensure affecting the person or the
10.22 person's credentials. At the board's discretion, assistance may include the application
10.23 of chapter 14.

10.24 (d) The board must provide the leadership and shall adopt rules for the redesign of
10.25 teacher education programs to implement a research based, results-oriented curriculum
10.26 that focuses on the skills teachers need in order to be effective. The board shall implement
10.27 new systems of teacher preparation program evaluation to assure program effectiveness
10.28 based on proficiency of graduates in demonstrating attainment of program outcomes.

10.29 (e) The board must adopt rules requiring candidates for initial licenses to
10.30 ~~successfully complete~~ pass an examination of general pedagogical knowledge and
10.31 examinations of licensure-specific teaching skills. The rules shall be effective by
10.32 September 1, 2001. The rules under this paragraph also must require candidates for
10.33 initial licenses to teach prekindergarten or elementary students to successfully complete,
10.34 as part of the examination of licensure-specific teaching skills, test items assessing the
10.35 candidates' knowledge, skill, and ability in comprehensive, scientifically based reading

instruction under section 122A.06, subdivision 4, and their knowledge and understanding of the foundations of reading development, the development of reading comprehension, and reading assessment and instruction, and their ability to integrate that knowledge and understanding. The rules under this paragraph also must require general education candidates for initial licenses to teach prekindergarten or elementary students to pass, as part of the examination of licensure-specific teaching skills, test items assessing the candidates' knowledge, skill, and ability in mathematics.

(f) The board must adopt rules requiring teacher educators to work directly with elementary or secondary school teachers in elementary or secondary schools to obtain periodic exposure to the elementary or secondary teaching environment.

(g) The board must grant licenses to interns and to candidates for initial licenses.

(h) The board must design and implement an assessment system which requires a candidate for an initial license and first continuing license to demonstrate the abilities necessary to perform selected, representative teaching tasks at appropriate levels.

(i) The board must receive recommendations from local committees as established by the board for the renewal of teaching licenses.

(j) The board must grant life licenses to those who qualify according to requirements established by the board, and suspend or revoke licenses pursuant to sections 122A.20 and 214.10. The board must not establish any expiration date for application for life licenses.

(k) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation in the areas of using positive behavior interventions and in accommodating, modifying, and adapting curricula, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state's graduation rule.

(l) In adopting rules to license public school teachers who provide health-related services for disabled children, the board shall adopt rules consistent with license or registration requirements of the commissioner of health and the health-related boards who license personnel who perform similar services outside of the school.

(m) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further reading preparation, consistent with section 122A.06, subdivision 4. The rules do not take effect until they are approved by law. Teachers who do not provide direct instruction including, at least, counselors, school psychologists, school nurses, school social workers, audiovisual directors and coordinators, and recreation personnel are exempt from this section.

(n) The board must adopt rules that require all licensed teachers who are renewing their continuing license to include in their renewal requirements further preparation

12.1 in understanding the key warning signs of early-onset mental illness in children and
12.2 adolescents.

12.3 Sec. 3. Minnesota Statutes 2008, section 122A.14, is amended by adding a subdivision
12.4 to read:

12.5 Subd. 10. **Rules incorporating national standards.** The Board of School
12.6 Administrators must engage in rulemaking to incorporate national standards into the
12.7 licensing standards for principals. The rules must address national standards for effective
12.8 school leadership.

12.9 Sec. 4. Minnesota Statutes 2008, section 122A.18, subdivision 1, is amended to read:

12.10 Subdivision 1. **Authority to license.** (a) The Board of Teaching must license
12.11 teachers, as defined in section 122A.15, subdivision 1, except for supervisory personnel,
12.12 as defined in section 122A.15, subdivision 2.

12.13 (b) The Board of School Administrators must license supervisory personnel as
12.14 defined in section 122A.15, subdivision 2, except for athletic coaches.

12.15 (c) Licenses under the jurisdiction of the Board of Teaching, the Board of School
12.16 Administrators, and the commissioner of education must be issued through the licensing
12.17 section of the department.

12.18 (d) The Board of Teaching and the Department of Education must enter into a data
12.19 sharing agreement to share educational data at the K-12 level for the limited purpose
12.20 of program approval and improvement for teacher education programs. The program
12.21 approval process must include targeted redesign of teacher preparation programs to
12.22 address identified K-12 student areas of concern. The Board of Teaching must ensure
12.23 that this information remains confidential and shall only be used for this purpose. Any
12.24 unauthorized disclosure shall be subject to a penalty.

12.25 (e) The Board of School Administrators and the Department of Education must enter
12.26 into a data sharing agreement to share educational data at the K-12 level for the limited
12.27 purpose of program approval and improvement for education administration programs.
12.28 The program approval process must include targeted redesign of education administration
12.29 preparation programs to address identified K-12 student areas of concern. The Board of
12.30 School Administrators must ensure that this information remains confidential and shall
12.31 only be used for this purpose. Any unauthorized disclosure shall be subject to a penalty.

12.32 Sec. 5. Minnesota Statutes 2008, section 122A.18, subdivision 2, is amended to read:

Subd. 2. **Teacher and support personnel qualifications.** (a) The Board of Teaching must issue licenses under its jurisdiction to persons the board finds to be qualified and competent for their respective positions.

(b) The board must require a person to ~~successfully complete~~ pass an examination of skills in reading, writing, and mathematics before being granted an initial teaching license to provide direct instruction to pupils in prekindergarten, elementary, secondary, or special education programs. The board must require colleges and universities offering a board approved teacher preparation program to provide remedial assistance that includes a formal diagnostic component to persons enrolled in their institution who did not achieve a qualifying score on the skills examination, including those for whom English is a second language. The colleges and universities must provide assistance in the specific academic areas of deficiency in which the person did not achieve a qualifying score. School districts must provide similar, appropriate, and timely remedial assistance that includes a formal diagnostic component and mentoring to those persons employed by the district who completed their teacher education program outside the state of Minnesota, received a one-year license to teach in Minnesota and did not achieve a qualifying score on the skills examination, including those persons for whom English is a second language. The Board of Teaching shall report annually to the education committees of the legislature on the total number of teacher candidates during the most recent school year taking the skills examination, the number who achieve a qualifying score on the examination, the number who do not achieve a qualifying score on the examination, the distribution of all candidates' scores, the number of candidates who have taken the examination at least once before, and the number of candidates who have taken the examination at least once before and achieve a qualifying score.

