

1.1 ..... moves to amend H.F. No. 2727 as follows:

1.2 Page 2, line 11, after "pupil's" insert "district of"

1.3 Page 2, line 15, after "a" insert "public"

1.4 Page 2, delete section 2

1.5 Page 3, line 22, strike "homeschool" and insert "provide instruction in a nonpublic  
1.6 school that is not accredited by a state recognized accrediting agency"

1.7 Page 4, after line 19, insert:

1.8 "Sec. 5. Minnesota Statutes 2011 Supplement, section 121A.15, subdivision 8, is  
1.9 amended to read:

1.10 Subd. 8. **Report.** The administrator or other person having general control and  
1.11 supervision of the elementary or secondary school shall file a report with the commissioner  
1.12 on all persons enrolled in the school. The superintendent of each district shall file a  
1.13 report with the commissioner for all persons within the district receiving instruction in  
1.14 a ~~home~~ nonpublic school that is not accredited by a state recognized accrediting agency  
1.15 in compliance with sections 120A.22 and 120A.24. The parent of persons receiving  
1.16 instruction in a ~~home~~ nonpublic school shall submit the statements as required by  
1.17 subdivisions 1, 2, 3, 4, and 12 to the superintendent of the district in which the person  
1.18 resides by October 1 of the first year of their ~~homeschooling~~ attending a nonpublic school  
1.19 that is not accredited by a state recognized accrediting agency in Minnesota and the grade 7  
1.20 year. The school report must be prepared on forms developed jointly by the commissioner  
1.21 of health and the commissioner of education and be distributed to the local districts by the  
1.22 commissioner of health. The school report must state the number of persons attending the  
1.23 school, the number of persons who have not been immunized according to subdivision 1 or  
1.24 2, and the number of persons who received an exemption under subdivision 3, clause (c)  
1.25 or (d). The school report must be filed with the commissioner of education within 60 days  
1.26 of the commencement of each new school term. Upon request, a district must be given a  
1.27 60-day extension for filing the school report. The commissioner of education shall forward

2.1 the report, or a copy thereof, to the commissioner of health who shall provide summary  
2.2 reports to boards of health as defined in section 145A.02, subdivision 2. The administrator  
2.3 or other person having general control and supervision of the child care facility shall file a  
2.4 report with the commissioner of human services on all persons enrolled in the child care  
2.5 facility. The child care facility report must be prepared on forms developed jointly by  
2.6 the commissioner of health and the commissioner of human services and be distributed  
2.7 to child care facilities by the commissioner of health. The child care facility report  
2.8 must state the number of persons enrolled in the facility, the number of persons with no  
2.9 immunizations, the number of persons who received an exemption under subdivision 3,  
2.10 clause (c) or (d), and the number of persons with partial or full immunization histories.  
2.11 The child care facility report must be filed with the commissioner of human services by  
2.12 November 1 of each year. The commissioner of human services shall forward the report,  
2.13 or a copy thereof, to the commissioner of health who shall provide summary reports to  
2.14 boards of health as defined in section 145A.02, subdivision 2. The report required by this  
2.15 subdivision is not required of a family child care or group family child care facility, for  
2.16 prekindergarten children enrolled in any elementary or secondary school provided services  
2.17 according to sections 125A.03 and 125A.06, nor for child care facilities in which at least  
2.18 75 percent of children in the facility participate on a onetime only or occasional basis to a  
2.19 maximum of 45 hours per child, per month.

2.20 Sec. 6. Minnesota Statutes 2011 Supplement, section 121A.15, subdivision 9, is  
2.21 amended to read:

2.22 Subd. 9. **Definitions.** As used in this section the following terms have the meanings  
2.23 given them.

2.24 (a) "Elementary or secondary school" includes any public school as defined in  
2.25 section 120A.05, subdivisions 9, 11, 13, and 17, or nonpublic school, church, or religious  
2.26 organization, or ~~home~~ nonpublic school that is not accredited by a state recognized  
2.27 accrediting agency in which a child is provided instruction in compliance with sections  
2.28 120A.22 and 120A.24.

