

## CHAPTER 124C

### GRANTS FOR EDUCATION

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#### 124C.03 INTERAGENCY ADULT LEARNING ADVISORY COUNCIL AND GRANTS.

*[For text of subd 1, see M.S.1994]*

**Subd. 2. Members; meetings; officers.** The interagency adult learning advisory council shall have 15 to 17 members. Members must have experience in educating adults or in programs addressing welfare recipients and incarcerated, unemployed, and underemployed people.

The members of the interagency adult learning advisory council are appointed as follows:

- (1) one member appointed by the commissioner of economic security;
- (2) one member appointed by the commissioner of human services;
- (3) one member appointed by the director of the refugee and immigrant assistance division of the department of human services;
- (4) one member appointed by the commissioner of corrections;
- (5) one member appointed by the commissioner of children, families, and learning;
- (6) one member appointed by the chancellor of the state board of technical colleges;
- (7) one member appointed by the chancellor of community colleges;
- (8) one member appointed by the Minnesota adult literacy campaign or by another non-profit literacy organization, as designated by the commissioner of children, families, and learning;
- (9) one member appointed by the council on Black Minnesotans;
- (10) one member appointed by the Spanish-speaking affairs council;
- (11) one member appointed by the council on Asian-Pacific Minnesotans;
- (12) one member appointed by the Indian affairs council; and
- (13) one member appointed by the disability council.

Up to four additional members of the council may be nominated by the participating agencies. Based on the council's recommendations, the commissioner of children, families, and learning must appoint at least two, but not more than four, additional members. Nominees shall include, but are not limited to, representatives of local education, government, nonprofit agencies, employers, labor organizations, and libraries.

The council shall elect its officers.

**Subd. 3. Staff.** The commissioner of children, families, and learning shall provide space and administrative services to the council. The commissioner may contract for staff for the council.

*[For text of subds 4 to 7, see M.S.1994]*

**Subd. 8. Standards for qualified programs.** (a) Except as provided in paragraph (b) and subdivision 9, a program qualifying for a grant must:

- (1) be directed to the unemployed, the underemployed, the incarcerated, public assistance recipients, or to non-English speaking immigrants;

- (2) integrate learning and support services such as child care, transportation, and counseling;
  - (3) have intensive learning that maximizes the weekly hours available to learners;
  - (4) be accessible year-round and during daytime or evening hours as needed, except where otherwise appropriate to learners' needs;
  - (5) have individualized learning plans and outcome based learning;
  - (6) provide instruction in transferable basic skills;
  - (7) have context based learning linked to individual occupational or self-sufficiency goals;
  - (8) provide for reporting and evaluation;
  - (9) have appropriate coordination and differentiation of services among adult literacy services and agencies in the local area;
  - (10) be coordinated with human services and employment and training agencies, as appropriate to the target population; and
  - (11) maximize use of available local resources.
- (b) The commissioner of children, families, and learning may waive a standard because of client need or local conditions. The reason for the waiver must be documented.

**Subd. 9. Innovation grants.** The commissioner of children, families, and learning may award grants for innovative programs. An innovation grant need not comply with the standards in subdivision 8. The nature and extent of the proposed innovation must be described in the award.

**Subd. 10. No funding required.** The commissioner of children, families, and learning need not award a grant for any proposal that, in the determination of the commissioner does not meet the standards in subdivision 8.

*[For text of subd 11, see M.S.1994]*

**Subd. 12. Geographic distribution.** The commissioner of children, families, and learning shall seek to award grants throughout the state, taking into account the incidence of the target population. It shall provide technical assistance to local agencies to enhance fulfillment of this subdivision.

*[For text of subds 13 and 14, see M.S.1994]*

**Subd. 15. Local and regional joint planning.** The commissioner of children, families, and learning may require grant applicants and existing adult basic education providers in a locality to present a joint services plan as a condition of receiving a grant under this section.

**Subd. 16. Reporting and evaluation.** The commissioner of children, families, and learning shall evaluate the performance of the grantees each year.

**History:** 1Sp1995 c 3 art 16 s 13

#### **124C.07 COMPREHENSIVE ARTS PLANNING PROGRAM.**

The Minnesota center for arts education shall prescribe the form and manner of application by one or more school districts to be designated as a site to participate in the comprehensive arts planning program. Up to 30 sites may be selected. The center shall designate sites in consultation with the Minnesota alliance for arts in education and the Minnesota state arts board.

