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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1547

02/21/2019 Authored by Sandstede, Edelson, Kotyza-Witthuhn and Kunesh-Podein
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; requiring online reporting of special education data;
1.3 appropriating money for special education online system; proposing coding for
1.4 new law in Minnesota Statutes, chapter 125A.

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

1.6 Section 1. [125A.084] ONLINE REPORTING OF REQUIRED DATA.

1.7 (a) The commissioner of education must customize a streamlined, user-friendly statewide
1.8 online system, with a single model online form, for effectively and efficiently collecting
1.9 and reporting special education-related data to individuals with a legitimate educational
1.10 interest and who are authorized by law to access the data. The purpose of the online system
1.11 is to ensure a strong focus on outcomes for children with disabilities, ensure federal and
1.12 state compliance and accountability requirements, and increase opportunities for special
1.13 educators and related-services providers to focus on teaching children with disabilities.

1.14 (b) The commissioner must consult with qualified experts, including information
1.15 technology specialists, licensed special education teachers and directors of special education,
1.16 related-services providers, third-party vendors, a designee of the commissioner of human
1.17 services, parents of children with disabilities, representatives of advocacy groups representing
1.18 children with disabilities, and representatives of school districts and special education
1.19 cooperatives on integrating, field testing, customizing, and sustaining a simple, easily
1.20 accessible, efficient, and effective online data system for uniform statewide reporting of
1.21 required due process compliance data. Among other outcomes, the system must:

1.22 (1) reduce special education teachers' paperwork burden and thereby increase the teachers'
1.23 opportunities to focus on teaching children;

2.1 (2) to the extent authorized by chapter 13 or other applicable state or federal law  
2.2 governing access to and dissemination of educational records, provide for efficiently and  
2.3 effectively transmitting the records of all transferring children with disabilities, including  
2.4 highly mobile and homeless children with disabilities, among others, and avoid fragmented  
2.5 service delivery;

2.6 (3) address language and other barriers and disparities that prevent parents from  
2.7 understanding and communicating information about the needs of their children with  
2.8 disabilities; and

2.9 (4) help continuously improve the interface among the online systems serving children  
2.10 with disabilities in order to maintain and reinforce the children's ability to learn.

2.11 (c) The commissioner must use the federal Office of Special Education Programs model  
2.12 forms for the (1) individualized education program, (2) notice of procedural safeguards,  
2.13 and (3) prior written notice that are consistent with Part B of the Individuals with Disabilities  
2.14 Education Act to integrate and customize a state-sponsored universal special education  
2.15 online case management system, consistent with the requirements of this section, and any  
2.16 other state law for customizing a statewide online reporting system. The commissioner must  
2.17 use a request for proposal process to contract for the technology and software needed for  
2.18 customizing the online system in order for the system to be fully functional, consistent with  
2.19 the requirements of this section. This online system must be made available to school  
2.20 districts, without charge, in the 2021-2022 school year. For the 2022-2023 and later school  
2.21 years, school districts may use this online system or may contract with an outside vendor  
2.22 for compliance reporting to the statewide system.

2.23 (d) All data on individuals maintained in the statewide reporting system are classified  
2.24 as provided in chapter 13 or other applicable state or federal law. An authorized individual's  
2.25 ability to enter, update, or access data must be limited through the use of role-based access  
2.26 codes corresponding to that individual's official duties or training level, and the statutory  
2.27 authorization that grants access for a particular purpose. Any action in which data in the  
2.28 system are entered, updated, accessed, or shared or disseminated outside of the system must  
2.29 be recorded in an audit trail. The audit trail must identify the specific user responsible for  
2.30 the action, the date and time the action occurred, and the purpose for the action. Data  
2.31 contained in the audit trail maintain the same classification as the underlying data affected  
2.32 by the action, provided the responsible authority makes the data available to a student or  
2.33 the student's parent upon request, and the responsible authority may access the data to audit  
2.34 the system's user activity and security safeguards. Before entering data on a student, the  
2.35 responsible authority must provide the student or the student's parent written notice of the

3.1 data practices rights and responsibilities required by this section and a reasonable opportunity  
 3.2 to refuse consent to have the student's data included in the system. Upon receiving the  
 3.3 student or the student's parent written refusal to consent, the school district must not enter  
 3.4 data on that student into the system and must delete any existing data on the student currently  
 3.5 in the system.

3.6 (e) Consistent with this section, the commissioner must establish a public Internet  
 3.7 interface to provide information to educators, parents, and the public about the form and  
 3.8 content of required special education reports, to respond to queries from educators, parents,  
 3.9 and the public about specific aspects of special education reports and reporting, and to use  
 3.10 the information garnered from the interface to streamline and revise special education  
 3.11 reporting on the online system under this section. The public Internet interface must include  
 3.12 a prominently linked page describing the rights and responsibilities of students and parents  
 3.13 whose data are included in the statewide reporting system, information on the data practices  
 3.14 rights of students and parents provided by this section, and a form students or parents may  
 3.15 use to refuse consent to have a student's data included in the system. The public Internet  
 3.16 interface must not provide access to the educational records of any individual child.

3.17 (f) Annually by February 1 the commissioner must submit to the legislature a report on  
 3.18 the status, recent changes, and sustainability of the online system under this section.

3.19 **Sec. 2. APPROPRIATION.**

3.20 Subdivision 1. **Commissioner of education.** The sums indicated in this section are  
 3.21 appropriated from the general fund to the commissioner of education for the fiscal years  
 3.22 designated.

3.23 Subd. 2. **Special education online system.** For a special education online data reporting  
 3.24 system under Minnesota Statutes, section 125A.084:

3.25	<u>\$</u>	<u>1,800,000</u>	<u>.....</u>	<u>2019</u>
3.26	<u>\$</u>	<u>600,000</u>	<u>.....</u>	<u>2020</u>