

This Document can be made available in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3995

05/09/2016 Authored by Schultz, Moran, Flanagan, Mariani, Allen and others  
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act  
1.2 relating to driver education; expanding access to driver education programs for  
1.3 low-income students; establishing a driver education work group; requiring  
1.4 a report; appropriating money; amending Minnesota Statutes 2014, section  
1.5 123B.36, subdivision 1; proposing coding for new law in Minnesota Statutes,  
1.6 chapter 124D.

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

1.8 Section 1. Minnesota Statutes 2014, section 123B.36, subdivision 1, is amended to read:

1.9 Subdivision 1. **School boards may require fees.** (a) For purposes of this  
1.10 subdivision, "home school" means a home school as defined in sections 120A.22 and  
1.11 120A.24 with five or fewer students receiving instruction.

1.12 (b) A school board is authorized to require payment of fees in the following areas:

1.13 (1) in any program where the resultant product, in excess of minimum requirements  
1.14 and at the pupil's option, becomes the personal property of the pupil;

1.15 (2) admission fees or charges for extracurricular activities, where attendance  
1.16 is optional and where the admission fees or charges a student must pay to attend or  
1.17 participate in an extracurricular activity is the same for all students, regardless of whether  
1.18 the student is enrolled in a public or a home school;

1.19 (3) a security deposit for the return of materials, supplies, or equipment;

1.20 (4) personal physical education and athletic equipment and apparel, although any  
1.21 pupil may personally provide it if it meets reasonable requirements and standards relating  
1.22 to health and safety established by the board;

1.23 (5) items of personal use or products that a student has an option to purchase such as  
1.24 student publications, class rings, annuals, and graduation announcements;

2.1 (6) fees specifically permitted by any other statute, including but not limited to  
 2.2 section 171.05, subdivision 2; provided (i) driver education fees do not exceed the actual  
 2.3 cost to the school and school district of providing driver education reduced by any amount  
 2.4 received on behalf of the student under section 124D.335, and (ii) the driver education  
 2.5 courses are open to enrollment to persons between the ages of 15 and 18 who reside or  
 2.6 attend school in the school district;

2.7 (7) field trips considered supplementary to a district educational program;

2.8 (8) any authorized voluntary student health and accident benefit plan;

2.9 (9) for the use of musical instruments owned or rented by the district, a reasonable  
 2.10 rental fee not to exceed either the rental cost to the district or the annual depreciation plus  
 2.11 the actual annual maintenance cost for each instrument;

2.12 (10) transportation of pupils to and from extracurricular activities conducted at  
 2.13 locations other than school, where attendance is optional;

2.14 (11) transportation to and from school of pupils living within two miles from school  
 2.15 and all other transportation services not required by law. If a district charges fees for  
 2.16 transportation of pupils, it must establish guidelines for that transportation to ensure that  
 2.17 no pupil is denied transportation solely because of inability to pay;

2.18 (12) motorcycle classroom education courses conducted outside of regular school  
 2.19 hours; provided the charge must not exceed the actual cost of these courses to the school  
 2.20 district;

2.21 (13) transportation to and from postsecondary institutions for pupils enrolled under  
 2.22 the postsecondary enrollment options program under section 123B.88, subdivision 22.  
 2.23 Fees collected for this service must be reasonable and must be used to reduce the cost  
 2.24 of operating the route. Families who qualify for mileage reimbursement under section  
 2.25 124D.09, subdivision 22, may use their state mileage reimbursement to pay this fee. If no  
 2.26 fee is charged, districts must allocate costs based on the number of pupils riding the route.

2.27 **EFFECTIVE DATE.** This section is effective July 1, 2016.

2.28 Sec. 2. **[124D.335] DRIVER EDUCATION GRANTS.**

2.29 **Subdivision 1. Policy and purpose.** It is the intent of the legislature to expand  
 2.30 access to driver education courses for low-income students in the state of Minnesota.

2.31 **Subd. 2. Payments on behalf of students.** A school district may enroll a student  
 2.32 who is at least 15 years of age and not more than 19 years of age in a driver education  
 2.33 course provided by the school district or other provider and pay a portion of the costs of  
 2.34 enrollment on behalf of the student. The school may pay the driver education provider  
 2.35 \$300 for each student who qualifies for free lunch, \$200 for each student who qualifies for

3.1 reduced-price lunch, and \$100 for any other student. The provider may charge a fee to the  
3.2 student for the remaining cost of the program.

3.3 Subd. 3. **School district reimbursement.** Each year the commissioner of education  
3.4 must reimburse school districts for the total amounts paid by the district to driver  
3.5 education program providers in the previous fiscal year. A school district must apply for  
3.6 reimbursement in the form and manner required by the commissioner of education.

3.7 Subd. 4. **Annual appropriation.** The amounts necessary for payment of driver  
3.8 education aid to school districts under this section are annually appropriated from the  
3.9 general fund to the commissioner of education.

3.10 Sec. 3. **REPORT; DRIVER EDUCATION.**

3.11 Subdivision 1. **Driver education work group.** The commissioners of education,  
3.12 public safety, and employment and economic development must form a work group  
3.13 to study driver education availability in Minnesota. Each commissioner may name  
3.14 additional members to the work group, including representatives of public and private  
3.15 driver education programs and representatives of higher education institutions providing  
3.16 training for driver education instructors. The commissioner of education must provide  
3.17 staff support and convene the first meeting of the work group. The work group must  
3.18 study the availability of, and access to, driver education courses in Minnesota, analyze  
3.19 the geographic availability of courses, identify barriers for course participation for  
3.20 low-income students, and analyze potential permanent funding sources to expand the  
3.21 availability of driver education opportunities.

3.22 Subd. 2. **Report.** The work group must prepare and submit a written report to  
3.23 the committees of the legislature with jurisdiction over education, driver education, and  
3.24 driver's licenses by February 1, 2017. The report must describe the current status of driver  
3.25 education courses in Minnesota and recommend changes to increase student access to driver  
3.26 education courses. The report must also recommend a permanent funding mechanism to  
3.27 expand the availability of driver education courses to Minnesota's low-income students.

3.28 Subd. 3. **Appropriation.** \$..... in fiscal year 2017 is appropriated from the general  
3.29 fund to the commissioner of education for the activities of the driver education work group.