

3525.3700 CONCILIATION CONFERENCE.

Subpart 1. **When a conference must be offered.** Parents must have an opportunity to meet with appropriate district staff in at least one conciliation conference if the parents object to any proposal or refusal of which the parents are notified under Minnesota Statutes, section 125A.091, subdivision 2. If the parent refuses efforts by the district to conciliate the dispute with the district, the district is deemed to have satisfied its requirement to offer a conciliation conference.

Subp. 1a. **When and where held; results.** A conciliation conference must be held in accordance with items A to E.

A. A conciliation conference must be held within ten calendar days from the district's receipt of the parent's agreement or request to participate in a conciliation conference and at a time and place mutually convenient to the parent and school district representatives.

B. A conciliation conference must not be used to unilaterally delay or deny a parent's right to a hearing.

C. Statements made during a conciliation conference must remain confidential and may not be admitted in evidence in a due process hearing, except as provided in item D, and except to allow a party to establish at a due process hearing that a particular service or action was requested or offered.

D. Within five business days after the final conciliation conference, the district must serve the parent with a written memorandum that conforms with Minnesota Statutes, section 125A.091, subdivisions 3 and 4, and must provide the parent with any proposed IEP resulting from the conciliation conference. The memorandum and IEP are admissible evidence in a due process hearing.

E. If the proposed action is an initial evaluation or initial placement, the district must not proceed until the parents give written informed consent. For all other proposed actions, the district must proceed ten business days after the memorandum is served on the parents, unless the parent objects in writing to the proposed action within that time period.

Subp. 2. [Repealed, 26 SR 657]

Subp. 3. **Refusal to conciliate; request for hearing.** When the parent refuses efforts by the district to conciliate the dispute and notifies the district of the intent to go to an impartial due process hearing, the district must inform the parent of the procedure for requesting the hearing and all other procedural safeguards pursuant to part 3525.3900, subpart 3, item J, and Code of Federal Regulations, title 34, section 300.504.

Statutory Authority: *MS s 120.17; 121.11; L 1994 c 647 art 3 s 23; L 1999 c 123 s 19,20; L 2003 1Sp9 art 3 s 19*

History: *14 SR 281; 19 SR 2432; L 1998 c 397 art 11 s 3; 26 SR 657; 28 SR 1292*

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