

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

S.F. No. 992

(SENATE AUTHORS: PRATT, Eichorn, Clausen, Wiger and Hoffman)

DATE	D-PG	OFFICIAL STATUS
02/07/2019	301	Introduction and first reading Referred to E-12 Finance and Policy

1.1 A bill for an act

1.2 relating to education; removing additional prior written notice requirements;

1.3 repealing Minnesota Statutes 2018, section 125A.091, subdivision 3a.

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

1.5 Section 1. **PRIOR WRITTEN NOTICE; RULE AMENDMENT.**

1.6 The commissioner of education must amend Minnesota Rules, part 3525.3600, to remove

1.7 the additional state requirements for prior written notice under Minnesota Statutes, section

1.8 125A.091, subdivision 3a.

1.9 Sec. 2. **REPEALER.**

1.10 Minnesota Statutes 2018, section 125A.091, subdivision 3a, is repealed.

125A.091 ALTERNATIVE DISPUTE RESOLUTION AND DUE PROCESS HEARINGS.

Subd. 3a. **Additional requirements for prior written notice.** In addition to federal law requirements, a prior written notice shall:

(1) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child's placement or for providing special education services unless the child's parent notifies the district of an objection within 14 days of when the district sends the prior written notice to the parent; and

(2) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference under subdivision 7 or another alternative dispute resolution procedure under subdivision 8 or 9.