

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

**S.F. No. 5229**

(SENATE AUTHORS: RARICK)

DATE  
04/02/2024

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Introduction and first reading  
Referred to Education Finance

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to education finance; increasing funding for student support services;  
1.3 providing funding for nonpublic elementary counseling services; appropriating  
1.4 money; amending Minnesota Statutes 2022, section 123B.44, subdivisions 1, 5,  
1.5 6; Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 3; Laws  
1.6 2023, chapter 55, article 1, section 36, subdivision 6; article 5, section 64,  
1.7 subdivision 14.

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

1.9 Section 1. Minnesota Statutes 2022, section 123B.44, subdivision 1, is amended to read:

1.10 Subdivision 1. **Provided services.** (a) The commissioner of education shall promulgate  
1.11 rules under the provisions of chapter 14 requiring each district or other intermediary service  
1.12 area: (a) to provide each year upon formal request by a specific date by or on behalf of a  
1.13 nonpublic school pupil enrolled in a nonpublic school located in that district or area, the  
1.14 same specific health services as are provided for public school pupils by the district where  
1.15 the nonpublic school is located; and (b) to provide each year upon formal request by a  
1.16 specific date by or on behalf of a nonpublic school ~~secondary~~ pupil enrolled in a nonpublic  
1.17 school located in that district or area, ~~the same specific~~ guidance and counseling services  
1.18 ~~as are provided for public school secondary pupils by the district where the nonpublic school~~  
1.19 ~~is located.~~

1.20 (b) The district where the nonpublic school is located must provide the necessary  
1.21 transportation within the district boundaries between the nonpublic school and a public  
1.22 school or neutral site for nonpublic school pupils who are provided pupil support services  
1.23 under this section if the district elects to provide pupil support services at a site other than  
1.24 the nonpublic school. Each request for pupil support services must set forth the guidance

2.1 and counseling or health services requested by or on behalf of all eligible nonpublic school  
 2.2 pupils enrolled in a given nonpublic school. No district or intermediary service area must  
 2.3 not expend an amount for these pupil support services which exceeds the amount allotted  
 2.4 to it under this section.

2.5 **EFFECTIVE DATE.** This section is effective for fiscal year 2025 and later.

2.6 Sec. 2. Minnesota Statutes 2022, section 123B.44, subdivision 5, is amended to read:

2.7 Subd. 5. **Guidance and counseling services; allotment.** (a) Each school year the  
 2.8 commissioner shall allot to the school districts or intermediary service areas for the provision  
 2.9 of guidance and counseling services pursuant to this section the actual cost of the services  
 2.10 provided for the pupils in each respective nonpublic school for that school year.

2.11 (b) The allotment for guidance and counseling services for elementary pupils in each  
 2.12 nonpublic school must not exceed the lesser of:

2.13 (1) the student support personnel allowance for that year under section 124D.901,  
 2.14 subdivision 3, paragraph (c); or

2.15 (2) the average expenditure per public school elementary pupil for guidance and  
 2.16 counseling services by Minnesota public schools that provide these services to their  
 2.17 elementary pupils, multiplied by the number of elementary pupils in a particular nonpublic  
 2.18 school who request the services and who are enrolled as of September 15 of the current  
 2.19 school year.

2.20 (c) The allotment for guidance and counseling services for the secondary pupils in each  
 2.21 nonpublic school must not exceed the average expenditure per public school secondary  
 2.22 pupil for these guidance and counseling services by ~~those~~ Minnesota public schools ~~which~~  
 2.23 that provide these services to their secondary pupils, multiplied by the number of secondary  
 2.24 pupils in that a particular nonpublic school who request these the services and who are  
 2.25 enrolled as of September 15 of the current school year.

2.26 **EFFECTIVE DATE.** This section is effective for fiscal year 2025 and later.

2.27 Sec. 3. Minnesota Statutes 2022, section 123B.44, subdivision 6, is amended to read:

2.28 Subd. 6. **Computation of maximum allotments.** For purposes of computing maximum  
 2.29 allotments for each school year pursuant to this section, the average public school expenditure  
 2.30 per pupil for health services ~~and~~, the average public school expenditure per secondary pupil  
 2.31 for guidance and counseling services, and the average public school expenditure per  
 2.32 elementary pupil for guidance and counseling services shall be computed and established

3.1 by the department by February 1 of the preceding school year from the most recent public  
3.2 school year data then available.

3.3 **EFFECTIVE DATE.** This section is effective for revenue for fiscal year 2025 and later.

3.4 Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.901, subdivision 3, is amended  
3.5 to read:

3.6 Subd. 3. **Student support personnel aid.** (a) The initial student support personnel aid  
3.7 for a school district equals the greater of the student support personnel allowance times the  
3.8 adjusted pupil units at the district for the current fiscal year or \$40,000. The initial student  
3.9 support personnel aid for a charter school equals the greater of the student support personnel  
3.10 allowance times the adjusted pupil units at the charter school for the current fiscal year or  
3.11 \$20,000.

3.12 (b) The cooperative student support personnel aid for a school district that is a member  
3.13 of an intermediate school district or other cooperative unit that serves students equals the  
3.14 greater of the cooperative student support allowance times the adjusted pupil units at the  
3.15 district for the current fiscal year or \$40,000. If a district is a member of more than one  
3.16 cooperative unit that serves students, the revenue must be allocated among the cooperative  
3.17 units.

3.18 (c) The student support personnel allowance equals \$11.94 for fiscal year 2024, ~~\$17.08~~  
3.19 \$..... for fiscal year 2025, and ~~\$48.73~~ \$..... for fiscal year 2026 and later.

3.20 (d) The cooperative student support allowance equals \$0.60 for fiscal year 2024, \$0.85  
3.21 for fiscal year 2025, and \$2.44 for fiscal year 2026 and later.

3.22 (e) Notwithstanding paragraphs (a) and (b), the student support personnel aid must not  
3.23 exceed the district's, charter school's, or cooperative unit's actual expenditures.

3.24 Sec. 5. Laws 2023, chapter 55, article 1, section 36, subdivision 6, is amended to read:

3.25 Subd. 6. **Nonpublic pupil education aid.** (a) For nonpublic pupil education aid under  
3.26 Minnesota Statutes, sections 123B.40 to 123B.43 and 123B.87:

3.27	\$	22,354,000	.....	2024
3.28		<del>23,902,000</del>		
3.29	\$	<u>.....</u>	.....	2025

3.30 (b) The 2024 appropriation includes \$1,925,000 for 2023 and \$20,429,000 for 2024.

3.31 (c) The 2025 appropriation includes \$2,269,000 for 2024 and ~~\$21,633,000~~ \$..... for  
3.32 2025.

4.1 Sec. 6. Laws 2023, chapter 55, article 5, section 64, subdivision 14, is amended to read:

4.2 Subd. 14. **Student support personnel aid.** (a) For aid to support schools in addressing  
4.3 students' social, emotional, and physical health under Minnesota Statutes, section 124D.901:

4.4 \$ 29,138,000 ..... 2024

4.5 ~~35,270,000~~

4.6 \$ ..... ..... 2025

4.7 (b) The 2024 appropriation includes \$0 for fiscal year 2023 and \$29,138,000 for fiscal  
4.8 year 2024.

4.9 (c) The 2025 appropriation includes \$3,237,000 for fiscal year 2024 and ~~\$32,033,000~~  
4.10 \$..... for fiscal year 2025.