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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 5386

1.1 A bill for an act  
1.2 relating to education; allowing a district to place a student in an alternate setting;  
1.3 proposing coding for new law in Minnesota Statutes, chapter 121A.

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

1.5 Section 1. 121A.645] STUDENT PLACEMENT IN ALTERNATE SETTING.

1.6 (a) A school district may require a student against whom a restraining order or order for  
1.7 protection has been issued to receive instruction at a separate site in accordance with this  
1.8 section for the duration of the restraining order or order for protection.

1.9 (b) If the student is a "child with a disability" as defined in section 125A.02, the district  
1.10 must provide the parent or guardian prior written notice in accordance with section 125A.091.  
1.11 The dispute resolution processes and other procedural safeguards provided under section  
1.12 125A.091 apply to an alternate placement under this section.

1.13 (c) An "alternate setting" under this section means a school site in a separate building.  
1.14 It may include an area learning center or other state-approved alternative program, or a site  
1.15 under the administrative control of a service cooperative or intermediate school district.  
1.16 The alternate setting must be selected to allow the student to progress toward meeting state  
1.17 academic standards and graduation requirements.

1.18 (d) A placement in an alternate setting does not constitute a dismissal, or other form of  
1.19 discipline.