

82.23

ARTICLE 10

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EARLY CHILDHOOD EDUCATION

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72.21 Section 1. Minnesota Statutes 2023 Supplement, section 124D.151, subdivision 5, is
72.22 amended to read:

72.23 Subd. 5. **Application process; priority for high poverty schools.** (a) ~~To qualify for~~
72.24 ~~program approval for fiscal year 2017, a district or charter school must submit an application~~
72.25 ~~to the commissioner by July 1, 2016. To qualify for program approval for fiscal year 2018~~
72.26 ~~and later, a district or charter school must submit an application to the commissioner by~~
72.27 ~~January 30 of the fiscal year prior to the fiscal year in which the program will be~~
72.28 ~~implemented. The application must include:~~

72.29 (1) a description of the proposed program, including the number of hours per week the
72.30 program will be offered at each school site or mixed-delivery location;

73.1 (2) an estimate of the number of eligible children to be served in the program at each
73.2 school site or mixed-delivery location; and

73.3 (3) a statement of assurances signed by the superintendent or charter school director that
73.4 the proposed program meets the requirements of subdivision 2.

73.5 (b) ~~The commissioner must review all applications submitted for fiscal year 2017 by~~
73.6 ~~August 1, 2016, and must review all applications submitted for fiscal year 2018 and later~~
73.7 ~~by March 1 of the fiscal year in which the applications are received and determine whether~~
73.8 ~~each application meets the requirements of paragraph (a).~~

73.9 (c) ~~The commissioner must divide all applications for new or expanded voluntary~~
73.10 ~~prekindergarten programs under this section meeting the requirements of paragraph (a) and~~
73.11 ~~school readiness plus programs into four five groups as follows: the Minneapolis and school~~
73.12 ~~district; the St. Paul school districts district; other school districts located in the metropolitan~~
73.13 ~~equity region as defined in section 126C.10, subdivision 28; school districts located in the~~
73.14 ~~rural equity region as defined in section 126C.10, subdivision 28; and charter schools.~~
73.15 ~~Within each group, the applications must be ordered by rank using a sliding scale based on~~
73.16 ~~the following criteria:~~

73.17 (1) concentration of kindergarten students eligible for free or reduced-price meals by
73.18 school site on October 1 of the previous school year. A school site may contract to partner
73.19 with a community-based provider or Head Start under subdivision 3 or establish an early
73.20 childhood center and use the concentration of kindergarten students eligible for free or
73.21 reduced-price meals from a specific school site as long as those eligible children are
73.22 prioritized and guaranteed services at the mixed-delivery site or early education center. For
73.23 school district programs to be operated at locations that do not have free and reduced-price
73.24 meals concentration data for kindergarten programs for October 1 of the previous school
73.25 year, including mixed-delivery programs, the school district average concentration of