~~(c) A person who has completed an approved teacher preparation program and obtained a one-year license to teach, but has not successfully completed the skills examination, may renew the one-year license for two additional one-year periods. Each renewal of the one-year license is contingent upon the licensee:~~

~~(1) providing evidence of participating in an approved remedial assistance program provided by a school district or postsecondary institution that includes a formal diagnostic component in the specific areas in which the licensee did not obtain qualifying scores; and~~

~~(2) attempting to successfully complete the skills examination during the period of each one-year license.~~

~~(d)~~ (c) The Board of Teaching must grant continuing licenses only to those persons who have met board criteria for granting a continuing license, which includes ~~successfully completing~~ passing the skills examination in reading, writing, and mathematics.

~~(e)~~ (d) All colleges and universities approved by the board of teaching to prepare persons for teacher licensure must include in their teacher preparation programs a common core of teaching knowledge and skills to be acquired by all persons recommended for teacher licensure. This common core shall meet the standards developed by the interstate new teacher assessment and support consortium in its 1992 "model standards for beginning teacher licensing and development." Amendments to standards adopted under this paragraph are covered by chapter 14. The board of teaching shall report annually to the education committees of the legislature on the performance of teacher candidates on common core assessments of knowledge and skills under this paragraph during the most recent school year.

(e) All colleges and universities approved by the Board of Teaching to prepare persons for teacher licensure must require online pedagogy and at least one online course to be completed by all persons recommended for teacher licensure.

(f) The Board of Teaching must ensure the K-12 teacher licensing standards maintain a high level of alignment with the K-12 student standards. The Board of Teaching must adopt a review cycle that mirrors the K-12 student standards review cycle set by the Department of Education. The teacher standards must be reviewed and aligned with the K-12 student standards within one year of the final review and adoption of the K-12 student standards.

Sec. 6. Minnesota Statutes 2008, section 122A.23, subdivision 2, is amended to read:

Subd. 2. **Applicants licensed in other states.** (a) Subject to the requirements of sections 122A.18, subdivision 8, and 123B.03, the Board of Teaching must issue a teaching license or a temporary teaching license under paragraphs (b) to (e) to an applicant who holds at least a baccalaureate degree from a regionally accredited college or university and holds or held a similar out-of-state teaching license that requires the applicant to successfully complete a teacher preparation program approved by the issuing state, which includes field-specific teaching methods and student teaching or essentially equivalent experience.

(b) The Board of Teaching must issue a teaching license to an applicant who:

(1) ~~successfully completed~~ passed all exams and successfully completed human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels if the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license.

(c) The Board of Teaching, consistent with board rules, must issue up to three one-year temporary teaching licenses to an applicant who holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license, but has not ~~successfully completed~~ passed all exams and successfully completed human relations preparation components required by the Board of Teaching.

(d) The Board of Teaching, consistent with board rules, must issue up to three one-year temporary teaching licenses to an applicant who:

(1) ~~successfully completed~~ passed all exams and successfully completed human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license to teach the same content field and grade levels, where the scope of the out-of-state license is no more than one grade level less than a similar Minnesota license, but has not completed field-specific teaching methods or student teaching or equivalent experience.

The applicant may complete field-specific teaching methods and student teaching or equivalent experience by successfully participating in a one-year school district mentorship program consistent with board-adopted standards of effective practice and Minnesota graduation requirements.

(e) The Board of Teaching must issue a temporary teaching license for a term of up to three years only in the content field or grade levels specified in the out-of-state license to an applicant who:

(1) ~~successfully completed~~ passed all exams and successfully completed human relations preparation components required by the Board of Teaching; and

(2) holds or held an out-of-state teaching license where the out-of-state license is more limited in the content field or grade levels than a similar Minnesota license.

(f) The Board of Teaching must not issue to an applicant more than three one-year temporary teaching licenses under this subdivision.

(g) The Board of Teaching must not issue a license under this subdivision if the applicant has not attained the additional degrees, credentials, or licenses required in a particular licensure field.

Sec. 7. Minnesota Statutes 2008, section 122A.40, subdivision 5, is amended to read:

Subd. 5. Probationary period. (a) The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and after completion thereof, the probationary period in each district in which the teacher is thereafter employed shall be one year. The school board

16.1 must adopt a plan for written evaluation of teachers during the probationary period. The
16.2 written evaluation must be conducted by a licensed administrator and must include: (1)
16.3 individual teacher evaluations aligned with the educational improvement plan under
16.4 section 122A.413 and the staff development plan under section 122A.60; and (2) objective
16.5 evaluations using multiple criteria conducted by a locally selected and periodically trained
16.6 evaluation team that understands teaching and learning. Evaluation must occur at least
16.7 three times each year for a teacher performing services on 120 or more school days, at
16.8 least two times each year for a teacher performing services on 60 to 119 school days, and
16.9 at least one time each year for a teacher performing services on fewer than 60 school
16.10 days. Days devoted to parent-teacher conferences, teachers' workshops, and other staff
16.11 development opportunities and days on which a teacher is absent from school must not
16.12 be included in determining the number of school days on which a teacher performs
16.13 services. Except as otherwise provided in paragraph (b), during the probationary period
16.14 any annual contract with any teacher may or may not be renewed as the school board
16.15 shall see fit. However, the board must give any such teacher whose contract it declines
16.16 to renew for the following school year written notice to that effect before July 1. If the
16.17 teacher requests reasons for any nonrenewal of a teaching contract, the board must give
16.18 the teacher its reason in writing, including a statement that appropriate supervision was
16.19 furnished describing the nature and the extent of such supervision furnished the teacher
16.20 during the employment by the board, within ten days after receiving such request. The
16.21 school board may, after a hearing held upon due notice, discharge a teacher during the
16.22 probationary period for cause, effective immediately, under section 122A.44.

16.23 (b) A board must discharge a probationary teacher, effective immediately, upon
16.24 receipt of notice under section 122A.20, subdivision 1, paragraph (b), that the teacher's
16.25 license has been revoked due to a conviction for child abuse or sexual abuse.

16.26 (c) A probationary teacher whose first three years of consecutive employment are
16.27 interrupted for active military service and who promptly resumes teaching consistent with
16.28 federal reemployment timelines for uniformed service personnel under United States
16.29 Code, title 38, section 4312(e), is considered to have a consecutive teaching experience
16.30 for purposes of paragraph (a).

16.31 (d) A probationary teacher must complete at least 60 days of teaching service each
16.32 year during the probationary period. Days devoted to parent-teacher conferences, teachers'
16.33 workshops, and other staff development opportunities and days on which a teacher is
16.34 absent from school do not count as days of teaching service under this paragraph.

