

Special Education Overview

2025 Senate Education Policy Committee
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Introduction

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- Saint Paul Public Schools
 - *Previous special education teaching and leadership experience:*
 - *Shakopee Public Schools*
 - *Becker, Big Lake, Monticello, St. Michael-Albertville*
 - *Eden Prairie Schools*



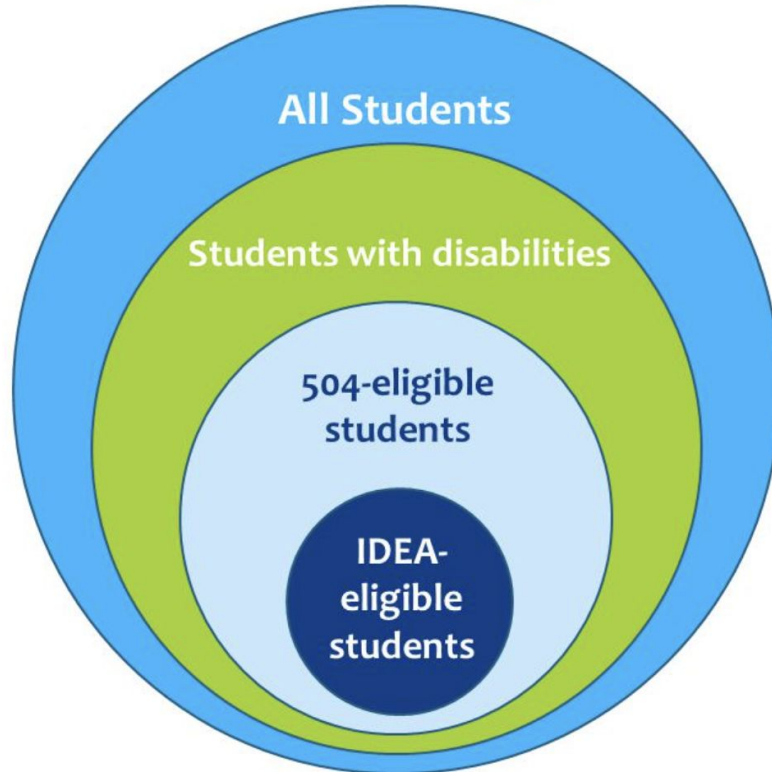
Special Education Overview

- Overview of state and federal special education requirements
- Brief overview of special education finance
- Questions

Federal Special Education Laws

- **Individuals with Disabilities Education Act (IDEA) (1975, reauthorized in 2004)**
 - *Ensures free and appropriate public education (FAPE) for students with disabilities.*
 - *Requires Individualized Education Programs (IEPs).*
 - *Federal funding mechanisms and compliance requirements.*
- **Section 504 of the Rehabilitation Act (1974)**
 - *Prohibits discrimination against individuals with disabilities in programs receiving federal funds.*
 - *Establishes 504 Plans for accommodations in general education settings.*
- **Americans with Disabilities Act (1990)**
 - *Broad civil rights law prohibiting discrimination based on disability.*
 - *Applies to public and private schools, ensuring accessibility.*

Intersection of Federal Laws



Intersection of Federal and State Policy

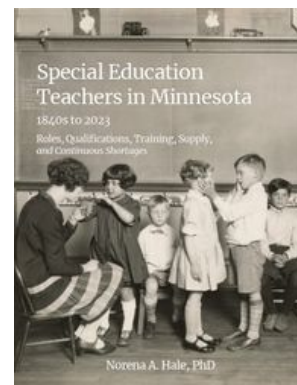
- Minnesota special education policies must always meet the minimum standards set by federal law
- However, states have the authority to go beyond these federal requirements by providing additional services, protections, or stricter regulations to better support students with disabilities.
- Minnesota has many statutes that align with federal law and some that exceed the minimum requirements set by federal laws
 - [Minnesota Statute, Chapter 125A](#) - *Defines state-specific provisions for special education.*
 - [Minnesota Rule 3525](#) - *Administrative rules guiding the implementation of special education services; includes parental rights, dispute resolution procedures, and service delivery requirements.*