- 73.26 kindergarten students eligible for free or reduced-price meals must be used for the rank
73.27 ordering;
- 73.28 (2) presence or absence of a three- or four-star Parent Aware rated program within the
73.29 school district or close proximity of the district. School sites with the highest concentration
73.30 of kindergarten students eligible for free or reduced-price meals that do not have a three-
73.31 or four-star Parent Aware program within the district or close proximity of the district shall
73.32 receive the highest priority, and school sites with the lowest concentration of kindergarten
73.33 students eligible for free or reduced-price meals that have a three- or four-star Parent Aware
74.1 rated program within the district or close proximity of the district shall receive the lowest
74.2 priority; and
- 74.3 (3) whether the district has implemented a mixed delivery system.
- 74.4 (d) The limit on participation for the programs as specified in subdivision 6 must initially
74.5 be allocated among the four groups based on each group's percentage share of the statewide
74.6 kindergarten enrollment on October 1 of the previous school year. Within each group, the
74.7 participation limit for fiscal years 2018 and 2019 must first be allocated to school sites
74.8 approved for aid in the previous year to ensure that those sites are funded for the same
74.9 number of participants as approved for the previous year. The remainder of the participation
74.10 limit for each group must be allocated among school sites in priority order until that region's
74.11 share of the participation limit is reached. If the participation limit is not reached for all
74.12 groups, the remaining amount must be allocated to the highest priority school sites, as
74.13 designated under this section, not funded in the initial allocation on a statewide basis. For
74.14 fiscal year 2020 and later, the participation limit must first be allocated to school sites
74.15 approved for aid in fiscal year 2017, and then to school sites approved for aid in fiscal year
74.16 2018 based on the statewide rankings under paragraph (c).
- 74.17 (e) Once a school site or a mixed delivery site under subdivision 3 is approved for aid
74.18 under this subdivision, it shall remain eligible for aid if it continues to meet program
74.19 requirements, regardless of changes in the concentration of students eligible for free or
74.20 reduced-price meals.
- 74.21 (f) If the total number of participants approved based on applications submitted under
74.22 paragraph (a) is less than the participation limit under subdivision 6, the commissioner must
74.23 notify all school districts and charter schools of the amount that remains available within
74.24 30 days of the initial application deadline under paragraph (a), and complete a second round
74.25 of allocations based on applications received within 60 days of the initial application deadline.
- 74.26 (g) Procedures for approving applications submitted under paragraph (f) shall be the
74.27 same as specified in paragraphs (a) to (d), except that the allocations shall be made to the
74.28 highest priority school sites not funded in the initial allocation on a statewide basis.
- 74.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 74.30 Sec. 2. Minnesota Statutes 2022, section 124D.151, is amended by adding a subdivision
 74.31 to read:
- 74.32 Subd. 5a. **Participation limit allocation.** (a) Beginning July 1, 2024, the participation
 74.33 limit specified in subdivision 6 must be initially allocated as follows:
- 75.1 (1) a school site or mixed delivery site must receive the same number of seats the site
 75.2 received in fiscal year 2024; and
- 75.3 (2) the remaining seats must be allocated among the five groups identified under
 75.4 subdivision 5, paragraph (c), based on each group's percentage share of the statewide
 75.5 kindergarten enrollment on October 1 of the previous school year.
- 75.6 **(b) Within each group:**
- 75.7 (1) the seats must be first allocated to any school sites and mixed delivery sites approved
 75.8 for aid in the previous year; and
- 75.9 (2) any remaining seats must be allocated among school sites in priority order, as
 75.10 determined under subdivision 5, paragraph (c), until the group's share of seats are allocated.
- 75.11 (c) If a group's entire share of seats is not allocated under paragraphs (a) and (b), then
 75.12 the remaining seats must be allocated to the highest priority school sites and mixed delivery
 75.13 sites in the state, as designated under subdivision 5, paragraph (c), not funded in the allocation
 75.14 under paragraphs (a) and (b).
- 75.15 (d) Once a school site or a mixed delivery site is approved for aid under subdivision 5
 75.16 and is allocated seats under this subdivision, it shall remain eligible for aid and seats if it
 75.17 continues to meet program requirements, regardless of changes in the concentration of
 75.18 students eligible for free or reduced-price meals.
- 75.19 (e) If the total number of participants approved based on applications submitted under
 75.20 subdivision 5, paragraph (a), is less than the participation limit under subdivision 6, the
 75.21 commissioner must notify all school districts and charter schools of the amount that remains
 75.22 available within 30 days of the initial application deadline under subdivision 5, paragraph
 75.23 (a), and complete a second round of allocations based on applications received within 60
 75.24 days of the initial application deadline.
- 75.25 (f) Procedures for approving applications submitted under paragraph (e) shall be the
 75.26 same as specified in subdivision 5, and the allocations shall be made to the highest priority
 75.27 school sites in the state as designated under subdivision 5, paragraph (c), not funded in the
 75.28 initial allocation under paragraphs (a) and (b).
- 75.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

82.25 Section 1. Minnesota Statutes 2023 Supplement, section 124D.151, subdivision 6, is
82.26 amended to read:

82.27 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
82.28 paragraph (c), the pupil units for a voluntary prekindergarten program for an eligible school
82.29 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
82.30 school district or charter school under section 126C.05, subdivision 1, paragraph (d).

83.1 (b) In reviewing applications under subdivision 5, the commissioner must limit the total
83.2 number of participants in the voluntary prekindergarten and school readiness plus programs
83.3 under Laws 2017, First Special Session chapter 5, article 8, section 9, to not more than 7,160
83.4 participants for fiscal ~~years 2023, year 2024, and 2025~~, and 12,360 participants for fiscal
83.5 year ~~2026~~ 2025 and later.

