

HOUSE RESEARCH

Bill Summary

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Subject: School district obligations related to children with disabilities

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Overview

Restates existing law governing special instruction for children with disabilities. Amends the definition of “assistive technology device” to exclude a surgically implanted medical device.

Section

- 1** **General school district obligations to children with disabilities.** Restates existing law governing special instruction for children with disabilities.
 - (a) Requires school districts to identify, locate, and evaluate children with disabilities, beginning at birth, who need special education and related services.
 - (b) Requires school districts to make a free appropriate public education (FAPE) available to eligible resident children with disabilities under 21 without a diploma and to eligible resident children with disabilities without a diploma who become 22 during the school year.
 - (c) Requires school districts to ensure that eligible resident children with disabilities who are enrolled by the school district in a nonpublic education facility receive special education and related services at no cost to the parent.
 - (d) Requires school districts to ensure that eligible resident children with disabilities who are enrolled by their parents in a nonpublic education facility have an opportunity to participate in special education and related services. For purposes of children under this paragraph, requires school districts to spend an amount at least equal to the proportionate amount of available special education federal funds.Makes this section immediately effective.
- 2** **Assistive technology device.** Amends the definition of “assistive technology device” to exclude a surgically implanted medical device or is a replacement of that device.

Makes this section immediately effective.

- 3** **Repealer.** Consistent with section 1, repeals current section (Minnesota Statutes, section 125A.03) governing special instruction for children with disabilities.