Minnesota Special Education Laws

Minnesota was one of the first states to pass laws ensuring that students with disabilities receive special education services

- Minnesota laws predate federal special education laws
- 1957 - Special Instruction for Handicapped Children of School Age
 - [MN Statutes 1957 131.081](#)

Prior to special education law, children with with disabilities often experienced exclusion from public schools, segregation, inadequate services, and institutionalization



IDEA and Minnesota Special Education Requirements

- **Parental Rights / Procedural Safeguards** - right to participate in their child's education, receive prior written notice of school decisions, consent to evaluations and services, dispute decisions through due process
- **Child Find** - must identify students suspected of having disabilities
 - *Includes students in non-public settings (e.g. homeschool, private schools)*
- **Evaluation** - district must conduct a comprehensive evaluation for students suspected of having an educational disability for which a student may need special education instruction
 - *13 categorical disability areas (Minnesota-specific definitions)*
 - *Re-evaluation due every 3 years*

Special Education Requirements

Minnesota categorical disabilities:

Developmental Disability (Birth - 3)	Developmental Disability (ages 3 - 7)
Autism Spectrum Disorder (ASD)	Blind-Visually Impaired (BVI)
Deaf-Blind	Deaf-Hard of Hearing (DHH)
Developmental Cognitive Disabilities (DCD)	Emotional or Behavioral Disorder (EBD)
Other Health Disabilities (OHD)	Physically Impaired (PI)
Specific Learning Disability (SLD)	Speech or Language Impairment (SLI)
Traumatic Brain Injury (TBI)	Severely Multiply Impaired (SMI)

IDEA and Minnesota Special Education Requirements

- **Individualized Education Program (IEP)** - Plan that outlines student strengths, student needs, specialized instruction, related services, and accommodations and modifications that a student needs in order for them to receive a FAPE (Free and Appropriate Public Education)
 - *Must be updated no less than annually*
 - *Student birth-3 - Individualized Family Service Program (IFSP)*
- **Free and Appropriate Public Education (FAPE)** - students receive a free, individualized education designed to meet their unique needs and ensure meaningful academic progress in light of their individual circumstances
- **IEP Team Members** - Parents, general education teachers, special education teacher/provider, district representative, individual to interpret results of the evaluation, student (once transition age), others with knowledge of the student

IDEA and Minnesota Special Education Requirements

- **Least Restrictive Environment (LRE)** - foundational principle in special education that students with disabilities must be educated with peers without disabilities to the maximum extent appropriate while still meeting their individualized needs
 - Continuum of services - LRE is not a one-size-fits all, continuum of services from general education classroom to specialized settings
 - Setting 1 - 80% or more of the school day in general education
 - Setting 2 - 40-79% of school day in general education
 - Setting 3 - less than 40% of school day in general education
 - Setting 4 - separate special education school
 - Settings 5, 6, 7 - private day school or residential programs
 - Setting 8 - Homebound/home-based/hospital

