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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2813

03/10/2016 Authored by Erickson and Lucero

The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to education; creating a directory of cross-references to statutes
1.3 governing parental rights in education; proposing coding for new law in
1.4 Minnesota Statutes, chapter 124D.
1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [124D.8957] PREKINDERGARTEN THROUGH GRADE 12
1.7 PARENTAL RIGHTS CODED ELSEWHERE.

1.8 Subdivision 1. **Scope.** The sections referred to in subdivisions 2 to 30 are
1.9 codified outside this section. Those sections govern parental rights related to topics in
1.10 prekindergarten through grade 12 education.

1.11 Subd. 2. **Compulsory instruction.** Parental rights related to compulsory
1.12 instruction, including the right to: withdraw a child from school; notice related to transfer
1.13 of disciplinary records; excuse a child from school for illnesses, appointments, or religious
1.14 events; and access by noncustodial parents to school records and conferences, among
1.15 other rights, are governed by section 120A.22.

1.16 Subd. 3. **Longitudinal data.** The parental right to annual summary longitudinal
1.17 performance and progress data is governed by section 120B.31.

1.18 Subd. 4. **Antibullying.** Parental rights related to school district antibullying
1.19 policies, including the right to be involved in developing the policies, the right to be
1.20 notified of incidents of prohibited conduct, and the right to be informed of data practices
1.21 laws, are governed by section 121A.031.

1.22 Subd. 5. **Student discipline policies.** The parental right to notice in student
1.23 discipline policies of rights under the Safe and Supportive Minnesota Schools Act is
1.24 governed by section 121A.0311.

2.1 Subd. 6. **Early childhood development screening.** Parental rights to certain notice
2.2 requirements related to early childhood development screening and to receive results of
2.3 early childhood development screening are governed by section 121A.17. The parental
2.4 right to provide consent before individual screening data may be disclosed to a school
2.5 district is governed by section 121A.18.

2.6 Subd. 7. **Chemical abuse.** The parental right to be informed of a reported case of
2.7 chemical abuse by a minor student is governed by section 121A.26.

2.8 Subd. 8. **Pesticides.** The parental right to be notified regarding the use of pesticides
2.9 at a school is governed by the Janet B. Johnson Parents' Right-to-Know Act under section
2.10 121A.30.

2.11 Subd. 9. **Student dismissal.** The parental right to notice and a meeting regarding
2.12 the removal of a student for more than ten days is governed by section 121A.45.

2.13 Subd. 10. **Exclusion and expulsion.** The parental right to be included in exclusion
2.14 or expulsion hearing procedures, including access to records, ability to testify and present
2.15 evidence, and inclusion in the student's readmission plan, is governed by section 121A.47.

2.16 Subd. 11. **Exclusion and expulsion appeal.** The parental right to notice of the right
2.17 to appeal an exclusion or expulsion decision is governed by section 121A.49.

2.18 Subd. 12. **Reinstatement after termination of dismissal.** The parental right to
2.19 notice of a student's right to be reinstated after the termination of dismissal is governed
2.20 by section 121A.54.

2.21 Subd. 13. **Interdistrict cooperation.** The parental right to notice of an
2.22 informational school board meeting relating to discontinuing interdistrict cooperation
2.23 is governed by section 123A.32.

2.24 Subd. 14. **Background checks.** The parental right to notice of a school's
2.25 background check policy for hiring teachers is governed by section 123B.03.

2.26 Subd. 15. **Textbook fees.** The parental right to notice of a school board's policy to
2.27 charge fees for textbooks lost or destroyed by students is governed by section 123B.37.

2.28 Subd. 16. **Transportation privileges.** The parental right to surrender a student's
2.29 privilege to receive transportation services from a school district is governed by section
2.30 123B.88.

2.31 Subd. 17. **Nonresident district policies.** The parental right to receive notice of: a
2.32 decision on an application by a student to attend school in a nonresident district; the
2.33 transportation policies of the nonresident district; and the right to be reimbursed for costs
2.34 of transportation to the nonresident district's border are governed by section 124D.03.

3.1 Subd. 18. **Out-of-state districts.** Under section 124D.04, the parental rights related
3.2 to a student attending a nonresident district under section 124D.03 apply to a student
3.3 attending an out-of-state district.

3.4 Subd. 19. **Free or reduced-price lunch eligibility.** The parental right to opt a child
3.5 out of disclosing a child's eligibility for free or reduced-price lunch to the Department of
3.6 Education and the Department of Human Services is governed by section 124D.1115.

3.7 Subd. 20. **Learning year programs.** The parental right to notice of optional
3.8 learning year programs is governed by section 124D.128.

3.9 Subd. 21. **English learners programs.** Parental rights related to student enrollment
3.10 in programs for English learners, including notice, withdrawal, and parental involvement,
3.11 are governed by section 124D.60.

3.12 Subd. 22. **Charter school transportation.** The parental right to receive notice
3.13 of: a charter school's transportation policy and the right to be reimbursed for costs of
3.14 transportation to the border of the district in which the charter school is located are
3.15 governed by section 124E.15.

3.16 Subd. 23. **Services for children with disabilities.** The parental right to be included
3.17 in determining the appropriate and necessary services for students with disabilities is
3.18 governed by section 125A.027.

3.19 Subd. 24. **Data on children with disabilities.** The parental right to notice and
3.20 involvement regarding online reporting of data related to children with disabilities is
3.21 governed by section 125A.085.

3.22 Subd. 25. **Special education alternative dispute resolution.** Parental rights
3.23 regarding notice, participation, and due process related to special education alternative
3.24 dispute resolution procedures are governed by section 125A.091.

3.25 Subd. 26. **Third-party reimbursement for children with disabilities.** The
3.26 parental right to notice of a school district seeking reimbursement from medical assistance
3.27 or MinnesotaCare for services rendered to a student with a disability is governed by
3.28 section 125A.21.

3.29 Subd. 27. **Services provided to children with disabilities.** Parental rights
3.30 related to services provided to students eligible for Part C services under the Individuals
3.31 with Disabilities Education Act and the right to receive written materials regarding the
3.32 implementation of Part C services are governed by sections 125A.42 and 125A.48. The
3.33 parental right to use mediation to resolve disputes under section 125A.42 is governed
3.34 by section 125A.43.

3.35 Subd. 28. **Minnesota State Academies discharge.** The parental right to notice of a
3.36 student's discharge from the Minnesota State Academies is governed by section 125A.68.

4.1 Subd. 29. **Education records for military children.** The parental right to education
4.2 records under the Interstate Compact on Educational Opportunity for Military Children
4.3 is governed by section 127A.85.

4.4 Subd. 30. **Appeal adverse school board decision.** The parental right to appeal a
4.5 school board decision adversely affecting an academic program of an enrolled student
4.6 is governed by section 129C.10.