**History:** 1Sp1995 c 3 art 11 s 1

#### **124C.08 COMPREHENSIVE ARTS PLANNING PROGRAM SITES.**

*[For text of subd 1, see M.S.1994]*

**Subd. 2. Criteria.** The center, in consultation with the comprehensive arts planning program state steering committee, shall establish criteria for site selection. Criteria shall include at least the following:

- (1) a willingness by the district or group of districts to designate a program chair for comprehensive arts planning with sufficient authority to implement the program;

(2) a willingness by the district or group of districts to create a committee comprised of school district and community people whose function is to promote comprehensive arts education in the district;

(3) commitment on the part of committee members to participate in training offered by the department of children, families, and learning;

(4) a commitment of the committee to conduct a needs assessment of arts education;

(5) commitment by the committee to evaluate its involvement in the program;

(6) a willingness by the district to adopt a long-range plan for arts education in the district; and

(7) location of the district or group of districts to assure representation of urban, suburban, and rural districts and distribution of sites throughout the state.

*[For text of subs 3 and 4, see M.S.1994]*

**History:** *1Sp1995 c 3 art 11 s 2; art 16 s 13*

#### **124C.12 MINNESOTA LOCAL PARTNERSHIP PROGRAM.**

**Subdivision 1. Establishment.** A program is established under the direction of the state board of education with the cooperation of the commissioners of children, families, and learning, health, and human services. It is expected that participants and other districts will become exemplary districts by the year 2000.

*[For text of subs 2 to 6, see M.S.1994]*

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.45 AREA LEARNING CENTER ORGANIZATION.**

**Subdivision 1. Governance.** A school district may establish an area learning center either by itself or in cooperation with other districts, an ECSU, an intermediate school district, a local education and employment transitions partnership, public and private secondary and post-secondary institutions, public agencies, businesses, and foundations. Except for a district located in a city of the first class, a center must serve the geographic area of at least two districts.

*[For text of subs 2 and 3, see M.S.1994]*

**History:** *1Sp1995 c 3 art 4 s 20*

#### **124C.46 CENTER PROGRAMS AND SERVICES.**

*[For text of subd 1, see M.S.1994]*

**Subd. 2. People to be served.** A center shall provide programs for secondary pupils and adults, giving priority to serving persons between 16 and 21 years of age. Secondary pupils to be served are those who are chemically dependent, not likely to graduate from high school, need assistance in vocational and basic skills, can benefit from employment experiences, and need assistance in transition from school to employment. Adults to be served are dislocated homemakers and workers and others who need basic educational and social services. In addition to offering programs, the center shall coordinate the use of other available educational services, social services, and post-secondary institutions in the community. The center may also provide programs, including work-based, service-learning, and applied learning opportunities developed in collaboration with a local education and employment transitions partnership, for elementary and secondary pupils who are not attending the center to assist them in completing high school.

*[For text of subs 3 and 4, see M.S.1994]*

**History:** *1Sp1995 c 3 art 4 s 21*

#### **124C.48 CENTER FUNDING.**

**Subdivision 1. Outside sources.** A center may accept:

- (1) resources and services from post-secondary institutions serving center pupils;
- (2) resources from job training partnership act programs, including funding for jobs skills training for various groups and the percentage reserved for education;
- (3) resources from the department of human services and county welfare funding;
- (4) resources from a local education and employment transitions partnership; or
- (5) private resources, foundation grants, gifts, corporate contributions, and other grants.

*[For text of subd 2, see M.S.1994]*

**History:** *1Sp1995 c 3 art 4 s 22*

#### **124C.49 DESIGNATION AS CENTER.**

The commissioner of children, families, and learning, in cooperation with the state board of education, shall establish a process for state designation and approval of area learning centers that meet the provisions of sections 124C.45 to 124C.48. Any process for designating and approving an area learning center must emphasize the importance of having the area learning center serve students who have dropped out of school, are homeless, are eligible to receive free or reduced priced lunch, have been suspended or expelled, have been declared truant or are pregnant or parents.

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.498 METROPOLITAN MAGNET SCHOOL GRANTS.**

*[For text of subd 1, see M.S.1994]*

**Subd. 2. Approval authority; application forms.** To the extent money is available, the commissioner of children, families, and learning may approve projects from applications submitted under this section. The grant money must be used only to acquire, construct, remodel, or improve the building or site of a magnet school facility according to contracts entered into within 15 months after the date on which a grant is awarded.

*[For text of subd 3, see M.S.1994]*

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.56 APPROVAL AUTHORITY; APPLICATION FORMS.**

**Subdivision 1. Approval by commissioner.** The commissioner of children, families, and learning may approve or disapprove applications under section 124C.57. The grant money must be used only to remodel or improve a building or site under contracts to be entered into within 15 months after the date each grant is awarded.

**Subd. 2. Application forms.** The commissioner of children, families, and learning shall prepare application forms and establish application dates.

