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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **3487**

March 8, 2010

Authored by Newton

The bill was read for the first time and referred to the K-12 Education Policy and Oversight

March 11, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

1.1 A bill for an act  
1.2 relating to education; clarifying requirements for a conciliation conference;  
1.3 directing the Minnesota Department of Education to amend two special education  
1.4 rules; amending Minnesota Statutes 2009 Supplement, section 125A.091,  
1.5 subdivision 7.

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

1.7 Section 1. Minnesota Statutes 2009 Supplement, section 125A.091, subdivision 7,  
1.8 is amended to read:

1.9 Subd. 7. **Conciliation conference.** A parent must have an opportunity to meet with  
1.10 appropriate district staff in at least one conciliation conference if the parent objects to  
1.11 any proposal of which the parent receives notice under subdivision 3a. A district must  
1.12 immediately offer to hold a conciliation conference and, if the parent agrees to participate  
1.13 in the conference, must convene that conference within ten calendar days from the date  
1.14 the district receives a parent's objection to a proposal or refusal in the prior written notice.  
1.15 Except as provided in this section, all discussions held during a conciliation conference  
1.16 are confidential and are not admissible in a due process hearing. Within five school days  
1.17 after the final conciliation conference, the district must prepare and provide to the parent a  
1.18 conciliation conference memorandum that describes the district's final proposed offer of  
1.19 service. This memorandum is admissible in evidence in any subsequent proceeding.

1.20 **EFFECTIVE DATE.** This section is effective the day following final enactment  
1.21 and applies to conciliation conferences required after that date.

1.22 Sec. 2. **TRANSITION PLANNING AND REPORTING.**

2.1 Transition planning, as part of a student's individualized education program, must  
2.2 occur during grade 9. The results of the required secondary transition evaluation may be  
2.3 documented separately from any other required reports.

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

2.5 Sec. 3. **SPECIAL EDUCATION RULEMAKING.**

2.6 The Department of Education must use the good cause exemption under Minnesota  
2.7 Statutes, section 14.388, subdivision 1, clause (3), to amend Minnesota Rules, part  
2.8 3525.2900, subpart 4, to conform to section 2.

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