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State of Minnesota
HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 781

01/25/2023   Authored by Koznick, Witte, Bakeberg, Gillman, Franson and others
The bill was read for the first time and referred to the Committee on Education Finance

1.1   A bill for an act

1.2   relating to education finance; aligning the average daily membership minimum
1.3   hours for a disabled kindergarten pupil to those of other kindergarten pupils;
1.4   amending Minnesota Statutes 2022, section 126C.05, subdivision 1.

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

1.6   Section 1. Minnesota Statutes 2022, section 126C.05, subdivision 1, is amended to read:

1.7   Subdivision 1. **Pupil unit.** Pupil units for each Minnesota resident pupil under the age

1.8   of 21 or who meets the requirements of section 120A.20, subdivision 1, paragraph (c), in

1.9   average daily membership enrolled in the district of residence, in another district under

1.10   sections 123A.05 to 123A.08, 124D.03, 124D.08, or 124D.68; in a charter school under

1.11   chapter 124E; or for whom the resident district pays tuition under section 123A.18, 123A.22,

1.12   123A.30, 123A.32, 123A.44, 123A.488, 123B.88, subdivision 4, 124D.04, 124D.05, 125A.03

1.13   to 125A.24, 125A.51, or 125A.65, shall be counted according to this subdivision.

1.14   (a) A prekindergarten pupil with a disability who is enrolled in a program approved by

1.15   the commissioner and has an individualized education program is counted as the ratio of

1.16   the number of hours of assessment and education service to 825 times 1.0 with a minimum

1.17   average daily membership of 0.28, but not more than 1.0 pupil unit.

1.18   (b) A prekindergarten pupil who is assessed but determined not to be disabled is counted

1.19   as the ratio of the number of hours of assessment service to 825 times 1.0.

1.20   ~~(c) A kindergarten pupil with a disability who is enrolled in a program approved by the~~

1.21   ~~commissioner is counted as the ratio of the number of hours of assessment and education~~

1.22   ~~services required in the fiscal year by the pupil's individualized education program to 875,~~

1.23   ~~but not more than one.~~

Section 1.   1

2.1   (d) (c) A prekindergarten pupil who is not included in paragraph (a) or (b) and is enrolled

2.2   in an approved voluntary prekindergarten program under section 124D.151 is counted as

2.3   the ratio of the number of hours of instruction to 850 times 1.0, but not more than 0.6 pupil

2.4   units.

2.5   (e) (d) A kindergarten pupil who is not included in paragraph (c) is counted as 1.0 pupil

2.6   unit if the pupil is enrolled in a free all-day, every day kindergarten program available to

2.7   all kindergarten pupils at the pupil's school that meets the minimum hours requirement in

2.8   section 120A.41, or is counted as .55 pupil unit, if the pupil is not enrolled in a free all-day,

2.9   every day kindergarten program available to all kindergarten pupils at the pupil's school.

2.10   (f) (e) A pupil who is in any of grades 1 to 6 is counted as 1.0 pupil unit.

2.11   (g) (f) A pupil who is in any of grades 7 to 12 is counted as 1.2 pupil units.

2.12   (h) (g) A pupil who is in the postsecondary enrollment options program is counted as

2.13   1.2 pupil units.

2.14   (i) (h) For fiscal years 2018 through 2023, a prekindergarten pupil who:

2.15   (1) is not included in paragraph (a), (b), or (d) (c);

2.16   (2) is enrolled in a school readiness plus program under Laws 2017, First Special Session

2.17   chapter 5, article 8, section 9; and

2.18   (3) has one or more of the risk factors specified by the eligibility requirements for a

2.19   school readiness plus program,

2.20   is counted as the ratio of the number of hours of instruction to 850 times 1.0, but not more

2.21   than 0.6 pupil units. A pupil qualifying under this paragraph must be counted in the same

2.22   manner as a voluntary prekindergarten student for all general education and other school

2.23   funding formulas.

2.24   **EFFECTIVE DATE.** This section is effective for fiscal year 2024 and later.