

INDEPENDENT SCHOOL DISTRICT NO. 659
REGULAR SCHOOL BOARD MEETING

Monday, October 26, 2026 ~ 6:00 p.m. ~ Regular Board Meeting
Northfield District Office Boardroom
[Meeting Link](#)

AGENDA

1. Call to Order
2. Agenda Approval/Table File
3. Public Comment
4. Announcements and Recognitions
5. Items for Discussion and Reports
 - a. District Youth Council (DYC) Update
 - b. Activities Department Improvement Showcase
6. Consent Agenda
 - a. Minutes
 - b. Gift Agreements
 - c. Overnight Field Trip Request
 - d. Personnel Items
7. Items for Individual Action
 - a. Total Special Education System (TSES) Plan
 - b. Policy Committee Recommendations
8. Items for Information
 - a. Construction Update No. 34
 - b. Comprehensive Achievement and Civic Readiness Presentation and Public Hearing
9. Future Meetings
 - a. Monday, November 2, 2026, 5:15 p.m., Board Work Session, MSBA New Superintendent Workshop, Northfield DO Boardroom
 - b. Monday, November 9, 2026, 5:15 p.m., Comprehensive Achievement and Civic Readiness Presentation and Public Hearing, Northfield DO Boardroom
 - c. Monday, November 9, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
 - d. Monday, November 23, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
10. Adjournment
11. Work Session: Proposed School Start Times

NORTHFIELD PUBLIC SCHOOLS

MEMORANDUM

Monday, October 26, 2026 ~ 6:00 p.m. ~ Regular Board Meeting
Northfield District Office Boardroom
[Meeting Link](#)

TO: Members of the Board of Education
FROM: Tim Anderson, Ed.D., Superintendent
RE: Explanation of Agenda Items for the Monday, October 26, 2026 Regular School Board Meeting

1. Call to Order
2. Agenda Approval/Table File
3. Public Comment
Public comment for this school board meeting may be made in person at the beginning of the meeting and must comply with the district's public comment guidelines.
4. Announcements and Recognitions
5. Items for Discussion and Reports
 - a. District Youth Council (DYC) Update. DYC Co-Chair Mae Bowers will update the board about the DYC's plans for the 2026-2027 school year.
 - b. Activities Department Improvement Showcase. Activities Director John Mahal will provide the board with an overview of the activities department successes and highlights in 2025-2026 and the focus areas for the 2026-2027 school year.

6. Consent Agenda

Recommendation: Motion to approve the following items listed under the consent agenda.

- a. Minutes. Minutes of the regular school board meeting held on October 13, 2026.
- b. Gift Agreements. Gift agreements to be approved are attached.
- c. Overnight Field Trip Request. Northfield High School Alpine Ski Coach Bill Sonnega requests board approval to take approximately 22 athletes to the Trollhaugen Ski Area in Dresser, WI December 18-19, 2026 for an early season alpine ski training camp.
- d. Personnel Items.
 - i. Appointments
 1. Kristy Dueffert, Special Ed EA/PCA at Spring Creek beginning 10/26/2026, Step 1, \$22.30/hr.
 2. Maria Espina, Custodian at Greenvale Park, beginning 10/13/2026, Step 3, \$23.33/hr.
 3. Kerry Duban, Child Nutrition Associate I at Spring Creek, beginning 10/19/2026, CNA 1, \$23.52/hr.
 4. Betsy Peterson, Long-Term Substitute Grade 5 at Greenvale Park, beginning 11/16/2026-12/22/2026, MA40 Step 10.
 5. Ruby Turna, Substitute Child Nutrition at all schools, beginning 10/21/2026, CNA Sub rate \$11.41/hr.
 6. Brandon Blaisdell, Human Resources Generalist Long Term Substitute at District Office, beginning 10/8/2026, Clerical IV Step 4.
 7. Cooper Magnuson, Event Worker at High School, beginning 11/9/2026, \$45/77 events.
 8. Jaimie Moreno, Long-Term Substitute Special Ed Educational Assistant-PCA at Greenvale Park, 6.75 hrs/day, beginning 11/17/2026-12/22/2026, EA Sub Step 1.
 9. Samantha Heyda, Special Ed Educational Assistant-PCA at Middle School, 6.75 hrs/day, beginning 10/26/2026, SPED EA/PCA Step 4.
 10. Updated: Susanne Schroll, Community School Site Leader for up to 30 hrs/week at Bridgewater beginning 10/26/2026. Step 2, \$26.22/hr.
 - ii. Increase/Decrease/Changes in Assignment
 1. Debbie Foley, Retired Early Ventures Assistant Teacher, add Early Ventures Teacher Substitute at NCEC, On-call as needed, effective 10/19/2026.