83.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

83.7 Sec. 2. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 3, is amended
83.8 to read:

83.9 Subd. 3. **Administration.** (a) The commissioner shall establish a schedule of tiered
83.10 per-child scholarship amounts based on the results of the rate survey conducted under section
83.11 119B.02, subdivision 7, the cost of providing high-quality early care and learning to children
83.12 in varying circumstances, a family's income, and geographic location.

83.13 (b) Notwithstanding paragraph (a), a program that has a four-star rating under section
83.14 124D.142 must receive, for each scholarship recipient who meets the criteria in subdivision
83.15 2a, paragraph (b) or (c), an amount not less than the cost to provide full-time care at the
83.16 75th percentile of the most recent market rate survey under section 119B.02, subdivision
83.17 7.

83.18 (c) A four-star rated program that has children eligible for a scholarship enrolled in or
83.19 on a waiting list for a program beginning in July, August, or September may notify the
83.20 commissioner, in the form and manner prescribed by the commissioner, each year of the
83.21 program's desire to enhance program services or to serve more children than current funding
83.22 provides. The commissioner may designate a predetermined number of scholarship slots
83.23 for that program and notify the program of that number. For fiscal year 2018 and later, the
83.24 statewide amount of funding directly designated by the commissioner must not exceed the
83.25 funding directly designated for fiscal year 2017. Beginning July 1, 2016, a school district
83.26 or Head Start program qualifying under this paragraph may use its established registration
83.27 process to enroll scholarship recipients and may verify a scholarship recipient's family
83.28 income in the same manner as for other program participants.

83.29 (d) A scholarship is awarded for a 12-month period. If the scholarship recipient has not
83.30 been accepted and subsequently enrolled in a rated program within three months of the
83.31 awarding of the scholarship, the scholarship cancels and the recipient must reapply in order
83.32 to be eligible for another scholarship. An extension may be requested if a program is

76.1 Sec. 3. Minnesota Statutes 2023 Supplement, section 124D.151, subdivision 6, is amended
76.2 to read:

76.3 Subd. 6. **Participation limits.** (a) Notwithstanding section 126C.05, subdivision 1,
76.4 paragraph (c), the pupil units for a voluntary prekindergarten program for an eligible school
76.5 district or charter school must not exceed 60 percent of the kindergarten pupil units for that
76.6 school district or charter school under section 126C.05, subdivision 1, paragraph (d).

76.7 (b) In reviewing applications under subdivision 5 and allocating seats under subdivision
76.8 5a, the commissioner must limit the total number of participants in the voluntary
76.9 prekindergarten and school readiness plus programs under Laws 2017, First Special Session
76.10 chapter 5, article 8, section 9, to not more than 7,160 participants for fiscal ~~years 2023, year~~
76.11 ~~2024, and 2025~~, and 12,360 participants for fiscal year ~~2026~~ 2025 and later.

76.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

83.33 unavailable for the child within the three-month timeline. A child may not be awarded more
83.34 than one scholarship in a 12-month period.

84.1 (e) A child who receives a scholarship who has not completed development screening
84.2 under sections 121A.16 to 121A.19 must complete that screening within 90 days of first
84.3 attending an eligible program or within 90 days after the child's third birthday if awarded
84.4 a scholarship under the age of three.

84.5 (f) For fiscal year 2017 and later through calendar year 2025, a school district or Head
84.6 Start program enrolling scholarship recipients under paragraph (c) may apply to the
84.7 commissioner, in the form and manner prescribed by the commissioner, for direct payment
84.8 of state aid. Upon receipt of the application, the commissioner must pay each program
84.9 directly for each approved scholarship recipient enrolled under paragraph (c) according to
84.10 the metered payment system or another schedule established by the commissioner.

84.11 (g) Beginning January 1, 2026, the commissioner must:

84.12 (1) make scholarship payments to eligible programs in advance of or at the beginning
84.13 of the delivery of services based on an approved scholarship recipient's enrollment; and

84.14 (2) implement a process for transferring scholarship awards between eligible programs,
84.15 when initiated by a scholarship recipient. Under the process, the commissioner:

84.16 (i) may adjust scholarship payment schedules for eligible programs to account for changes
84.17 in a scholarship recipient's enrollment; and

84.18 (ii) must specify a period of time for which scholarship payments must continue to an
84.19 eligible program for a scholarship recipient who transfers to a different eligible program.