Sec. 8. Minnesota Statutes 2009 Supplement, section 122A.40, subdivision 6, is amended to read:

Subd. 6. **Mentoring for probationary teachers.** (a) A school board and an exclusive representative of the teachers in the district must develop a probationary teacher peer review process through joint agreement. The process ~~may~~ shall include having trained observers serve as mentors or coaches or having teachers participate in professional learning communities.

(b) Districts shall provide support to teachers throughout their probationary period to ensure new teachers are successfully meeting tenure requirements. The support to new teachers shall include:

(1) professional learning driven by standards of professional practice to improve teaching and reflection on practice, including an orientation process introducing the new teacher to the district, school, and teaching assignment;

(2) seminars to promote professional growth and differentiated based on teacher and student needs;

(3) trained mentors provided with opportunities to meet with the new teacher for coaching, collaboration, and reflection on practice; to assist in implementation of professional growth plans; and to conduct formative assessments and observations to measure new teachers' development and to be utilized in improvement of teaching; and

(4) development of new teachers' professional growth plan based on teaching practice, student learning, and teacher evaluations conducted at least three times per year pursuant to the objective evaluation program described in subdivision 5, paragraph (a).

Sec. 9. Minnesota Statutes 2008, section 122A.40, is amended by adding a subdivision to read:

Subd. 7b. **Teacher tenure renewal system.** (a) The teacher tenure renewal system is established:

(1) to require teacher employment and renewal of that employment at least every five years based on the academic achievement growth of students;

(2) to support teachers' professional growth and responsibility in improving the academic achievement growth of students; and

(3) to encourage teachers to undertake challenging assignments.

(b) After completion of the initial three-year probationary period, without discharge, a teacher who is reemployed shall continue in service and hold that position during good behavior and efficient and competent service for periods of five years. The terms and conditions of a teacher's employment contract, including salary and salary increases,

must be based either on the length of the school year or an extended school calendar under section 120A.415.

(c) At the end of every five years of a teacher's service, the school district must either renew or terminate a teacher's service to the district. The district's tenure determination must be based on the following factors:

(1) a portfolio of the teacher's five-year professional growth plan based on teaching practice, student learning, and successful teacher evaluations conducted at least three times per year pursuant to an objective evaluation program that must include:

(i) individual teacher evaluations aligned with the educational improvement plan under section 122A.413 and the staff development plan under section 122A.60; and

(ii) objective evaluations using multiple criteria conducted by a locally selected and periodically trained evaluation team that understands teaching and learning;

(2) schoolwide student achievement gains under section 120B.35; and

(3) locally selected standardized academic assessment student outcomes.

(d) The school board shall give each teacher notice of renewal or termination of employment in writing before July 1 of the end of the five-year period.

Sec. 10. Minnesota Statutes 2009 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. **Peer coaching for continuing contract teachers.** (a) A school board and an exclusive representative of the teachers in the district shall develop a peer review process for continuing contract teachers through joint agreement. The process may include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

(b) Districts shall provide support to teachers to ensure teachers' professional growth through:

(1) professional learning driven by standards of professional practice to improve teaching and reflection on practice;

(2) seminars to promote professional growth and differentiated based on teacher and student needs; and

(3) a five-year professional growth plan focused on teachers' growth linked to teaching practice, student learning, and successful teacher evaluations as defined under section 122A.40, subdivision 7b, paragraph (c), clause (1), conducted at least three times per year.

Sec. 11. Minnesota Statutes 2008, section 122A.41, subdivision 2, is amended to read:

Subd. 2. **Probationary period; discharge or demotion.** (a) All teachers in the public schools in cities of the first class during the first three years of consecutive employment shall be deemed to be in a probationary period of employment during which period any annual contract with any teacher may, or may not, be renewed as the school board, after consulting with the peer review committee charged with evaluating the probationary teachers under subdivision 3, shall see fit. The school site management team or the school board if there is no school site management team, shall adopt a plan for a written evaluation of teachers during the probationary period according to subdivision 3. The written evaluation must be conducted by a licensed administrator and must include:

(1) individual teacher evaluations aligned with the educational improvement plan under section 122A.413 and the staff development plan under section 122A.60; and

(2) objective evaluations using multiple criteria conducted by a locally selected and periodically trained evaluation team that understands teaching and learning.

Evaluation by the peer review committee charged with evaluating probationary teachers under subdivision 3 shall occur at least three times each year for a teacher performing services on 120 or more school days, at least two times each year for a teacher performing services on 60 to 119 school days, and at least one time each year for a teacher performing services on fewer than 60 school days. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school shall not be included in determining the number of school days on which a teacher performs services. The school board may, during such probationary period, discharge or demote a teacher for any of the causes as specified in this code. A written statement of the cause of such discharge or demotion shall be given to the teacher by the school board at least 30 days before such removal or demotion shall become effective, and the teacher so notified shall have no right of appeal therefrom.

(b) A probationary teacher whose first three years of consecutive employment are interrupted for active military service and who promptly resumes teaching consistent with federal reemployment timelines for uniformed service personnel under United States Code, title 38, section 4312(e), is considered to have a consecutive teaching experience for purposes of paragraph (a).

(c) A probationary teacher must complete at least 60 days of teaching service each year during the probationary period. Days devoted to parent-teacher conferences, teachers' workshops, and other staff development opportunities and days on which a teacher is absent from school do not count as days of teaching service under this paragraph.

Sec. 12. Minnesota Statutes 2009 Supplement, section 122A.41, subdivision 3, is amended to read:

Subd. 3. **Mentoring for probationary teachers.** (a) A board and an exclusive representative of the teachers in the district must develop a probationary teacher peer review process through joint agreement. The process may include having trained observers serve as mentors or coaches or having teachers participate in professional learning communities.

(b) Districts shall provide support to teachers throughout their probationary period to ensure new teachers are successfully meeting tenure requirements. The support to new teachers shall include:

(1) professional learning driven by standards of professional practice to improve teaching and reflection on practice, including an orientation process introducing the new teacher to the district, school, and teaching assignment;

(2) seminars to promote professional growth and differentiated based on teacher and student needs;

(3) trained mentors provided with opportunities to meet with the new teacher for coaching, collaboration, and reflection on practice; to assist in implementation of professional growth plans; and to conduct formative assessments and observations to measure new teachers' development and to be utilized in improvement of teaching; and

(4) development of the new teacher's professional growth plan based on teaching practice, student learning, and teacher evaluations conducted at least three times per year pursuant to the objective evaluation program described in subdivision 2, paragraph (a).

