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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 3150

03/17/2014 Authored by Newton

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

1.1 A bill for an act  
1.2 relating to education; modifying special education caseload provisions;  
1.3 proposing coding for new law in Minnesota Statutes, chapter 125A.

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

1.5 Section 1. [125A.085] MAXIMUM CASELOADS FOR SPECIAL EDUCATION  
1.6 TEACHERS AND RELATED SERVICE PROVIDERS.

1.7 (a) For the purposes of this section, "caseload" means the number of pupils with  
1.8 disabilities that a school district may assign to a special education teacher or related  
1.9 service provider to serve as an IEP case manager.

1.10 (b) Maximum caseloads for students who receive special education instruction from  
1.11 a teacher 50 percent or more of the instructional day shall be set by Minnesota Rules,  
1.12 part 3525.2340, subpart 4, item A. Maximum caseloads for early childhood program  
1.13 alternatives shall be set by Minnesota Rules, part 3525.2340, subpart 5.

1.14 (c) In addition to the limits established in paragraph (b), and regardless of the  
1.15 percentage of the instructional day a special education provider's students receive special  
1.16 education instruction, no special education teacher or related service provider shall have a  
1.17 caseload that exceeds the following limits:

1.18 (1) for kindergarten through grade 6, 16 pupils; and

1.19 (2) for grades 7 through 12, 21 pupils.

1.20 (d) The commissioner shall investigate reports of violations of paragraphs (b) and  
1.21 (c) and assess a noncomplying school district a penalty of \$1,000 per violation.

1.22 (e) Upon good cause shown, the commissioner may grant a variance to a district that  
1.23 cannot comply with the requirements of this section. The commissioner shall have the  
1.24 authority to promulgate criteria for determining whether a school district has demonstrated

2.1 good cause for receiving a variance for a particular teacher or program. No variance may  
2.2 exceed 90 days unless approved by the commissioner. The commissioner shall report  
2.3 annually the number of variances granted, the school districts to which variances have  
2.4 been granted, and the reasons for each variance.

2.5 **EFFECTIVE DATE.** This section is effective for the 2014-2015 school year and  
2.6 later.