2. Claire Koenig, Teacher at High School. Add Event Worker at High School, effective 10/26/2026, \$45/77 event(s).
 3. Tami Wunderlich, Custodian at Bridgewater, change to Greenvale Park, M-F 3-11p, effective 10/26/2026.
 4. Kim Norton. EA at Middle School, M-F 7:35a-2:50p, change to EA at NCEC. M-F 8:45a-4:00p (Wed 9:45a-4:00p), effective 10/19/2026.
 5. Andrea Stowe, Long-Term Substitute Kindergarten at Greenvale Park change to Long-Term Substitute Grade 1 at Greenvale Park, effective 1/27/2027-6/11/2027.
- iii. Leave of Absences
1. N/A
- iv. Retirements/Resignations/Terminations
1. Joshua Bisel, .5 FTE Assistant Nordic Ski Coach at High School, resignation effective 10/20/2026
 2. Natalia Trevino-Avila, Assistant Girls Lacrosse Coach at High School, resignation effective 10/14/2026

*Conditional offers of employment are subject to successful completion of a criminal background check and Pre-work screening (if applicable)

7. Items for Individual Action

- a. Total Special Education System (TSES) Plan. The board is requested to approve the district's revision of its Total Special Education System (TSES) plan, which was presented by Director of Special Services Caleb Davidson at the October 13 board meeting. The TSES plan outlines how Northfield Public Schools identifies, evaluates, and serves students with disabilities.

Superintendent's Recommendation: Motion to approve the TSES plan as presented.

- b. Policy Committee Recommendations. The board is requested to approve the policy committee's recommended updates to policies 602, 603, 605, 607, 608, 609, 613, and 709.

Superintendent's Recommendation: Motion to approve the policy committee's recommended updates to policies 602, 603, 605, 607, 608, 609, 613, and 709 as presented.

8. Items for Information

- a. Construction Update No. 34. Superintendent Anderson will provide an update on the NHS construction project.
- b. Comprehensive Achievement and Civic Readiness Presentation and Public Hearing. Instructional Services Director Jenn Reichel will summarize the 2026-2027 Comprehensive Achievement and Civic Readiness Plan at a public hearing scheduled for 5:15 p.m. on Monday, November 9. This public hearing will precede the regular school board meeting.

9. Future Meetings

- a. Monday, November 2, 2026, 5:15 p.m., Board Work Session, MSBA New Superintendent Workshop, Northfield DO Boardroom
- b. Monday, November 9, 2026, 5:15 p.m., Comprehensive Achievement and Civic Readiness Presentation and Public Hearing, Northfield DO Boardroom
- c. Monday, November 9, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
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10. Adjournment

11. Work Session: Proposed School Start Times

Reaching Out, Reaching Up:

THE 2027 STRATEGIC PLAN



VISION

We prepare every student for lifelong success by developing critical thinkers who are curious and ready to engage in our society.

BENCHMARKS

1 All children are ready for kindergarten .	2 All students are connected to the community .	3 All students are at grade level in reading and mathematics by the end of third and sixth grades.
4 All students exhibit physical, social and emotional well-being .	5 All students have a connection with a caring adult beyond their parents as they transition to middle school.	6 All students have interests, goals and a vision for the future by the end of eighth grade.
7 All students graduate from high school with a plan to reach their full potential.	8 All employees report satisfaction in the workplace.	9 All parents report satisfaction with their children's educational experience.
10 The district maintains 14% of its annual expenditures in its unassigned fund balance to ensure financial stability .	11 Community education provides relevant and accessible learning opportunities for all residents.	Note: The first seven benchmarks are aligned with the language identified by Northfield Promise, a collective impact consortium of 20 community organizations committed to helping Northfield's youth thrive "from cradle to career."

STRATEGIC COMMITMENTS



People

We prioritize the engagement, satisfaction, and support of every student, staff member, and family.



Learner Outcomes

We prepare every student to be academically and socially ready to choose their preferred pathway after high school graduation.



Equity

We ensure that every child has a fair opportunity to reach their full potential.



Communication

We communicate effectively and transparently with all stakeholders.



Stewardship

We responsibly manage our personnel, finances, property, time and environmental impact.



Partnerships

We seek community partnerships that accelerate student achievement of district benchmarks.

District Youth Council Updates

October 26, 2026



Strategic Plan

Vision: We prepare **every** student for lifelong success by developing critical thinkers who are curious and ready to engage in our society.