Sec. 13. Minnesota Statutes 2008, section 122A.41, subdivision 4, is amended to read:

Subd. 4. ~~Period of service after probationary period; discharge or demotion~~
Teacher tenure renewal system. (a) The teacher tenure renewal system is established:

(1) to require teacher employment and renewal of that employment at least every five years based on the academic achievement growth of students;

(2) to support teachers' professional growth and responsibility in improving the academic achievement growth of students; and

(3) to encourage teachers to undertake challenging assignments.

(b) After the completion of such the initial three-year probationary period, without discharge, such teachers as are thereupon a teacher who is reemployed shall continue in service and hold their respective that position during good behavior and efficient and competent service and must not be discharged or demoted except for cause after a hearing for periods of five years. The terms and conditions of a teacher's employment contract,

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including salary and salary increases, must be based either on the length of the school year or an extended school calendar under section 120A.415.

~~(b) A probationary teacher is deemed to have been reemployed for the ensuing school year, unless the school board in charge of such school gave such teacher notice in writing before July 1 of the termination of such employment.~~

~~(c) A teacher electing to have an employment contract based on the extended school calendar under section 120A.415 must participate in staff development training under subdivision 4a and shall receive an increased base salary.~~

(c) At the end of every five years of a teacher's service, the school district must either renew or terminate a teacher's service to the district. The district's tenure determination must be based on the following factors:

(1) a portfolio of the teacher's five-year professional growth plan based on teaching practice, student learning, and successful teacher evaluations conducted at least three times per year pursuant to an objective evaluation program that must include:

(i) individual teacher evaluations aligned with the educational improvement plan under section 122A.413 and the staff development plan under section 122A.60; and

(ii) objective evaluations using multiple criteria conducted by a locally selected and periodically trained evaluation team that understands teaching and learning;

(2) schoolwide student achievement gains under section 120B.35; and

(3) locally selected standardized academic assessment student outcomes.

Sec. 14. Minnesota Statutes 2009 Supplement, section 122A.41, subdivision 5, is amended to read:

Subd. 5. Peer coaching for continuing contract teachers. (a) A school board and an exclusive representative of the teachers in the district must develop a peer review process for nonprobationary teachers through joint agreement. The process may include having trained observers serve as peer coaches or having teachers participate in professional learning communities.

(b) Districts shall provide support to teachers to ensure teachers' professional growth through:

(1) professional learning driven by standards of professional practice to improve teaching and reflection on practice;

(2) seminars to promote professional growth and differentiated based on teacher and student needs; and

(3) a five-year professional growth plan focused on teacher's growth linked to teaching practice and student learning and successful teacher evaluations conducted at

least three times per year as defined under section 122A.41, subdivision 4, paragraph (c), clause (1).

Sec. 15. Minnesota Statutes 2008, section 123B.77, subdivision 1a, is amended to read:

Subd. 1a. **School district consolidated financial statement.** (a) The commissioner, in consultation with the advisory committee on financial management, accounting, and reporting, shall develop and maintain a school district consolidated financial statement format that converts uniform financial accounting and reporting standards data under subdivision 1 into a more understandable format.

(b) In addition to the information required under paragraph (a), the consolidated financial statement must also report information regarding the teacher collective bargaining agreement, including settlement date, salary and fringe benefit costs for the current biennium and the next biennium, and duty days for teacher work year. Each school district must report data to the department as required by the department to complete this report.

Sec. 16. Laws 2009, chapter 96, article 2, section 67, is amended to read:

Sec. 67. **APPROPRIATIONS.**

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

Subd. 2. **Charter school building lease aid.** For building lease aid under Minnesota Statutes, section 124D.11, subdivision 4:

	40,453,000		
\$	<u>34,811,000</u>	.....	2010
	44,775,000		
\$	<u>46,375,000</u>	.....	2011

The 2010 appropriation includes \$3,704,000 for 2009 and ~~\$36,749,000~~ \$31,107,000 for 2010.

The 2011 appropriation includes ~~\$4,083,000~~ \$11,505,000 for 2010 and ~~\$40,692,000~~ \$34,870,000 for 2011.

Subd. 3. **Charter school startup aid.** For charter school startup cost aid under Minnesota Statutes, section 124D.11:

	1,488,000		
\$	<u>1,273,000</u>	.....	2010
	1,064,000		
\$	<u>793,000</u>	.....	2011

23.1 The 2010 appropriation includes \$202,000 for 2009 and ~~\$1,286,000~~ \$1,071,000
23.2 for 2010.

23.3 The 2011 appropriation includes ~~\$142,000~~ \$395,000 for 2010 and ~~\$922,000~~
23.4 \$398,000 for 2011.

23.5 Subd. 4. **Integration aid.** For integration aid under Minnesota Statutes, section
23.6 124D.86, subdivision 5:

23.7		65,358,000		
23.8	\$	<u>52,106,000</u>	.....	2010
23.9		65,484,000		
23.10	\$	<u>63,962,000</u>	.....	2011

23.11 The 2010 appropriation includes \$6,110,000 for 2009 and ~~\$59,248,000~~ \$45,996,000
23.12 for 2010.

23.13 The 2011 appropriation includes ~~\$6,583,000~~ \$17,011,000 for 2010 and ~~\$58,901,000~~
23.14 \$46,951,000 for 2011.

23.15 Subd. 5. **Magnet school grants.** For magnet school and program grants under
23.16 Minnesota Statutes section 124D.88:

23.17	\$	750,000	.....	2010
23.18	\$	750,000	.....	2011

23.19 Subd. 6. **Interdistrict desegregation or integration transportation grants.** For
23.20 interdistrict desegregation or integration transportation grants under Minnesota Statutes,
23.21 section 124D.87:

23.22	\$	14,468,000	.....	2010
23.23	\$	17,582,000	.....	2011

23.24 Subd. 7. **Success for the future.** For American Indian success for the future grants
23.25 under Minnesota Statutes, section 124D.81:

23.26		2,137,000		
23.27	\$	<u>1,774,000</u>	.....	2010
23.28	\$	2,137,000	.....	2011

23.29 The 2010 appropriation includes \$213,000 for 2009 and ~~\$1,924,000~~ \$1,561,000
23.30 for 2010.

23.31 The 2011 appropriation includes ~~\$213,000~~ \$576,000 for 2010 and ~~\$1,924,000~~
23.32 \$1,561,000 for 2011.

23.33 Subd. 8. **American Indian teacher preparation grants.** For joint grants to assist
23.34 American Indian people to become teachers under Minnesota Statutes, section 122A.63:

23.35	\$	190,000	.....	2010
23.36	\$	190,000	.....	2011

24.1 Subd. 9. **Tribal contract schools.** For tribal contract school aid under Minnesota
24.2 Statutes, section 124D.83:

24.3		2,030,000		
24.4	\$	<u>1,702,000</u>	.....	2010
24.5		2,211,000		
24.6	\$	<u>2,186,000</u>	.....	2011

24.7 The 2010 appropriation includes \$191,000 for 2009 and ~~\$1,839,000~~ \$1,511,000
24.8 for 2010.

24.9 The 2011 appropriation includes ~~\$204,000~~ \$558,000 for 2010 and ~~\$2,007,000~~
24.10 \$1,628,000 for 2011.

24.11 Subd. 10. **Early childhood programs at tribal schools.** For early childhood
24.12 family education programs at tribal contract schools under Minnesota Statutes, section
24.13 124D.83, subdivision 4:

24.14	\$	68,000	.....	2010
24.15	\$	68,000	.....	2011

24.16 Subd. 11. **Statewide testing and reporting system.** For the statewide testing and
24.17 reporting system under Minnesota Statutes, section 120B.30:

24.18	\$	15,150,000	.....	2010
24.19	\$	15,150,000	.....	2011

24.20 None of the amounts appropriated under this subdivision shall be used for contract
24.21 costs associated with hand-scoring of constructed-response items of the Minnesota
24.22 Comprehensive Assessment-Series II in reading, science, and mathematics, with the
24.23 exception of mathematics grades 3 to 8 of the 2009-2010 school year. Any balance in
24.24 the first year does not cancel but is available in the second year. Any amount generated
24.25 as a result of the savings from foregoing hand-scoring shall be, to the extent possible,
24.26 redirected into the development of computerized statewide testing.

24.27 Subd. 12. **Examination fees; teacher training and support programs.** (a) For
24.28 students' advanced placement and international baccalaureate examination fees under
24.29 Minnesota Statutes, section 120B.13, subdivision 3, and the training and related costs
24.30 for teachers and other interested educators under Minnesota Statutes, section 120B.13,
24.31 subdivision 1:

24.32	\$	4,500,000	.....	2010
24.33	\$	4,500,000	.....	2011

24.34 (b) The advanced placement program shall receive 75 percent of the appropriation
24.35 each year and the international baccalaureate program shall receive 25 percent of the
24.36 appropriation each year. The department, in consultation with representatives of the

advanced placement and international baccalaureate programs selected by the Advanced Placement Advisory Council and IBMN, respectively, shall determine the amounts of the expenditures each year for examination fees and training and support programs for each program.

(c) Notwithstanding Minnesota Statutes, section 120B.13, subdivision 1, at least \$500,000 each year is for teachers to attend subject matter summer training programs and follow-up support workshops approved by the advanced placement or international baccalaureate programs. The commissioner shall determine the payment process and the amount of the subsidy.

(d) The commissioner shall pay all examination fees for all students of low-income families under Minnesota Statutes, section 120B.13, subdivision 3, and to the extent of available appropriations shall also pay examination fees for students sitting for an advanced placement examination, international baccalaureate examination, or both.

Any balance in the first year does not cancel but is available in the second year.

Subd. 13. **Concurrent enrollment programs.** For concurrent enrollment programs under Minnesota Statutes, section 124D.091:

\$	2,000,000	.....	2010
\$	2,000,000	.....	2011

If the appropriation is insufficient, the commissioner must proportionately reduce the aid payment to each district.

Any balance in the first year does not cancel but is available in the second year.

Subd. 14. **Collaborative urban educator.** For the collaborative urban educator grant program:

\$	528,000	.....	2010
\$	528,000	.....	2011

Any balance in the first year does not cancel but is available in the second year.

Subd. 15. **Youth works program.** For funding youth works programs under Minnesota Statutes, sections 124D.37 to 124D.45:

\$	900,000	.....	2010
\$	900,000	.....	2011

A grantee organization may provide health and child care coverage to the dependents of each participant enrolled in a full-time youth works program to the extent such coverage is not otherwise available.

Subd. 16. **Student organizations.** For student organizations:

26.1		725,000		
26.2	\$	<u>724,000</u>	.....	2010
26.3		725,000		
26.4	\$	<u>724,000</u>	.....	2011

26.5 \$40,000 each year is for student organizations serving health occupations.

26.6 \$38,000 each year is for student organizations serving service occupations.

26.7 \$88,000 each year is for student organizations serving trade and industry occupations.

26.8 \$84,000 each year is for student organizations serving business occupations.

26.9 \$131,000 each year is for student organizations serving agriculture occupations.

26.10 \$125,000 each year is for student organizations serving family and consumer science

26.11 occupations.

26.12 \$95,000 each year is for student organizations serving marketing occupations.

26.13 Any balance in the first year does not cancel but is available in the second year.

26.14 Subd. 17. **Education Planning and Assessment System (EPAS) program.** For

26.15 the Educational Planning and Assessment System (EPAS) program under Minnesota

26.16 Statutes, section 120B.128:

26.17	\$	829,000	.....	2010
26.18	\$	829,000	.....	2011

26.19 Any balance in the first year does not cancel but is available in the second year.

26.20 Subd. 18. **Early childhood literacy programs.** For early childhood literacy

26.21 programs under Minnesota Statutes, section 119A.50, subdivision 3:

26.22	\$	1,375,000	.....	2010
26.23	\$	1,375,000	.....	2011

26.24 Up to \$1,375,000 each year is for leveraging federal and private funding to support

26.25 AmeriCorps members serving in the Minnesota Reading Corps program established by

26.26 Serve Minnesota, including costs associated with the training and teaching of early literacy

26.27 skills to children age three to grade 3 and the evaluation of the impact of the program

26.28 under Minnesota Statutes, sections 124D.38, subdivision 2, and 124D.42, subdivision 6.

26.29 Any balance in the first year does not cancel but is available in the second year.

26.30 Subd. 19. **Math and science teacher centers.** For math and science teacher centers

26.31 under Minnesota Statutes, section 122A.72:

26.32	\$	750,000		2010
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26.33 Any balance in the first year does not cancel but is available in the second year.

26.34 This is a onetime appropriation.

26.35 Sec. 17. **RULEMAKING AUTHORITY.**

The commissioner of education shall adopt rules consistent with chapter 14 which provide English language proficiency standards for instruction of students identified as limited English proficient under Minnesota Statutes, sections 124D.58 to 124D.64. The English language proficiency standards must encompass the language domains of listening, speaking, reading, and writing. The English language proficiency standards must reflect social and academic dimensions of acquiring a second language that are accepted of English language learners in prekindergarten through grade 12. The English language proficiency standards must address the specific contexts for language acquisition in the areas of social and instructional settings as well as academic language encountered in language arts, mathematics, science, and social studies. The English language proficiency standards must express the progression of language development through language proficiency levels. The English language proficiency standards must be implemented for all limited English proficient students beginning in the 2011-2012 school year and assessed beginning in the 2012-2013 school year.

