

**SENATE  
STATE OF MINNESOTA  
NINETY-THIRD SESSION**

**S.F. No. 4512**

(SENATE AUTHORS: MITCHELL)

DATE  
03/04/2024

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Introduction and first reading  
Referred to Education Policy

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education; modifying requirements for nonresident pupil transportation  
1.3 for students with a disability; amending Minnesota Statutes 2022, sections 123B.88,  
1.4 subdivision 6; 124D.03, subdivision 8.

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

1.6 Section 1. Minnesota Statutes 2022, section 123B.88, subdivision 6, is amended to read:

1.7 Subd. 6. **Nonresident pupil defined.** For the purposes of this subdivision, a "nonresident  
1.8 pupil" is a pupil who resides in one district, defined as the "resident district" and attends  
1.9 school in another district, defined as the "nonresident district."

1.10 If requested, a nonresident district shall transport a nonresident pupil within its borders  
1.11 and may transport a nonresident pupil within the pupil's resident district. If a nonresident  
1.12 district decides to transport a nonresident pupil within the pupil's resident district, the  
1.13 nonresident district must notify the pupil's resident district of its decision, in writing, prior  
1.14 to providing transportation. For a pupil who is a child with a disability under section 125A.03,  
1.15 the nonresident district must transport a pupil within the pupil's resident district if  
1.16 transportation is a related service as part of the pupil's individualized education program.

1.17 Sec. 2. Minnesota Statutes 2022, section 124D.03, subdivision 8, is amended to read:

1.18 Subd. 8. **Transportation.** If requested by the parent of a pupil, the nonresident district  
1.19 shall provide transportation within the district.

1.20 The resident district is not required to provide or pay for transportation between the  
1.21 pupil's residence and the border of the nonresident district, unless the pupil is a child with  
1.22 a disability under section 125A.03 and transportation is a related service as part of the pupil's

2.1 individualized education program. A parent may be reimbursed by the nonresident district  
2.2 for the costs of transportation from the pupil's residence to the border of the nonresident  
2.3 district if the pupil is from a family whose income is at or below the poverty level, as  
2.4 determined by the federal government. The reimbursement may not exceed the pupil's actual  
2.5 cost of transportation or 15 cents per mile traveled, whichever is less. Reimbursement may  
2.6 not be paid for more than 250 miles per week.

2.7 At the time a nonresident district notifies a parent or guardian that an application has  
2.8 been accepted under subdivision 4 or 5, the nonresident district must provide the parent or  
2.9 guardian with the following information regarding the transportation of nonresident pupils  
2.10 under section 123B.88, subdivision 6.