

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2698

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DATE	D-PG	OFFICIAL STATUS
02/26/2018	6199	Introduction and first reading
		Referred to E-12 Policy
03/05/2018	6257a	Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections
03/08/2018		Comm report: To pass as amended and re-refer to Rules and Administration

1.1 A bill for an act

1.2 relating to education; establishing the special education legislative working group;

1.3 requiring legislative appointments; requiring consultation with stakeholders and

1.4 a report of recommendations.

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

1.6 Section 1. **SPECIAL EDUCATION LEGISLATIVE WORKING GROUP.**

1.7 Subdivision 1. **Duties.** (a) A legislative working group on special education is created

1.8 to review special education delivery and cost containment in Minnesota, to consult with

1.9 stakeholders, and to submit a written report to the legislature recommending policy changes

1.10 to reduce costs. The special education legislative working group must examine and consider:

1.11 (1) how school districts, charter schools, intermediate school districts, special education

1.12 cooperatives, education districts, and service cooperatives deliver special education services

1.13 and the costs associated with each model;

1.14 (2) relevant state and federal special education laws and regulations and where state

1.15 mandates exceed federal requirements;

1.16 (3) trends in special education enrollment, the reasons for the increased proportion of

1.17 Minnesota students receiving special education, and the role that reading instruction

1.18 effectiveness plays;

1.19 (4) strategies or programs that would be effective in reducing the need for special

1.20 education services;

1.21 (5) funding for nonresident children in accordance with Minnesota Statutes, sections

1.22 125A.11 and 127A.47, and tuition billing reports for the most recent five-year period;

2.1 (6) the effect of the 2013 statutory changes to the state special education funding formulas,
2.2 including interactions and conformity with federal funding formulas;

2.3 (7) how school districts and charter schools use section 504 plans, including criteria
2.4 used to determine when a section 504 plan is appropriate and the prevalence of section 504
2.5 plans in school districts and charter schools; and

2.6 (8) the 2013 evaluation report by the Office of the Legislative Auditor on special
2.7 education and the status of implementing its recommendations.

2.8 (b) In making its recommendations, the special education legislative working group
2.9 must consider a ten-year strategic plan informed by the policy findings in paragraph (a) to
2.10 help reduce the costs contributing to the special education cross-subsidy and overall special
2.11 education funding.

2.12 Subd. 2. **Membership.** (a) The legislative working group on special education consists
2.13 of:

2.14 (1) six duly elected and currently serving members of the house of representatives, three
2.15 appointed by the speaker of the house and three appointed by the house minority leader,
2.16 one of whom must be the current chair of the house of representatives Education Innovation
2.17 Policy Committee; and

2.18 (2) six duly elected and currently serving senators, three appointed by the senate majority
2.19 leader and three appointed by the senate minority leader, one of whom must be the current
2.20 chair of the senate Education Policy Committee.

2.21 (b) Only duly elected and currently serving members of the house of representatives or
2.22 senate may be members of the special education legislative working group.

2.23 Subd. 3. **Organization; process; administrative and technical support.** The special
2.24 education legislative working group appointments must be made by July 1, 2018. If a vacancy
2.25 occurs, the leader of the caucus in the house of representatives or senate to which the vacating
2.26 working group member belonged must fill the vacancy. The chair of the house of
2.27 representatives Education Innovation Policy Committee shall serve as a cochair of the
2.28 working group and shall convene the first meeting. The chair of the senate Education Policy
2.29 Committee shall serve as a cochair of the working group. The working group must meet
2.30 periodically. Meetings of the working group must be open to the public. The Legislative
2.31 Coordinating Commission shall provide administrative assistance upon request. The
2.32 Minnesota Department of Education must provide technical assistance upon request.

3.1 Subd. 4. **Consultation with stakeholders.** In developing its recommendations, the
3.2 special education legislative working group must consult with interested and affected
3.3 stakeholders, including, but not limited to, representatives of the Association of Metropolitan
3.4 School Districts, Education Minnesota, Minnesota Association of School Administrators,
3.5 Minnesota School Boards Association, Minnesota Rural Education Association, Schools
3.6 for Equity in Education, Minnesota Administrators for Special Education, NAMI Minnesota,
3.7 PACER Center, Arc Minnesota, Autism Society of Minnesota, Minnesota Association of
3.8 School Business Officials, and Minnesota Association of Charter Schools.

3.9 Subd. 5. **Report.** The special education legislative working group must submit a report
3.10 providing its findings and policy recommendations to the legislature by January 15, 2019.

3.11 Subd. 6. **Expiration.** The special education legislative working group expires on January
3.12 16, 2019, unless extended by law.

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