84.20 (h) By January 1, 2026, the commissioner must have information technology systems
84.21 in place that prioritize efficiency and usability for families and early childhood programs
84.22 and that support the following:

84.23 (1) the ability for a family to apply for a scholarship through an online system that allows
84.24 the family to upload documents that demonstrate scholarship eligibility;

84.25 (2) the administration of scholarships, including but not limited to verification of family
84.26 and child eligibility, identification of programs eligible to accept scholarships, management
84.27 of scholarship awards and payments, and communication with families and eligible programs;
84.28 and

84.29 (3) making scholarship payments to eligible programs in advance of or at the beginning
84.30 of the delivery of services for an approved scholarship recipient.

85.1 (i) In creating the information technology systems and functions under paragraph (h),
85.2 the commissioner must consider the requirements for and the potential transition to the great
85.3 start scholarships program under section 119B.99.

85.4 Sec. 3. Minnesota Statutes 2023 Supplement, section 124D.165, subdivision 6, is amended
85.5 to read:

85.6 Subd. 6. **Early learning scholarship account.** (a) An account is established in the
85.7 special revenue fund known as the "early learning scholarship account."

85.8 (b) Funds appropriated for early learning scholarships under this section must be
85.9 transferred to the early learning scholarship account in the special revenue fund.

85.10 (c) Money in the account is annually appropriated to the commissioner for early learning
85.11 scholarships under this section. Any returned funds are available to be regranted.

85.12 (d) Up to \$2,133,000 annually is appropriated to the commissioner for costs associated
85.13 with administering and monitoring early learning scholarships.

85.14 (e) The commissioner may use funds under paragraph (c) for the purpose of family
85.15 outreach and distribution of scholarships.

85.16 (f) The commissioner may use up to \$5,000,000 in funds under paragraph (c) to create
85.17 and maintain the information technology systems, including but not limited to an online
85.18 application, a case management system, attendance tracking, and a centralized payment
85.19 system under subdivision 3, paragraph (h). Beginning July 1, 2025, the commissioner may
85.20 use up to \$750,000 annually in funds under paragraph (c) to maintain the information
85.21 technology systems created under this paragraph.

85.22 (g) By December 31 of each year, the commissioner must provide a written report to
85.23 the legislative committees with jurisdiction over early care and learning programs on the
85.24 use of funds under paragraph (c) for purposes other than providing scholarships to eligible
85.25 children.

76.13 Sec. 4. Minnesota Statutes 2022, section 124D.19, subdivision 11, is amended to read:

76.14 Subd. 11. **School-age care programs.** (a) A school board may offer, as part of a
76.15 community education program, a school-age care program for children ~~from kindergarten~~
76.16 ~~enrolled in the district through grade 6~~ for the purpose of expanding students' learning
76.17 opportunities. If the school board chooses not to offer a school-age care program, it may
76.18 allow an appropriate insured community group, for profit entity or nonprofit organization
76.19 to use available school facilities for the purpose of offering a school-age care program.

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

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

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

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

85.26 Sec. 4. Laws 2023, chapter 54, section 20, subdivision 6, is amended to read:

85.27 Subd. 6. **Head Start program.** (a) For Head Start programs under Minnesota Statutes,
85.28 section 119A.52:

85.29 \$ 35,100,000 2024

85.30 \$ 35,100,000 2025

86.1 (b) Up to two percent of the appropriation in fiscal year 2025 is available for
86.2 administration.

86.3 ~~(b)~~(c) Any balance in the first year does not cancel but is available in the second year.

86.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

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

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

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

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

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

77.5 (c) The district may charge a sliding fee based upon family income for school-age care
77.6 programs. The district may receive money from other public or private sources for the
77.7 school-age care program. The board of the district must develop standards for school-age
77.8 child care programs. The commissioner of education may not adopt rules for school-age
77.9 care programs.

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

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

77.17 Sec. 5. Laws 2023, chapter 54, section 20, subdivision 6, is amended to read:

77.18 Subd. 6. **Head Start program.** (a) For Head Start programs under Minnesota Statutes,
77.19 section 119A.52:

77.20 \$ 35,100,000 2024

77.21 \$ 35,100,000 2025

77.22 (b) For fiscal year 2025 and later, up to two percent of the appropriation in each year is
77.23 available for administration.