Reaching Out, Reaching Up: THE 2027 STRATEGIC PLAN

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 **Northfield**
PUBLIC SCHOOLS

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National Day of Concern about Young People and Gun Violence

- Took place on October 14, 2026
- Last year, DYC led pledge signing
- This year, DYC wrote school announcement and statement for 9th graders

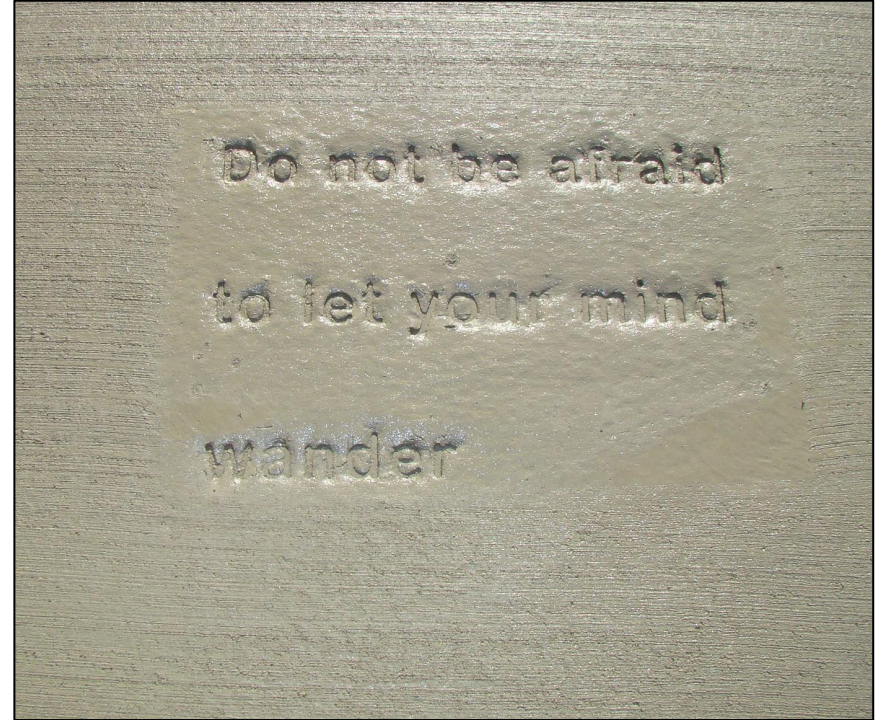


2026 Candidate Forum

- Collaboration with the Northfield Mayor's Youth Council
- To be held in the Northfield High School auditorium on Tuesday, October 27, 2026
- All known Northfield School Board and City Council candidates invited
- Purpose is to educate high school students about voting and candidates on the ballot
- Provides students with the opportunity to ask questions

Sidewalk Poetry

- Northfield Sidewalk Poetry Project
- High School student involvement desired
- Poetry competition in English classes, voted on by peers



Future Projects

- School Board brunch
- Exploring communication strategies to update students about High School construction progress
- Continued later start time discussion

Questions and Discussion



[Northfield High School - Activities Department]
School Improvement Plan
2026-27

Presented to the Board on 10.26.2026

Purpose

The purpose of the school improvement plan is to share success stories, identify focus areas for the upcoming school year, align efforts, and inspire action toward achieving our strategic plan and vision to prepare **every** student for lifelong success!

School Improvement Plan Highlights and Goals

Highlights		
Highlight No. 1	Strategic Benchmark Alignment	Narrative
Family/caretaker survey data	Strategic Benchmark No. 9: All parents report satisfaction with their children's educational experience.	<ul style="list-style-type: none">Aligning with district benchmark No. 9, I sent out surveys to each family/caretaker at the end of each season to provide feedback (if they'd like) from their child's season.Each program has specific results based on student and family/caretaker survey data.This data allowed me to dive deeper if/when there were themes of information or specific moments that needed to be celebrated or addressed.
Highlight No. 2	Strategic Benchmark Alignment	Narrative
Head coach professional development	Strategic Benchmark No. 4: All students exhibit physical, social, and emotional well-being.	<ul style="list-style-type: none">Aligning with district benchmark No. 4, in June, we brought in a guest speaker, Activities Director Troy Urdahl from St. Anthony, that helped provide professional development for all available coaches in order to learn together so we can provide great learning environments for

