

## Protection of Critical Special Education Laws and Regulations

### Our Values:

Minnesota special education laws and regulations above the federal “minimum requirements” are critical to protecting the rights of children with ASD and ensure better educational outcomes for them.

### Why Protecting Critical Special Education Laws and Regulations Is Important:

- Current Minnesota law and regulations help ensure consistent services from district to district.
- Minnesota is a leader in special education and nationally has the lowest number of due process hearings because we believe educating children with disabilities is important so they can successfully live in their communities, attend college and other learning opportunities, and be part of the Minnesota workforce.

### Background:

- The federal law establishes the “minimum” a state needs to comply with in order to provide a free appropriate public education for students with disabilities.
- Minnesota has recognized the need to review state special education laws and rules periodically. In 2007-2009 the state legislature established a “Special Education Taskforce” to extensively review what exceeds federal laws and rules. This taskforce recommended elimination of some Minnesota special education laws, which the legislature adopted.
- In the 2011 legislative session, a bill was introduced to eliminate 53 sections of special education law and 28 sections of special education rules. A scaled down bill was being considered for the 2012 session, but was never introduced. Most likely, we will continue to see these kinds of bills be introduced in the future at the state legislature.

### What Legislators Can Do:

- Realize that wholesale elimination of Minnesota special education laws and rules focused on reducing paperwork will not necessarily contribute to any type of educational reform that improves student outcomes or provide increased time for teachers.
- Focus on real special education reform such as:
  1. Supporting expansion and enhancement of Early Intervening Services and Positive Behavior Intervention Supports, Transition to Work Programs, and Alternatives to Suspension in Minnesota Schools.
  2. Expand and enhance training and professional development for teachers so they can implement best practices in Minnesota schools to improve student outcomes.