Sec. 18. **APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

The sum indicated in this section is appropriated from the general fund to the Department of Education to integrate teacher collective bargaining data into the financial statement under Minnesota Statutes, section 123B.77:

\$15,000	2011
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The base appropriation is \$3,000 for fiscal year 2012 and \$2,000 for fiscal year 2013.

ARTICLE 3

SPECIAL PROGRAMS

Section 1. Laws 2009, chapter 96, article 3, section 21, is amended to read:

Sec. 21. **APPROPRIATIONS.**

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

Subd. 2. **Special education; regular.** For special education aid under Minnesota Statutes, section 125A.75:

	734,071,000		
\$	<u>609,003,000</u>	.....	2010
	781,497,000		
\$	<u>772,845,000</u>	.....	2011

The 2010 appropriation includes \$71,947,000 for 2009 and ~~\$662,124,000~~
\$537,056,000 for 2010.

The 2011 appropriation includes ~~\$73,569,000~~ \$198,637,000 for 2010 and
~~\$707,928,000~~ \$574,208,000 for 2011.

Subd. 3. **Aid for children with disabilities.** For aid under Minnesota Statutes,
section 125A.75, subdivision 3, for children with disabilities placed in residential facilities
within the district boundaries for whom no district of residence can be determined:

	1,717,000		
\$	<u>1,109,000</u>	.....	2010
	1,895,000		
\$	<u>1,176,000</u>	.....	2011

If the appropriation for either year is insufficient, the appropriation for the other
year is available.

Subd. 4. **Travel for home-based services.** For aid for teacher travel for home-based
services under Minnesota Statutes, section 125A.75, subdivision 1:

	258,000		
\$	<u>214,000</u>	.....	2010
	282,000		
\$	<u>276,000</u>	.....	2011

The 2010 appropriation includes \$24,000 for 2009 and ~~\$234,000~~ \$190,000 for 2010.
The 2011 appropriation includes ~~\$26,000~~ \$69,000 for 2010 and ~~\$256,000~~ \$207,000
for 2011.

Subd. 5. **Special education; excess costs.** For excess cost aid under Minnesota
Statutes, section 125A.79, subdivision 7:

	110,871,000		
\$	<u>96,926,000</u>	.....	2010
	110,877,000		
\$	<u>110,871,000</u>	.....	2011

The 2010 appropriation includes \$37,046,000 for 2009 and ~~\$73,825,000~~ \$59,880,000
for 2010.

The 2011 appropriation includes ~~\$37,022,000~~ \$50,967,000 for 2010 and ~~\$73,855,000~~
\$59,904,000 for 2011.

Subd. 6. **Court-placed special education revenue.** For reimbursing serving
school districts for unreimbursed eligible expenditures attributable to children placed in
the serving school district by court action under Minnesota Statutes, section 125A.79,
subdivision 4:

\$	76,000	.....	2010
\$	78,000	.....	2011

29.1 Subd. 7. **Special education out-of-state tuition.** For special education out-of-state
29.2 tuition according to Minnesota Statutes, section 125A.79, subdivision 8:

29.3	\$	250,000	.....	2010
29.4	\$	250,000	.....	2011

29.5 **ARTICLE 4**

29.6 **FACILITIES AND TECHNOLOGY**

29.7 Section 1. Laws 2009, chapter 96, article 4, section 12, is amended to read:

29.8 Sec. 12. **APPROPRIATIONS.**

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

29.12 Subd. 2. **Health and safety revenue.** For health and safety aid according to
29.13 Minnesota Statutes, section 123B.57, subdivision 5:

29.14		161,000		
29.15	\$	<u>131,000</u>	.....	2010
29.16		160,000		
29.17	\$	<u>139,000</u>	.....	2011

29.18 The 2010 appropriation includes \$10,000 for 2009 and ~~\$151,000~~ \$121,000 for 2010.

29.19 The 2011 appropriation includes ~~\$16,000~~ \$44,000 for 2010 and ~~\$144,000~~ \$95,000
29.20 for 2011.

29.21 Subd. 3. **Debt service equalization.** For debt service aid according to Minnesota
29.22 Statutes, section 123B.53, subdivision 6:

29.23		7,948,000		
29.24	\$	<u>6,608,000</u>	.....	2010
29.25		9,275,000		
29.26	\$	<u>8,466,000</u>	.....	2011

29.27 The 2010 appropriation includes \$851,000 for 2009 and ~~\$7,097,000~~ \$5,757,000
29.28 for 2010.

29.29 The 2011 appropriation includes ~~\$788,000~~ \$2,128,000 for 2010 and ~~\$8,487,000~~
29.30 \$6,338,000 for 2011.

29.31 Subd. 4. **Alternative facilities bonding aid.** For alternative facilities bonding aid,
29.32 according to Minnesota Statutes, section 123B.59, subdivision 1:

29.33		19,287,000		
29.34	\$	<u>16,008,000</u>	.....	2010
29.35	\$	19,287,000	.....	2011

The 2010 appropriation includes \$1,928,000 for 2009 and ~~\$17,359,000~~ \$14,080,000 for 2010.

The 2011 appropriation includes ~~\$1,928,000~~ \$5,207,000 for 2010 and ~~\$17,359,000~~ \$14,080,000 for 2011.

Subd. 5. **Equity in telecommunications access.** For equity in telecommunications access:

\$	3,750,000	.....	2010
\$	3,750,000	.....	2011

If the appropriation amount is insufficient, the commissioner shall reduce the reimbursement rate in Minnesota Statutes, section 125B.26, subdivisions 4 and 5, and the revenue for fiscal years 2010 and 2011 shall be prorated.

Any balance in the first year does not cancel but is available in the second year.

Subd. 6. **Deferred maintenance aid.** For deferred maintenance aid, according to Minnesota Statutes, section 123B.591, subdivision 4:

	2,302,000		
\$	<u>1,931,000</u>	.....	2010
	2,073,000		
\$	<u>2,191,000</u>	.....	2011

The 2010 appropriation includes \$260,000 for 2009 and ~~\$2,042,000~~ \$1,671,000 for 2010.

The 2011 appropriation includes ~~\$226,000~~ \$617,000 for 2010 and ~~\$1,847,000~~ \$1,574,000 for 2011.

