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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1141**

03/04/2013 Authored by Moran, Mullery, Abeler and Dehn, R.,
The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy
03/11/2013 Adoption of Report: Pass and re-referred to the Committee on Education Finance

1.1 A bill for an act
1.2 relating to education; qualifying certain homeless children for early educational
1.3 services; requiring a report; amending Minnesota Statutes 2012, sections
1.4 125A.02, subdivision 1a; 125A.30.

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

1.6 Section 1. Minnesota Statutes 2012, section 125A.02, subdivision 1a, is amended to
1.7 read:

1.8 Subd. 1a. **Children ages three through seven experiencing developmental delays.**
1.9 In addition, "child with a disability" includes every child under age three; and, at local
1.10 district discretion, from age three to age seven, who needs special instruction and services,
1.11 as determined by the rules of the commissioner, because the child: (1) has a substantial
1.12 delay or; (2) has an identifiable certain diagnosed physical or mental condition known to
1.13 hinder normal development is a child with a disability conditions with a high probability
1.14 of resulting in a delay, regardless of whether the child is currently demonstrating a need or
1.15 delay; or (3) may develop an identifiable condition because the child is homeless.

1.16 **EFFECTIVE DATE.** This section is effective July 1, 2013.

1.17 Sec. 2. Minnesota Statutes 2012, section 125A.30, is amended to read:

1.18 **125A.30 INTERAGENCY EARLY INTERVENTION COMMITTEES.**

1.19 (a) A school district, group of districts, or special education cooperative, in
1.20 cooperation with the health and human service agencies located in the county or counties
1.21 in which the district or cooperative is located, must establish an Interagency Early
1.22 Intervention Committee for children with disabilities under age five and their families
1.23 under this section, and for children with disabilities ages three to 22 consistent with

2.1 the requirements under sections 125A.023 and 125A.027. Committees must include
2.2 representatives of local health, education, and county human service agencies, county
2.3 boards, school boards, early childhood family education programs, Head Start, parents of
2.4 young children with disabilities under age 12, child care resource and referral agencies,
2.5 school readiness programs, current service providers, and agencies that serve families
2.6 experiencing homelessness, and may also include representatives from other private or
2.7 public agencies and school nurses. The committee must elect a chair from among its
2.8 members and must meet at least quarterly.

2.9 (b) The committee must develop and implement interagency policies and procedures
2.10 concerning the following ongoing duties:

2.11 (1) develop public awareness systems designed to inform potential recipient families,
2.12 especially parents with premature infants, or infants with other physical risk factors
2.13 associated with learning or development complications, of available programs and services;

2.14 (2) to reduce families' need for future services, and especially parents with premature
2.15 infants; or infants with other physical risk factors associated with learning or development
2.16 complications, implement interagency child find systems designed to actively seek out,
2.17 identify, and refer infants and young children with, or at risk of, disabilities, including
2.18 a child under the age of three who: (i) is involved in a substantiated case of abuse or
2.19 neglect or, (ii) is identified as affected by illegal substance abuse, or withdrawal symptoms
2.20 resulting from prenatal drug exposure, or (iii) is homeless, as defined by the United States
2.21 Department of Education, for some or all of that school year;

2.22 (3) establish and evaluate the identification, referral, child and family assessment
2.23 systems, procedural safeguard process, and community learning systems to recommend,
2.24 where necessary, alterations and improvements;

2.25 (4) assure the development of individualized family service plans for all eligible
2.26 infants and toddlers with disabilities from birth through age two, and their families,
2.27 and individualized education programs and individual service plans when necessary to
2.28 appropriately serve children with disabilities, age three and older, and their families and
2.29 recommend assignment of financial responsibilities to the appropriate agencies;

2.30 (5) implement a process for assuring that services involve cooperating agencies at all
2.31 steps leading to individualized programs;

2.32 (6) facilitate the development of a transitional plan if a service provider is not
2.33 recommended to continue to provide services;

2.34 (7) identify the current services and funding being provided within the community
2.35 for children with disabilities under age five and their families;

3.1 (8) develop a plan for the allocation and expenditure of additional state and federal
3.2 early intervention funds under United States Code, title 20, section 1471 et seq. (Part C,
3.3 Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I,
3.4 Public Law 89-313); and

3.5 (9) develop a policy that is consistent with section 13.05, subdivision 9, and federal
3.6 law to enable a member of an interagency early intervention committee to allow another
3.7 member access to data classified as not public.

3.8 (c) The local committee shall also:

3.9 (1) participate in needs assessments and program planning activities conducted by
3.10 local social service, health and education agencies for young children with disabilities and
3.11 their families; and

3.12 (2) review and comment on the early intervention section of the total special
3.13 education system for the district, the county social service plan, the section or sections of
3.14 the community health services plan that address needs of and service activities targeted
3.15 to children with special health care needs, the section on children with special needs in
3.16 the county child care fund plan, sections in Head Start plans on coordinated planning and
3.17 services for children with special needs, any relevant portions of early childhood education
3.18 plans, such as early childhood family education or school readiness, or other applicable
3.19 coordinated school and community plans for early childhood programs and services, and
3.20 the section of the maternal and child health special project grants that address needs of and
3.21 service activities targeted to children with chronic illness and disabilities.

3.22 **EFFECTIVE DATE.** This section is effective July 1, 2013.

3.23 Sec. 3. **REPORT ON HOMELESS CHILDREN SERVED.**

3.24 The commissioner of education must collect statistics on the number of homeless
3.25 children who have received Part C services under section 1 and, beginning in 2015, must
3.26 annually report those results to the legislature by July 1.

3.27 **EFFECTIVE DATE.** This section is effective July 1, 2013.