

This Document can be made available in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 964

02/16/2015 Authored by Wills, Erickson, Dettmer, Kresha, Christensen 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 education; implementing portions of the 2013 legislative auditor's
1.3 report on special education.

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

1.5 Section 1. **SPECIAL EDUCATION EVALUATION.**

1.6 Subdivision 1. **Independent analysis of proposed changes to state special**
1.7 **education laws.** The commissioner of education must solicit a request for proposal to
1.8 undertake a detailed, independent analysis of the economic and educational effects of
1.9 conforming Minnesota's special education laws with minimum federal requirements. The
1.10 report must be structured to help the K-12 education policy and finance committees of the
1.11 legislature balance student outcomes with possible gains in time or cost efficiencies. The
1.12 commissioner must submit a written report containing the analysis to the K-12 education
1.13 policy and finance committees of the legislature by February 15, 2016.

1.14 Subd. 2. **Special education teachers' compliance with legal requirements.** The
1.15 Department of Education must identify ways to give teachers working with eligible
1.16 children with disabilities sufficient written and online resources to make informed
1.17 decisions about how to effectively comply with legal requirements related to providing
1.18 special education programs and services, including writing individualized education
1.19 programs and related documents, among other requirements. The department must work
1.20 collaboratively with school and district staff and representatives of affected organizations,
1.21 including Education Minnesota and Minnesota Administrators of Special Education,
1.22 among others, to identify obstacles to and solutions for teachers' confusion about
1.23 complying with legal requirements governing special education programs and services.
1.24 The department must work with schools and districts to provide staff development training

2.1 to better comply with applicable legal requirements while meeting the educational needs
2.2 and improving the educational progress of eligible children with disabilities.

2.3 Subd. 3. **Efficiencies to reduce paperwork.** The Department of Education, in
2.4 collaboration with teachers and administrators working with eligible children with
2.5 disabilities in schools and districts, must identify strategies to effectively decrease the
2.6 amount of time teachers spend completing paperwork for special education programs and
2.7 services, evaluate whether the strategies are cost-effective, and determine whether other
2.8 schools and districts are able to effectively use the strategies given available staff and
2.9 resources. Where an evaluation shows that particular paperwork reduction strategies are
2.10 cost-effective without undermining the purpose of the paperwork or the integrity of special
2.11 education requirements, the department must electronically disseminate and promote the
2.12 strategies to other schools and districts throughout the state.

2.13 Subd. 4. **Recommended rule changes to conform with Minnesota Statutes.**
2.14 The commissioner of education must prepare a written report for the K-12 education
2.15 policy and finance committees of the legislature by February 1, 2016, recommending
2.16 specific substantive and technical text revisions for amending state special education
2.17 rules and repealing obsolete special education rules to make the rules consistent with
2.18 Minnesota special education statutes. The commissioner must consult with the house of
2.19 representatives and senate committee chairs and ranking minority members in preparing
2.20 this report.

2.21 Subd. 5. **Special education; paperwork; time lines.** (a) Notwithstanding other law
2.22 to the contrary, to the extent special education-related paperwork requirements applicable
2.23 to school districts exceed what is required by federal special education law, school districts
2.24 may satisfy these paperwork requirements by complying with the federal law only.

2.25 (b) Notwithstanding other law to the contrary, to the extent special education-related
2.26 timelines applicable to school districts exceed what is required by federal special
2.27 education law, school districts may satisfy these timeline requirements by complying
2.28 with the federal law only.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.