ARTICLE 5

LIBRARIES, NUTRITION, AND ACCOUNTING

Section 1. Laws 2009, chapter 96, article 5, section 13, is amended to read:

Sec. 13. **APPROPRIATIONS.**

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

Subd. 2. **School lunch.** For school lunch aid according to Minnesota Statutes, section 124D.111, and Code of Federal Regulations, title 7, section 210.17:

	12,688,000		
\$	<u>12,296,000</u>	.....	2010
	13,069,000		
\$	<u>12,665,000</u>	.....	2011

H.F. No. 3388, as introduced - 86th Legislative Session (2009-2010) [10-4219]

31.1 Subd. 3. **School breakfast.** For traditional school breakfast aid under Minnesota
31.2 Statutes, section 124D.1158:

31.3		4,978,000		
31.4	\$	<u>4,773,000</u>	.....	2010
31.5		5,147,000		
31.6	\$	<u>4,936,000</u>	.....	2011

31.7 Subd. 4. **Kindergarten milk.** For kindergarten milk aid under Minnesota Statutes,
31.8 section 124D.118:

31.9		1,098,000		
31.10	\$	<u>1,103,000</u>	.....	2010
31.11		1,120,000		
31.12	\$	<u>1,126,000</u>	.....	2011

31.13 Subd. 5. **Summer school service replacement aid.** For summer food service
31.14 replacement aid under Minnesota Statutes, section 124D.119:

31.15	\$	150,000	.....	2010
31.16	\$	150,000	.....	2011

31.17 Subd. 6. **Basic system support.** For basic system support grants under Minnesota
31.18 Statutes, section 134.355:

31.19		13,570,000		
31.20	\$	<u>11,264,000</u>	.....	2010
31.21	\$	13,570,000	.....	2011

31.22 The 2010 appropriation includes \$1,357,000 for 2009 and ~~\$12,213,000~~ \$9,907,000
31.23 for 2010.

31.24 The 2011 appropriation includes ~~\$1,357,000~~ \$3,663,000 for 2010 and ~~\$12,213,000~~
31.25 \$9,907,000 for 2011.

31.26 Subd. 7. **Multicounty, multitype library systems.** For grants under Minnesota
31.27 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

31.28		1,300,000		
31.29	\$	<u>1,079,000</u>	.....	2010
31.30	\$	1,300,000	.....	2011

31.31 The 2010 appropriation includes \$130,000 for 2009 and ~~\$1,170,000~~ \$949,000 for
31.32 2010.

31.33 The 2011 appropriation includes ~~\$130,000~~ \$351,000 for 2010 and ~~\$1,170,000~~
31.34 \$949,000 for 2011.

31.35 Subd. 8. **Electronic library for Minnesota.** For statewide licenses to online
31.36 databases selected in cooperation with the Minnesota Office of Higher Education for
31.37 school media centers, public libraries, state government agency libraries, and public
31.38 or private college or university libraries:

H.F. No. 3388, as introduced - 86th Legislative Session (2009-2010) [10-4219]

32.1 \$ 900,000 2010

32.2 \$ 900,000 2011

32.3 Any balance in the first year does not cancel but is available in the second year.

32.4 Subd. 9. **Regional library telecommunications aid.** For regional library

32.5 telecommunications aid under Minnesota Statutes, section 134.355:

32.6 ~~2,300,000~~

32.7 \$ 1,909,000 2010

32.8 \$ 2,300,000 2011

32.9 The 2010 appropriation includes \$230,000 for 2009 and ~~\$2,070,000~~ \$1,679,000

32.10 for 2010.

32.11 The 2011 appropriation includes ~~\$230,000~~ \$621,000 for 2010 and ~~\$2,070,000~~

32.12 \$1,679,000 for 2011.

ARTICLE 6

EARLY CHILDHOOD EDUCATION, PREVENTION, SELF-SUFFICIENCY, AND LIFELONG LEARNING

32.16 Section 1. Laws 2009, chapter 96, article 6, section 11, is amended to read:

32.17 **Sec. 11. APPROPRIATIONS.**

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

32.21 Subd. 2. **School readiness.** For revenue for school readiness programs under

32.22 Minnesota Statutes, sections 124D.15 and 124D.16:

32.23 ~~10,095,000~~

32.24	\$	8,379,000		2010
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32.25 \$ 10,095,000 2011

32.26 The 2010 appropriation includes \$1,009,000 for 2009 and ~~\$9,086,000~~ \$7,370,000

32.27 for 2010.

32.28 The 2011 appropriation includes ~~\$1,009,000~~ \$2,725,000 for 2010 and ~~\$9,086,000~~

32.29 \$7,370,000 for 2011.

32.30 Subd. 3. **Early childhood family education aid.** For early childhood family

32.31 education aid under Minnesota Statutes, section 124D.135:

32.32 ~~22,955,000~~

32.33 \$ 19,131,000 2010

32.34 ~~22,547,000~~

32.35	\$	22,418,000		2011
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33.1 The 2010 appropriation includes \$3,020,000 for 2009 and ~~\$19,935,000~~ \$16,111,000
33.2 for 2010.

33.3 The 2011 appropriation includes ~~\$2,214,000~~ \$5,958,000 for 2010 and ~~\$20,333,000~~
33.4 \$16,460,000 for 2011.

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

33.7		3,694,000		
33.8	\$	<u>2,904,000</u>	.....	2010
33.9		3,800,000		
33.10	\$	<u>3,518,000</u>	.....	2011

33.11 The 2010 appropriation includes \$367,000 for 2009 and ~~\$3,327,000~~ \$2,537,000
33.12 for 2010.

33.13 The 2011 appropriation includes ~~\$369,000~~ \$938,000 for 2010 and ~~\$3,431,000~~
33.14 \$2,580,000 for 2011.

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

33.17	\$	20,100,000	.....	2010
33.18	\$	20,100,000	.....	2011

33.19 Any balance in the first year does not cancel but is available in the second year.

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

33.22		50,000		
33.23	\$	<u>48,000</u>	.....	2010
33.24		50,000		
33.25	\$	<u>48,000</u>	.....	2011

33.26 Any balance in the first year does not cancel but is available in the second year.

33.27 Subd. 7. **Kindergarten entrance assessment initiative and intervention**
33.28 **program.** For the kindergarten entrance assessment initiative and intervention program
33.29 under Minnesota Statutes, section 124D.162:

33.30		287,000		
33.31	\$	<u>275,000</u>	.....	2010
33.32		287,000		
33.33	\$	<u>273,000</u>	.....	2011