**Subd. 3. Criteria.** A district applying for a grant under this section must match with local district funds to be used for construction, enlarging, or modifying school buildings. The commissioner of children, families, and learning must determine that the costs are directly related to reducing or eliminating racial imbalance and are part of an approved desegregation plan. The district must also certify that the district has sought all available federal funds before submitting a grant application.

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.57 GRANT APPLICATION PROCESS.**

*[For text of subds 1 to 3, see M.S.1994]*

**Subd. 4. Matching revenue.** Upon being awarded a grant under subdivision 3, the board shall determine the need to bond for additional revenue. If the board determines that there is no need to bond, it shall certify to the commissioner of children, families, and learning that other funds are available for the purpose. If a bond issue is required, the board shall

submit, within 90 days, the question of authorizing the borrowing of funds for remodeling or improvements to the voters of the district at a special election, that may be held in conjunction with the annual election of the school board members. If a majority of those voting on the question do not vote in the affirmative, and the district does not have other funds available, the grant must be canceled.

*[For text of subd 5, see M.S.1994]*

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.58 ISSUANCE AND SALE OF BONDS.**

To provide money for grants under the desegregation capital improvement grant act, the commissioner of finance, upon the request of the commissioner of children, families, and learning, shall issue and sell bonds of the state up to the amount of \$2,000,000 in the manner, upon the terms, and with the effect prescribed by sections 16A.631 to 16A.675 and the Minnesota Constitution, article XI, sections 4 to 7.

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.60 CAPITAL FACILITIES GRANTS FOR COOPERATION AND COMBINATION.**

Subdivision 1. **Eligibility.** Two or more districts that have consolidated under section 122.23 or combined under sections 122.241 to 122.248, are eligible for a capital facilities grant of up to \$200,000 for fiscal year 1995 and \$100,000 thereafter under this section. To qualify the following criteria must be met:

(1) the proposed facility changes are part of the plan according to section 122.242, subdivision 10, or the plan adopted by the reorganized district according to section 124.243, subdivision 1;

(2) the changes proposed to a facility must be needed to accommodate changes in the educational program due to the reorganization;

(3) the utilization of the facility for educational programs is at least 85 percent of capacity; and

(4) the grant will be used only to remodel or improve existing facilities.

*[For text of subds 2 and 3, see M.S.1994]*

**History:** *1Sp1995 c 3 art 1 s 50*

#### **124C.72 APPROVAL; APPLICATION FORMS.**

Subdivision 1. **Approval by commissioner.** The commissioner of children, families, and learning may approve or disapprove applications under section 124C.73. The grant money must be used only to remove architectural barriers from a building or site.

Subd. 2. **Application forms.** The commissioner of children, families, and learning shall prepare application forms and establish application dates.

*[For text of subd 3, see M.S.1994]*

**History:** *1Sp1995 c 3 art 16 s 13*

#### **124C.74 TELECOMMUNICATION ACCESS GRANT AND STATEWIDE COORDINATION.**

Subdivision 1. **Establishment; purpose.** The purpose of developing a statewide school district telecommunications network is to expand the availability of a broad range of courses and degrees to students throughout the state, to share information resources to improve access, quality, and efficiency, to improve learning, and distance cooperative learning opportunities, and to promote the exchange of ideas among students, parents, teachers, media generalists, librarians, and the public. In addition, through the development of this statewide telecommunications network emphasizing cost-effective, competitive connections, all

Minnesotans will benefit by enhancing access to telecommunications technology throughout the state. Network connections for school districts and public libraries will be coordinated and fully integrated into the existing state telecommunications and interactive television networks to achieve comprehensive and efficient interconnectivity of school districts and libraries to higher education institutions, state agencies, other governmental units, agencies, and institutions throughout Minnesota. A school district may apply to the commissioner for a grant under subdivision 2, and a regional public library may apply under subdivision 3. The Minnesota education telecommunication council established in Laws 1995, First Special Session chapter 3, article 12, section 7, shall establish priorities for awarding grants, making grant awards, and being responsible for the coordination of networks.

**Subd. 2. School district telecommunications grant.** (a) A school district may apply for a grant under this subdivision to: (1) establish connections among school districts, and between school districts and the MNet statewide telecommunications network administered by the department of administration under section 16B.465; or (2) if such a connection meeting minimum electronic connectivity standards is already established, enhance telecommunications capacity for a school district. The minimum standards of capacity are a 56 kilobyte data line and 768 kilobyte ITV connection, subject to change based on the recommendations by the Minnesota education telecommunications council. A district may submit a grant application for interactive television with higher capacity connections in order to maintain multiple simultaneous connections. To ensure coordination among school districts, a school district must submit its grant application to the council through an organization that coordinates the applications and connections of at least ten school districts or through an existing technology cooperative.

