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State of Minnesota  
**HOUSE OF REPRESENTATIVES**  
EIGHTY-NINTH SESSION  
**H. F. No. 2039**

03/19/2015 Authored by Garofalo

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; modifying pupil transportation procedures for  
1.3 certain nonresident charter school pupils; amending Minnesota Statutes 2014,  
1.4 sections 123B.88, by adding a subdivision; 124D.10, subdivision 16.  
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2014, section 123B.88, is amended by adding a  
1.7 subdivision to read:

1.8 Subd. 10a. **Nonresident charter school pupil transportation.** If a school district is  
1.9 providing transportation for a charter school under section 124D.10, subdivision 16, the  
1.10 school district must allow a nonresident pupil attending the charter school to be transported  
1.11 on a district-operated or contracted route from any scheduled stop to any other scheduled  
1.12 stop on that route. The district providing the pupil transportation services may charge a  
1.13 fee to the nonresident pupil. The fee for each nonresident pupil must not exceed the lesser  
1.14 of 15 cents per mile or the district's actual cost of transportation per mile traveled.

1.15 **EFFECTIVE DATE.** This section is effective July 1, 2015.

1.16 Sec. 2. Minnesota Statutes 2014, section 124D.10, subdivision 16, is amended to read:

1.17 Subd. 16. **Transportation.** (a) A charter school after its first fiscal year of operation  
1.18 by March 1 of each fiscal year and a charter school by July 1 of its first fiscal year of  
1.19 operation must notify the district in which the school is located and the Department of  
1.20 Education if it will provide its own transportation or use the transportation services of the  
1.21 district in which it is located for the fiscal year.

1.22 (b) If a charter school elects to provide transportation for pupils, the transportation  
1.23 must be provided by the charter school within the district in which the charter school is

located. The state must pay transportation aid to the charter school according to section 124D.11, subdivision 2.

For pupils who reside outside the district in which the charter school is located, the charter school is not required to provide or pay for transportation between the pupil's residence and the border of the district in which the charter school is located. A parent may be reimbursed by the charter school for costs of transportation from the pupil's residence to the border of the district in which the charter school is located if the pupil is from a family whose income is at or below the poverty level, as determined by the federal government. The reimbursement may not exceed the pupil's actual cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may not be paid for more than 250 miles per week.

At the time a pupil enrolls in a charter school, the charter school must provide the parent or guardian with information regarding the transportation.

(c) If a charter school does not elect to provide transportation, transportation for pupils enrolled at the school must be provided by the district in which the school is located, according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil residing in the same district in which the charter school is located. Transportation may be provided by the district in which the school is located, according to sections 123B.88, subdivision 6, and 124D.03, subdivision 8, for a pupil residing in a different district and must be provided according to section 123B.88, subdivision 10a. If the district provides the transportation, the scheduling of routes, manner and method of transportation, control and discipline of the pupils, and any other matter relating to the transportation of pupils under this paragraph shall be within the sole discretion, control, and management of the district.

**EFFECTIVE DATE.** This section is effective July 1, 2015.