77.24 (c) Any balance in the first year does not cancel but is available in the second year.

86.5 Sec. 5. Laws 2023, chapter 54, section 20, subdivision 24, is amended to read:

86.6 Subd. 24. **Early childhood curriculum grants.** (a) For competitive grants to Minnesota
86.7 postsecondary institutions to improve the curricula of the recipient institution's early
86.8 childhood education programs by incorporating or conforming to the Minnesota knowledge
86.9 and competency frameworks for early childhood professionals:

86.10 \$ 250,000 2024

86.11 \$ 250,000 2025

86.12 (b) By December 1, 2024, and again by December 1, 2025, the commissioner must
86.13 submit a report to the chairs and ranking minority members of the legislative committees
86.14 with jurisdiction over early childhood through grade 12 education and higher education
86.15 finance and policy reporting on grants awarded under this subdivision. The report must
86.16 include the following information for the previous fiscal year:

- 86.17 (1) the number of grant applications received;
- 86.18 (2) the criteria applied by the commissioner for evaluating applications;
- 86.19 (3) the number of grants awarded, grant recipients, and amounts awarded;
- 86.20 (4) early childhood education curricular reforms proposed by each recipient institution;
- 86.21 (5) grant outcomes for each recipient institution; and
- 86.22 (6) other information identified by the commissioner as outcome indicators.

86.23 (c) The commissioner may use no more than three percent of the appropriation under
86.24 this subdivision to administer the grant program.

86.25 (d) This is a onetime appropriation.

86.26 (e) Any balance in the first year does not cancel but is available in the second year.

86.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

77.25 Sec. 6. Laws 2023, chapter 54, section 20, subdivision 24, is amended to read:

77.26 Subd. 24. **Early childhood curriculum grants.** (a) For competitive grants to Minnesota
77.27 postsecondary institutions to improve the curricula of the recipient institution's early
77.28 childhood education programs by incorporating or conforming to the Minnesota knowledge
77.29 and competency frameworks for early childhood professionals:

77.30 \$ 250,000 2024

77.31 \$ 250,000 2025

78.1 (b) By December 1, 2024, and again by December 1, 2025, the commissioner must
78.2 submit a report to the chairs and ranking minority members of the legislative committees
78.3 with jurisdiction over early childhood through grade 12 education and higher education
78.4 finance and policy reporting on grants awarded under this subdivision. The report must
78.5 include the following information for the previous fiscal year:

- 78.6 (1) the number of grant applications received;
- 78.7 (2) the criteria applied by the commissioner for evaluating applications;
- 78.8 (3) the number of grants awarded, grant recipients, and amounts awarded;
- 78.9 (4) early childhood education curricular reforms proposed by each recipient institution;
- 78.10 (5) grant outcomes for each recipient institution; and
- 78.11 (6) other information identified by the commissioner as outcome indicators.

78.12 (c) The commissioner may use no more than three percent of the appropriation under
78.13 this subdivision to administer the grant program.

78.14 (d) This is a onetime appropriation.

78.15 (e) Any balance in the first year does not cancel but is available in the second year.

78.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

78.17 Sec. 7. **DIRECTION TO THE COMMISSIONER OF EDUCATION; ADJUSTING**
78.18 **VOLUNTARY PREKINDERGARTEN PARTICIPATION LIMITS.**

78.19 The commissioner of education must retroactively adjust the voluntary prekindergarten
78.20 and school readiness plus seat allocation under Minnesota Statutes, section 124D.151,
78.21 subdivision 5a, for fiscal year 2025 to match the participation limit under Minnesota Statutes,
78.22 section 124D.141, subdivision 6, for fiscal year 2025. The commissioner of education, in
78.23 consultation with the Department of Children, Youth, and Families Implementation Office,
78.24 must finish allocating the new seats for fiscal year 2025 by June 1, 2024, and must notify
78.25 qualifying school districts and charter schools about the new seats by June 15, 2024.

86.28 Sec. 6. **REPEALER.**

86.29 Laws 2023, chapter 55, article 10, section 4, is repealed.

87.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

78.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

78.27 Sec. 8. **REPEALER.**

78.28 Laws 2023, chapter 55, article 10, section 4, is repealed.