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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2679

03/03/2014 Authored by Mariani, Davnie, Moran and Erickson, S.,
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; linking extended time revenue to the basic formula
1.3 allowance; extending services for English language learners; increasing the safe
1.4 schools levy; amending Minnesota Statutes 2012, section 124D.59, subdivision 2;
1.5 Minnesota Statutes 2013 Supplement, sections 126C.10, subdivision 2a; 126C.44.

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

1.7 Section 1. Minnesota Statutes 2012, section 124D.59, subdivision 2, is amended to read:

1.8 Subd. 2. **English learner.** (a) "English learner" means a pupil in kindergarten
1.9 through grade 12 who meets the following requirements:

1.10 (1) the pupil, as declared by a parent or guardian first learned a language other than
1.11 English, comes from a home where the language usually spoken is other than English, or
1.12 usually speaks a language other than English; and

1.13 (2) the pupil is determined by developmentally appropriate measures, which might
1.14 include observations, teacher judgment, parent recommendations, or developmentally
1.15 appropriate assessment instruments, to lack the necessary English skills to participate
1.16 fully in classes taught in English.

1.17 (b) Notwithstanding paragraph (a), a pupil in grades 4 through 12 who was enrolled
1.18 in a Minnesota public school on the dates during the previous school year when a
1.19 commissioner provided assessment that measures the pupil's emerging academic English
1.20 was administered, shall not be counted as an English learner in calculating English learner
1.21 pupil units under section 126C.05, subdivision 17, and shall not generate state English
1.22 learner aid under section 124D.65, subdivision 5, unless the pupil scored below the state
1.23 cutoff score or is otherwise counted as a nonproficient participant on an assessment
1.24 measuring emerging academic English provided by the commissioner during the previous
1.25 school year.

2.1 (c) Notwithstanding paragraphs (a) and (b), a pupil in kindergarten through grade
 2.2 12 shall not be counted as an English learner in calculating English learner pupil units
 2.3 under section 126C.05, subdivision 17, and shall not generate state English learner aid
 2.4 under section 124D.65, subdivision 5, if:

2.5 (1) the pupil is not enrolled during the current fiscal year in an educational program
 2.6 for English learners in accordance with sections 124D.58 to 124D.64; or

2.7 (2) the pupil has generated ~~five~~ seven or more years of average daily membership in
 2.8 Minnesota public schools since July 1, 1996.

2.9 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2015
 2.10 and later.

2.11 Sec. 2. Minnesota Statutes 2013 Supplement, section 126C.10, subdivision 2a, is
 2.12 amended to read:

2.13 Subd. 2a. **Extended time revenue.** (a) A school district's extended time revenue is
 2.14 equal to the product of ~~\$5,017~~ the basic formula allowance and the sum of the adjusted
 2.15 pupil units of the district for each pupil in average daily membership in excess of 1.0 and
 2.16 less than 1.2 according to section 126C.05, subdivision 8.

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

2.20 **EFFECTIVE DATE.** This section is effective for state aid for fiscal year 2015
 2.21 and later.

2.22 Sec. 3. Minnesota Statutes 2013 Supplement, section 126C.44, is amended to read:

2.23 **126C.44 SAFE SCHOOLS LEVY.**

2.24 (a) Each district may make a levy on all taxable property located within the district
 2.25 for the purposes specified in this section. The maximum amount which may be levied for
 2.26 all costs under this section shall be equal to ~~\$36~~ \$45 multiplied by the district's adjusted
 2.27 pupil units for the school year. The proceeds of the levy must be reserved and used for
 2.28 directly funding the following purposes or for reimbursing the cities and counties who
 2.29 contract with the district for the following purposes:

2.30 (1) to pay the costs incurred for the salaries, benefits, and transportation costs of
 2.31 peace officers and sheriffs for liaison in services in the district's schools;

2.32 (2) to pay the costs for a drug abuse prevention program as defined in section
 2.33 609.101, subdivision 3, paragraph (e), in the elementary schools;

3.1 (3) to pay the costs for a gang resistance education training curriculum in the
3.2 district's schools;

3.3 (4) to pay the costs for security in the district's schools and on school property;

3.4 (5) to pay the costs for other crime prevention, drug abuse, student and staff safety,
3.5 voluntary opt-in suicide prevention tools, and violence prevention measures taken by
3.6 the school district;

3.7 (6) to pay costs for licensed school counselors, licensed school nurses, licensed
3.8 school social workers, licensed school psychologists, and licensed alcohol and chemical
3.9 dependency counselors to help provide early responses to problems;

3.10 (7) to pay for facility security enhancements including laminated glass, public
3.11 announcement systems, emergency communications devices, and equipment and facility
3.12 modifications related to violence prevention and facility security;

3.13 (8) to pay for costs associated with improving the school climate; or

3.14 (9) to pay costs for colocating and collaborating with mental health professionals
3.15 who are not district employees or contractors.

3.16 (b) For expenditures under paragraph (a), clause (1), the district must initially
3.17 attempt to contract for services to be provided by peace officers or sheriffs with the
3.18 police department of each city or the sheriff's department of the county within the district
3.19 containing the school receiving the services. If a local police department or a county
3.20 sheriff's department does not wish to provide the necessary services, the district may
3.21 contract for these services with any other police or sheriff's department located entirely or
3.22 partially within the school district's boundaries.

3.23 (c) A school district that is a member of an intermediate school district may
3.24 include in its authority under this section the costs associated with safe schools activities
3.25 authorized under paragraph (a) for intermediate school district programs. This authority
3.26 must not exceed ~~\$10~~ \$15 times the adjusted ~~marginal cost~~ pupil units of the member
3.27 districts. This authority is in addition to any other authority authorized under this section.
3.28 Revenue raised under this paragraph must be transferred to the intermediate school district.

3.29 **EFFECTIVE DATE.** This section is effective for taxes payable in 2015 and later.