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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1289

02/18/2019

Authored by Her and Youakim
The bill was read for the first time and referred to the Committee on Education Policy

- 1.1A bill for an act
- 1.2relating to education; removing additional prior written notice requirements;
- 1.3repealing Minnesota Statutes 2018, section 125A.091, subdivision 3a.
- 1.4BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.5Section 1. **PRIOR WRITTEN NOTICE; RULE AMENDMENT.**
- 1.6The commissioner of education must amend Minnesota Rules, part 3525.3600, to remove
- 1.7the additional state requirements for prior written notice under Minnesota Statutes, section
- 1.8125A.091, subdivision 3a.
- 1.9Sec. 2. **REPEALER.**
- 1.10Minnesota Statutes 2018, section 125A.091, subdivision 3a, is repealed.

APPENDIX
Repealed Minnesota Statutes: 19-1315

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.