(b) The application must, at a minimum, contain information to document for each applicant school district the following:

(1) that the proposed connection meets the minimum standards and employs an open network architecture that will ensure interconnectivity and interoperability with other education institutions and libraries;

(2) that the proposed connection and system will be connected to MNet through the department of administration under section 16B.465 and that a network service and management agreement is in place;

(3) that the proposed connection and system will be connected to the higher education telecommunication network and that a governance agreement has been adopted which includes agreements between the school district system, a higher education regional council, libraries, and coordinating entities;

(4) the telecommunication vendor, which may be MNet, selected to provide service from the district to an MNet hub or to a more cost-effective connection point to MNet; and

(5) other information, as determined by the commissioner in consultation with the education telecommunications council, to ensure that connections are coordinated, meet state standards and are cost-effective, and that service is provided in an efficient and cost-effective manner.

(c) A grant applicant shall obtain a grant proposal for network services from MNet. If MNet is not selected as the vendor, the application must provide the reasons for choosing an alternative vendor. A school district may include, in its grant application, telecommunications access for collaboration with nonprofit arts organizations for the purpose of educational programs, or access for a secondary media center that: (1) is a member of a multitype library system; (2) is open during periods of the year when classroom instruction is occurring; and (3) has licensed school media staff on site.

(d) The Minnesota education telecommunications council shall award grants and the funds shall be dispersed by the commissioner. The highest priority for these grants shall be to bring school districts up to the minimum connectivity standards. The telecommunications council shall also give priority to grant proposals from school districts with fewer than 1,000 students which do not have a data connection. A grant to enhance telecommunications capacity beyond the minimum connectivity standards shall be no more than 75 percent of the maximum grant under this subdivision. Grant applications for minimum connection and enhanced telecommunications capacity grants must be submitted to the commissioner by a

coordinating organization including, but not limited to, service cooperatives and education districts. For the purposes of this section, a school district includes charter schools under section 120.064. Based on the award made by the council, all grants under this subdivision shall be paid by the commissioner directly to a school district (unless this application requests that the funds be paid to the coordinating agency).

(e) Money awarded under this section may be used only for the purposes explicitly stated in the grant application.

**Subd. 3. Regional library telecommunication grant.** (a) A regional public library system may apply for a telecommunication access grant. The grant must be used to create or expand the capacity of electronic data access and connect the library system with the MNet statewide telecommunications network administered by the department of administration under section 16B.465. Connections must meet minimum system standards of a 56 kilobyte data line and 768 kilobyte ITV connection. To be eligible for a telecommunications access grant, a regional public library system must: (1) meet the level of local support required under section 134.34; (2) be open at least 20 hours per week; and (3) provide a local match for the grant with local funds under section 134.46.

(b) Any grant award under this subdivision may not be used to substitute for any existing local funds allocated to provide electronic access, or equipment for library staff or the public, or local funds previously dedicated to other library operations.

(c) An application for a regional public library telecommunications access grant must, at a minimum, contain information to document the following:

(1) that the connection meets the minimum standards and employs an open network architecture that will ensure interconnectivity and interoperability with other libraries and the educational system;

(2) that the connection is being established through the most cost-effective means and that the public library has explored and coordinated connections through school districts or other governmental agencies;

(3) that the proposed connection and system will be connected to MNet through the department of administration under section 16B.465 and that a network service and management agreement is in place;

(4) that the proposed connection and system will be connected to the higher education and to the school district telecommunication networks subject to a governance agreement with one or more school districts and a higher education regional council specifying how the system will be coordinated;

(5) the telecommunication vendor, which may be MNet, selected to provide service from the library to an MNet hub or through a more cost-effective connection point to MNet; and

(6) other information, as determined by the commissioner, to ensure that connections are coordinated, meet state standards, are cost-effective, and that service is provided in an efficient and cost-effective manner so that libraries throughout the state are connected in as seamless a manner as technically possible.

(d) A grant applicant shall obtain a grant proposal for network services from MNet. If MNet is not selected as the vendor, the application must provide the reasons for choosing an alternative vendor.

**Subd. 4. Award of grants.** The council shall develop application forms and procedures for school district minimum connectivity grants, enhanced telecommunications grants, and regional library telecommunication access grants. The council shall select the grant recipient and shall promptly notify any applicant that is found not to be qualified. The commissioner shall make the grant payments directly to the school district or regional library system. At the request of the district, the commissioner may make the grant payment directly to the coordinating organization. If appropriations are insufficient to fund all applications, the commissioner shall first fully fund the minimum connectivity grants. Unsuccessful applicants may reapply for a grant.

**History:** 1Sp1995 c 3 art 12 s 4