Special Education Funding



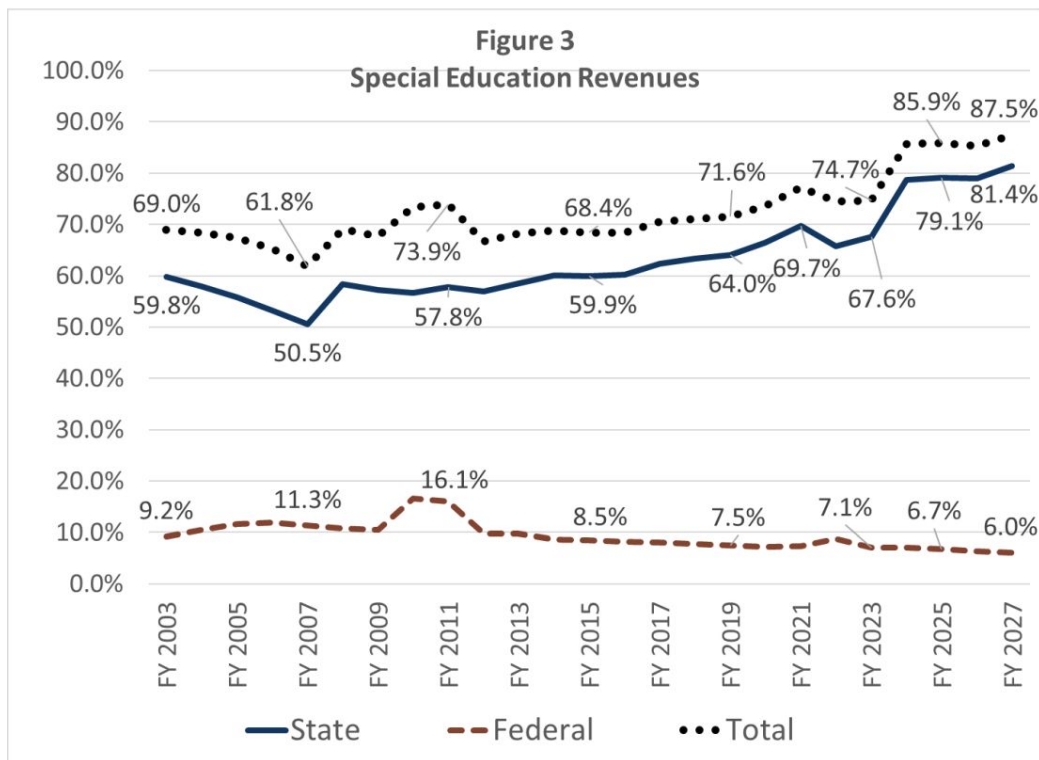
Minnesota Special Education Funding

- Minnesota special education funding is based on prior year expenditures and is a partial reimbursement model
 - *Ex: costs incurred in 2023-2024 are funded in 2024-25*
 - *State special education aid reimburses approximately 75% of the initial expenses*
- Districts use general education funds to cover the excess cost of special education
 - *Special education cross subsidy is the portion of special education expenditures not covered by categorical special education revenue*
 - *2022-23 statewide special education cross subsidy: \$726,300,000*
 - [Special Education Cross-Subsidies - Report to the Legislature - June 2024](#)
 - *Additional funding was allocated during 2023 legislative session to reduce the special education cross subsidy:*
 - *FY23 and prior: 6.43% | FY24 - 44% | FY27 and forward: 50%*

Federal Special Education Funding

- When IDEA was established, the federal government committed to funding 40% of special education costs
- In Minnesota, Federal special education funding covers 6-8% of special education costs for school districts
- 2023 MN Federal Funds: \$203,800,000
- Federal allocations by state
 - *In 2023, Minnesota was one of the states with the lowest per-pupil IDEA funding*

State and Federal Special Education Funding



Third Party Billing

- Minnesota Statutes 2021, section 125A.21, subdivision 2, requires school districts to seek reimbursement from insurers and other third-parties for the cost of services provided by a Local Educational Agency (LEA) whenever these services are covered by the child's health insurance.
- Schools are reimbursed when a child has a disability and an IEP or IFSP, requires health-related services to benefit from special education, and is eligible for MHCP (which includes Medical Assistance (MA), MinnesotaCare and other public, government health programs).
 - *Reimbursable IEP or IFSP health-related services include assessments and services for: Physical therapy, occupational therapy, speech-language-hearing, **mental health**, nursing, personal care assistance, assistive technology devices (medical equipment), interpreter services when needed during a medical service*
- 2022-23 statewide special education MA revenue: \$69,200,000

Questions?

Contact information

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