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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1705

04/04/2013

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The bill was read for the first time and referred to the Committee on Government Operations

04/11/2013

Adoption of Report: Pass as Amended and re-referred to the Committee on Rules and Legislative Administration

1.1

A bill for an act

1.2

relating to state government; granting the commissioner of education rulemaking

1.3

authority.

1.4

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

1.5

Section 1. **RULEMAKING AUTHORITY.**

1.6

The commissioner of education shall amend Minnesota Rules related to the

1.7

provision of special education under Part C of the Individuals with Disabilities Education

1.8

Act using the expedited rulemaking process in Minnesota Statutes, section 14.389. The

1.9

commissioner shall amend rules in response to new federal regulations in Code of

1.10

Federal Regulations, title 34, part 303, including definitions of and procedures related to

1.11

evaluation and assessment, including assessment of the child and family, initial evaluation

1.12

and assessment, native language, the use of informed clinical opinion as an independent

1.13

basis to establish eligibility, and transition of a toddler from Part C consistent with Code of

1.14

Federal Regulations, title 34, sections 303.24, 303.25, and 303.321. The authority to use

1.15

the expedited process to amend rules specified in this section expires July 1, 2014. Rule

1.16

amendments adopted under the expedited process before that date remain in effect unless

1.17

further amended under the rulemaking procedures in Minnesota Statutes, chapter 14.