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State of Minnesota

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Page No. **354**

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **3621**

February 28, 2008

Authored by Hilstrom and Greiling

The bill was read for the first time and referred to the Committee on E-12 Education

March 10, 2008

Committee Recommendation and Adoption of Report:

To Pass as Amended

Read Second Time

1.1 A bill for an act
1.2 relating to education; extending the special education task force to allow it to
1.3 complete its study of state special education rules; repealing sections identified
1.4 by this task force; amending Minnesota Statutes 2007 Supplement, section
1.5 125A.14; Laws 2007, chapter 146, article 3, section 23, subdivision 2; repealing
1.6 Minnesota Statutes 2006, sections 125A.16; 125A.19; 125A.20; 125A.57.

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

1.8 Section 1. Minnesota Statutes 2007 Supplement, section 125A.14, is amended to read:

1.9 **125A.14 EXTENDED SCHOOL YEAR.**

1.10 A district may provide extended school year services for children with a disability
1.11 living within the district and nonresident children temporarily placed in the district
1.12 pursuant to section 125A.15 ~~or 125A.16~~. Prior to March 31 or 30 days after the child with
1.13 a disability is placed in the district, whichever is later, the providing district shall give
1.14 notice to the district of residence of any nonresident children temporarily placed in the
1.15 district pursuant to section 125A.15 ~~or 125A.16~~, of its intention to provide these programs.
1.16 Notwithstanding any contrary provisions in sections 125A.15 ~~and 125A.16~~, the district
1.17 providing the special instruction and services must apply for special education aid for the
1.18 extended school year services. The unreimbursed actual cost of providing the program
1.19 for nonresident children with a disability, including the cost of board and lodging, may
1.20 be billed to the district of the child's residence and must be paid by the resident district.
1.21 Transportation costs must be paid by the district responsible for providing transportation
1.22 pursuant to section 125A.15 ~~or 125A.16~~ and transportation aid must be paid to that district.

1.23 Sec. 2. Laws 2007, chapter 146, article 3, section 23, subdivision 2, is amended to read:

2.1 Subd. 2. **Report.** (a) The task force must submit to the education policy and finance
2.2 committees of the legislature by February 15, ~~2008~~ 2009, a report that identifies and
2.3 clearly and concisely explains each provision in state law or rule that exceeds ~~or expands~~
2.4 ~~upon~~ a minimum federal requirement contained in law or regulation for providing special
2.5 education programs and services to eligible students. The report also must recommend
2.6 which state ~~provisions~~ statutes and rules that exceed ~~or expand upon~~ a minimum federal
2.7 requirement may be amended to conform with minimum federal requirements or made
2.8 more effective as determined by a majority of the task force members. The task force
2.9 expires when it submits its report to the legislature.

2.10 (b) Consistent with subdivision 1, the Department of Education member of the
2.11 task force representing regulators shall be replaced with a parent advocate selected by a
2.12 statewide organization that advocates on behalf of families with children with disabilities.

2.13 (c) The Department of Education must provide technical assistance at the request of
2.14 the task force.

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

2.16 Sec. 3. **REPEALER.**

2.17 Minnesota Statutes 2006, sections 125A.16; 125A.19; 125A.20; and 125A.57, are
2.18 repealed.

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