

Legal Services Advocacy Project

Mid-Minnesota Legal Aid

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St. Paul, MN 55114

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February 23, 2019

The Honorable Peggy Bennett

Assistant Minority Leader

Minnesota House of Representative

307 State Office Building

St. Paul, MN 55155

 Re: HF 1517 – Modification to Short-Term Objectives

Dear Assistant Minority Leader Bennett:

Thank you for the opportunity to express our serious concern and opposition to HF 1517, which would remove short-term objectives (STOs) in Individual Education Plans (IEPs) for 90% of children requiring special education. We see that the bill has been scheduled for a hearing on Monday, February 25, 2019, in the Education Policy Committee.

The Legal Services Advocacy Project (LSAP) provides legislative and administrative advocacy on behalf of Legal Aid, its clients, and all low-income and elderly individuals and persons with disabilities, statewide. MDLC, Minnesota’s federally designated “Protection and Advocacy (P&A) Agency” for persons with disabilities, represents clients statewide. The P&A system is a nationwide network of congressionally established, legally based disability rights agencies, created in 1975 with the renewal of the Developmental Disabilities Assistance and Bill of Rights Act. MDLC has been privileged to provide representation, advice, and advocacy as the state P&A agency for the past 42 years.

STOs help parents understand the steps the school is taking with the child to determine whether or not the child is advancing.  Further, STOs help teachers closely monitor progress and make necessary changes earlier rather than waiting for half or a third of the school year to go by.  STOs make the educational process more efficient for teachers and students.  In our experience, STOs show parents and teachers whether or not the IEP and school strategies are on the right track.  Stated a little differently, STOs are an early warning system that shows whether or not the IEP is actually working, there is a good understanding of what works for kids, and that there is a strong focus on the student’s most important needs.  Furthermore, STOs help the school staff treat IEP students individually by identifying and working on small steps towards bigger goals.

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We recognize that IDEA’s STO requirement was amended in 2004 so that STOs were required for students who take alternative assessments and, at the discretion of the states, optional for other students with IEPs.  Minnesota is one state that has opted to retain STOs for all students with disabilities, not just those who take alternative assessments.  STOs have traditionally benefited students and schools and we think this is a clear area where state law should continue to require STOs for all students with IEPs.

We also understand that there is interest this session in reevaluating policies where Minnesota exceeds federal minimum requirements here and in other areas, as well as the administrative effort and cost necessary to comply with the higher state standards. However, we believe in this case, Minnesota’s retention of the requirement is sound public policy. Minnesota has recognized that if STOs are critical for some students, STOs are important and useful for all other special education students and their teachers and parents.

We urge you not to move forward with HF 1517. Thank you very much for the opportunity to convey our concerns and opposition and would be happy to answer any questions or discuss the matter further with you should you so desire.

Sincerely,



Ron Elwood

Supervising Attorney

c.c.: The Honorable Cheryl Youakim, Chair, Education Policy Committee

The Honorable Mary Kunesh-Podein, Vice-Chair, Education Policy Committee

The Honorable Sondra Erickson, Republican Lead, Education Policy Committee

 The Honorable Carl Bahr, Member, Education Policy Committee

The Honorable Dave Baker, Member, Education Policy Committee

The Honorable Robert Bierman, Member, Education Policy Committee

The Honorable Michelle (Shelly) Christensen, Member, Education Policy Committee

 The Honorable Glen Gruenhagen, Member, Education Policy Committee

 The Honorable Hodan Hassan, Member, Education Policy Committee

 The Honorable Kaohly Her, Member, Education Policy Committee

 The Honorable John Huot, Member, Education Policy Committee

 The Honorable Carlos Mariani, Member, Education Policy Committee

 The Honorable Kelly Moller, Member, Education Policy Committee

 The Honorable Steve Sandell, Member, Education Policy Committee

 The Honorable Peggy Scott, Member, Education Policy Committee

 The Honorable Dean Urdahl, Member, Education Policy Committee

 The Honorable Amy Wazlawik, Member, Education Policy Committee

Mr. Daniel Stewart, Supervising Attorney, Minnesota Disability Law Center, Mid-Minnesota Legal Aid