33.34 Any balance in the first year does not cancel but is available in the second year.

33.35 Subd. 8. **Community education aid.** For community education aid under
33.36 Minnesota Statutes, section 124D.20:

34.1		585,000		
34.2	\$	<u>487,000</u>	.....	2010
34.3		467,000		
34.4	\$	<u>502,000</u>	.....	2011

34.5 The 2010 appropriation includes \$73,000 for 2009 and ~~\$512,000~~ \$414,000 for 2010.

34.6 The 2011 appropriation ~~included \$56,000~~ includes \$153,000 for 2010 and ~~\$411,000~~
34.7 \$349,000 for 2011.

34.8 Subd. 9. **Adults with disabilities program aid.** For adults with disabilities
34.9 programs under Minnesota Statutes, section 124D.56:

34.10		710,000		
34.11	\$	<u>590,000</u>	.....	2010
34.12	\$	710,000	.....	2011

34.13 The 2010 appropriation includes \$71,000 for 2009 and ~~\$639,000~~ \$519,000 for 2010.

34.14 The 2011 appropriation includes ~~\$71,000~~ \$191,000 for 2010 and ~~\$639,000~~ \$519,000
34.15 for 2011.

34.16 Subd. 10. **Hearing-impaired adults.** For programs for hearing-impaired adults
34.17 under Minnesota Statutes, section 124D.57:

34.18	\$	70,000	.....	2010
34.19	\$	70,000	.....	2011

34.20 Subd. 11. **School-age care revenue.** For extended day aid under Minnesota
34.21 Statutes, section 124D.22:

34.22	\$	1,000	.....	2010
34.23	\$	1,000	.....	2011

34.24 The 2010 appropriation includes \$0 for 2009 and \$1,000 for 2010.

34.25 The 2011 appropriation includes \$0 for 2010 and \$1,000 for 2011.

34.26 Subd. 12. **Adult basic education aid.** For adult basic education aid under
34.27 Minnesota Statutes, section 124D.531:

34.28		42,975,000		
34.29	\$	<u>35,671,000</u>	.....	2010
34.30		44,258,000		
34.31	\$	<u>44,049,000</u>	.....	2011

34.32 The 2010 appropriation includes \$4,187,000 for 2009 and ~~\$38,788,000~~ \$31,484,000
34.33 for 2010.

34.34 The 2011 appropriation includes ~~\$4,309,000~~ \$11,644,000 for 2010 and ~~\$39,949,000~~
34.35 \$32,405,000 for 2011.

34.36 Subd. 13. **GED tests.** For payment of 60 percent of the costs of GED tests under
34.37 Minnesota Statutes, section 124D.55:

H.F. No. 3388, as introduced - 86th Legislative Session (2009-2010) [10-4219]

35.1 \$ 125,000 2010

35.2 \$ 125,000 2011

35.3 Any balance in the first year does not cancel but is available in the second year.

ARTICLE 7

STATE AGENCIES

35.6 Section 1. Laws 2009, chapter 96, article 7, section 3, subdivision 2, is amended to read:

35.7 Subd. 2. **Department.** (a) For the Department of Education:

35.8 ~~20,943,000~~

35.9 \$ 20,133,000 2010

35.10 ~~20,943,000~~

35.11 \$ 20,005,000 2011

35.12 Any balance in the first year does not cancel but is available in the second year.

35.13 (b) \$260,000 each year is for the Minnesota Children's Museum.

35.14 (c) \$41,000 each year is for the Minnesota Academy of Science.

35.15 (d) ~~\$632,000 each year is for the Board of Teaching~~ \$607,000 in fiscal year 2010 and

35.16 \$655,000 in fiscal year 2011 is for the Board of Teaching. Of the \$655,000 in fiscal year

35.17 2011, \$55,000 is for rulemaking costs outlined in article 2. Additional rulemaking costs

35.18 of \$30,000 in fiscal year 2012 and \$20,000 in fiscal year 2013 are added to the base of

35.19 \$600,000. Any balance in the first year does not cancel but is available in the second year.

35.20 (e) ~~\$171,000 each year is for the Board of School Administrators~~ \$164,000 in fiscal

35.21 year 2010 and \$262,000 in fiscal year 2011 is for the Board of School Administrators. Of

35.22 the \$262,000 in fiscal year 2011, \$100,000 is for rulemaking costs outlined in article 2.

35.23 Any balance in the first year does not cancel but is available in the second year.

35.24 The base appropriation for fiscal year 2012 is \$162,000.

35.25 (f) ~~\$40,000 each year~~ \$10,000 in fiscal year 2010 is for an early hearing loss

35.26 intervention coordinator under Minnesota Statutes, section 125A.63, subdivision 5. ~~If the~~

35.27 ~~department expends federal funds to employ a hearing loss coordinator under Minnesota~~

35.28 ~~Statutes, section 125A.63, subdivision 5, then the appropriation under this paragraph is~~

35.29 ~~reallocated for purposes of employing a world languages coordinator.~~

35.30 (g) \$50,000 each year is for the Duluth Children's Museum.

35.31 (h) None of the amounts appropriated under this subdivision may be used for

35.32 Minnesota's Washington, D.C., office.

35.33 (i) The expenditures of federal grants and aids as shown in the biennial budget

35.34 document and its supplements are approved and appropriated and shall be spent as

35.35 indicated. The commissioner must provide, to the K-12 Education Finance Division in

the house of representatives and the E-12 Budget Division in the senate, details about the distribution of state incentive grants, education technology state grants, teacher incentive funds, and statewide data system funds as outlined in the supplemental federal funds submission dated March 25, 2009.

(j) \$24,000 in fiscal year 2010 and \$23,000 in fiscal year 2011 shall be transferred from the department's special revenue fund to the general fund.

Sec. 2. Laws 2009, chapter 96, article 7, section 5, is amended to read:

Sec. 5. **APPROPRIATIONS; PERPICH CENTER FOR ARTS EDUCATION.**

The sums indicated in this section are appropriated from the general fund to the Perpich Center for Arts Education for the fiscal years designated:

	7,087,000		
\$	<u>6,949,000</u>	.....	2010
	7,087,000		
\$	<u>6,867,000</u>	.....	2011

Any balance in the first year does not cancel but is available in the second year.

The base appropriation for later fiscal years is \$6,867,000.

\$19,000 in fiscal year 2010 and \$11,000 in fiscal year 2011 shall be transferred from the Perpich Center's special revenue fund to the general fund.

Sec. 3. **APPROPRIATION REDUCTIONS.**

The appropriation reductions in this article include, and are not in addition to, appropriation changes and reductions that have been implemented under the commissioner of management and budget's unallotment actions that commenced in July 2009.

APPENDIX
Article locations in 10-4219

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