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# State of Minnesota

## HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

# H. F. No. 1928

03/05/2025 Authored by Rehrauer; Johnson, P., and Virnig  
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 due process time for special education forms and
- 1.3 procedures; establishing due process aid; appropriating money; proposing coding
- 1.4 for 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.081] DUE PROCESS DAYS AND AID.**
- 1.7 Subdivision 1. **Due process forms and procedure days.** Beginning with the 2025-2026
- 1.8 school year, a school district must use the revenue under this section to provide teachers
- 1.9 time to complete due process forms and procedures in accordance with the plan developed
- 1.10 under subdivision 2. This time is in addition to the preparation time under section 122A.50.
- 1.11 For purposes of this section, "school district" includes a charter school or cooperative unit
- 1.12 where teachers have an exclusive representative for purposes of collective bargaining.
- 1.13 Subd. 2. **Plan.** (a) A district must meet and negotiate an agreement with the exclusive
- 1.14 representative of teachers in the district containing a plan to use the revenue authorized
- 1.15 under this section to provide teachers that provide direct services to students with
- 1.16 individualized education programs or individualized family services plans four contract
- 1.17 days each school year to complete due process forms and procedures. The four days must
- 1.18 be equally distributed throughout the school year. The plan must describe the district's
- 1.19 staffing plan for the days teachers are completing due process forms and procedures.
- 1.20 (b) If the district and the exclusive representative cannot reach agreement on a staffing
- 1.21 plan for the four due process days, the agreement must require the district to use the revenue
- 1.22 for substitute teachers to replace the teachers completing due process forms and procedures
- 1.23 on due process days.

2.1 Subd. 3. **Due process aid.** (a) A school district that enrolls students is eligible for due  
2.2 process aid.

2.3 (b) The Department of Education must calculate the statewide average cost of four  
2.4 additional due process days for teachers providing direct services to students with  
2.5 individualized education programs or individualized family services plans based on the  
2.6 most recent available data. For fiscal year 2026, the department must convert that amount  
2.7 to a statewide allowance per enrollee for school districts and an equivalent amount for each  
2.8 cooperative unit. For fiscal year 2027 and later, the department must reduce the statewide  
2.9 allowances established in 2026 by the statewide average amount of due process day expenses  
2.10 added to eligible special education expenditures for the previous year.

2.11 (c) The department must determine the fiscal year 2026 allowances by June 1, 2025,  
2.12 and the fiscal year 2027 allowances by March 15, 2026. The department must establish the  
2.13 allowances for fiscal years 2028 and later by March 15 of the previous year.

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

2.15 Sec. 2. **APPROPRIATION; SPECIAL EDUCATION DUE PROCESS AID.**

2.16 Subdivision 1. **Department of Education.** The sums indicated in this section are  
2.17 appropriated from the general fund to the Department of Education for the fiscal years  
2.18 designated.

2.19 Subd. 2. **Due process aid.** For special education teacher due process aid under Minnesota  
2.20 Statutes, section 125A.081:

2.21 \$                .....        .....    2026

2.22 \$                .....        .....    2027

2.23 **EFFECTIVE DATE.** This section is effective July 1, 2025.