2.29 (b) "Person enrolled in any elementary or secondary school" means a person born  
2.30 after 1956 and enrolled in grades kindergarten through 12, and a child with a disability  
2.31 receiving special instruction and services as required in sections 125A.03 to 125A.24 and  
2.32 125A.65, excluding a child being provided services at the home or bedside of the child or  
2.33 in other states.

2.34 (c) "Child care facility" includes those child care programs subject to licensure under  
2.35 chapter 245A, and Minnesota Rules, chapters 9502 and 9503.

3.1 (d) "Family child care" means child care for no more than ten children at one time  
 3.2 of which no more than six are under school age. The licensed capacity must include all  
 3.3 children of any caregiver when the children are present in the residence.

3.4 (e) "Group family child care" means child care for no more than 14 children at  
 3.5 any one time. The total number of children includes all children of any caregiver when  
 3.6 the children are present in the residence."

3.7 Page 7, delete section 11

3.8 Page 8, line 28, after "pupil's" insert "district of"

3.9 Page 20, after line 2, insert:

3.10 "Sec. 8. Minnesota Statutes 2011 Supplement, section 124D.10, subdivision 17a,  
 3.11 is amended to read:

3.12 Subd. 17a. **Affiliated nonprofit building corporation.** (a) Before a charter school  
 3.13 may organize an affiliated nonprofit building corporation (i) to renovate or purchase an  
 3.14 existing facility to serve as a school or (ii) to construct a new school facility, an authorizer  
 3.15 must submit an affidavit to the commissioner for approval in the form and manner the  
 3.16 commissioner prescribes, and consistent with paragraphs (b) and (c) or (d).

3.17 (b) An affiliated nonprofit building corporation under this subdivision must:

3.18 (1) be incorporated under section 317A and comply with applicable Internal  
 3.19 Revenue Service regulations;

3.20 (2) submit to the commissioner each fiscal year a list of current board members  
 3.21 and a copy of its annual audit; and

3.22 (3) comply with government data practices law under chapter 13.

3.23 An affiliated nonprofit building corporation must not serve as the leasing agent for  
 3.24 property or facilities it does not own. A charter school that leases a facility from an  
 3.25 affiliated nonprofit building corporation that does not own the leased facility is ineligible  
 3.26 to receive charter school lease aid. The state is immune from liability resulting from a  
 3.27 contract between a charter school and an affiliated nonprofit building corporation.

3.28 (c) A charter school may organize an affiliated nonprofit building corporation to  
 3.29 renovate or purchase an existing facility to serve as a school if the charter school:

3.30 (1) has been operating for at least five consecutive school years;

3.31 (2) has had a net positive unreserved general fund balance as of June 30 in the  
 3.32 preceding five fiscal years;

3.33 (3) has a long-range strategic and financial plan;

3.34 (4) completes a feasibility study of available buildings; ~~and~~

3.35 (5) documents enrollment projections and the need to use an affiliated building  
 3.36 corporation to renovate or purchase an existing facility to serve as a school; and

4.1 (6) has a plan for the renovation or purchase, which describes the parameters and  
4.2 budget for the project.

4.3 (d) A charter school may organize an affiliated nonprofit building corporation to  
4.4 expand an existing school facility or construct a new school facility if the charter school:

4.5 (1) demonstrates the lack of facilities available to serve as a school;

4.6 (2) has been operating for at least eight consecutive school years;

4.7 (3) has had a net positive unreserved general fund balance as of June 30 in the  
4.8 preceding eight fiscal years;

4.9 (4) completes a feasibility study of facility options;

4.10 (5) has a long-range strategic and financial plan that includes enrollment projections  
4.11 and demonstrates the need for constructing a new school facility; and

4.12 (6) has a plan for the expansion or new school facility, which describes the  
4.13 parameters and budget for the project.

4.14 (e) A charter school or an affiliated nonprofit building corporation organized by a  
4.15 charter school must not initiate an installment contract for purchase, or a lease agreement,  
4.16 or solicit bids for new construction, expansion, or remodeling of an educational facility  
4.17 that requires an expenditure in excess of \$1,400,000, unless it meets the criteria in  
4.18 paragraph (b) and paragraph (c) or (d), as applicable, and receives a positive review and  
4.19 comment from the commissioner under section 123B.71."

4.20 Renumber the sections in sequence and correct the internal references

4.21 Amend the title accordingly