		<p>each of our students. Also to have a Semper Fi mentality regardless of the situation!</p> <ul style="list-style-type: none"> We were able to weave in Raiders L.E.A.D. information into our conversations and surveys so that our coaches also understand what we are doing in school and how they can utilize the same language/concepts within their programs. We need to be leaders of self before we can lead others!
Highlight No. 3	Strategic Benchmark Alignment	
Bleacher Captains	Strategic Benchmark No. 2: All students are connected to the community.	<ul style="list-style-type: none"> Aligning with district benchmark No. 2, our Bleacher Captains attended multiple events throughout the year and helped our student body cheer positively and oftentimes be a difference-maker in cheering on our teams! Multiple activities directors have commented on how classy our students are and will be trying to duplicate what we have established.
Goals		
Goal No. 1	Strategic Benchmark Alignment	Action Steps
Continue to develop positive connections to school through activities with a focus on head coach professional development.	Strategic Benchmark No. 4: All students exhibit physical, social, and emotional well-being.	<ul style="list-style-type: none"> Aligning with district benchmark No. 4, it is important for our students to create relationships with their coaches/advisors that allow them to feel valued while being put into situations that support their physical, social, and emotional well-being. NHS head coach professional development is all about building continuity and togetherness as an NHS coaching staff across all activities.

Goal No. 2	Strategic Benchmark Alignment	Action Steps
Continue a positive competition environment through Bleacher Captain development.	Strategic Benchmark No. 2: All students are connected to the community.	<ul style="list-style-type: none"> Aligning with district benchmark No. 2, our Bleacher Captain program supports our students to display and showcase positive behavior while out in the community. Each year we have new students, so we will need to continue to provide specific training to help them lead positive cheers at our events. We want to continue cheering for our team, not against our opponents or officials. Using a MSHSL grant, we will continue to utilize guest speakers or other resources to help support our positive messages/training this fall.
Goal No. 3	Strategic Benchmark Alignment	Action Steps
Seek feedback from parents and caregivers about their child's experience.	Strategic Benchmark No. 9: All parents report satisfaction with their children's educational experience.	<ul style="list-style-type: none"> Aligning with district benchmark No. 9, it is important to continue asking our families and caretakers how their child's experience has been in the activity in which they participated. This allows us to continuously learn and grow, achieving the ongoing improvement that we strive for in everything we do.

Summary

Overall, we continue to see strong student participation numbers, which reflects students feeling valued, having their social and emotional needs met, feeling safe, and building connections within our school and community. Our parents/caretakers report high levels of satisfaction, and our coaches continue to support students not only in achieving success in their activities but also in developing life skills that will benefit them throughout their lives. I'm also pleased with how we have managed our overall activities budget while navigating rising officiating and busing expenses, along with multiple teams and individuals qualifying for state competitions last year. (A great problem to have!)

Northfield High School Activities Department

2026-27 School Improvement Plan
10-26-26

Strategic Plan

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10 The district maintains 14% of its annual expenditures in its unassigned fund balance to ensure financial stability .	11 Community education provides relevant and accessible learning opportunities for all residents.	<small>Note: The first seven benchmarks are aligned with the language identified by Northfield Promise, a collective impact consortium of 20 community organizations committed to helping Northfield's youth thrive "from cradle to career."</small>



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Strategic Commitments



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District Benchmarks

1

All children are ready for **kindergarten**.

2

All students are connected to the **community**.

3

All students are at grade level in **reading and mathematics** by the end of third and sixth grades.

7

All students **graduate** from high school with a plan to reach their full potential.

8

All **employees** report satisfaction in the workplace.

9

All **parents** report satisfaction with their children's educational experience.

4

All students exhibit physical, social and emotional **well-being**.

5

All students have a **connection** with a caring adult beyond their parents as they transition to middle school.

6

All students have interests, goals and a **vision** for the future by the end of eighth grade.

10

The district maintains 14% of its annual expenditures in its unassigned fund balance to ensure **financial stability**.

11

Community education provides relevant and accessible learning opportunities for all residents.

Note: The first seven benchmarks are aligned with the language identified by Northfield Promise, a collective impact consortium of 20 community organizations committed to helping Northfield's youth thrive "from cradle to career."

School Improvement Plan Purpose

- Share success stories
- Identify goals
- Align with the district's strategic plan
- Inspire action
- Align efforts

...to prepare **every** student for lifelong success!

80%

Academically Proficient

90%

SEL Proficient

100%

Growing and Feeling Safe



Highlight No. 1 - Family/Student Survey Data



- Families rated students' overall program experience at an average of 87% across the 2025–2026 seasons.
- This positive feedback reflects the great work our coaches do to support students and strengthen their programs.
- Students are building connections and enjoying meaningful, positive experiences within their programs.

Highlight No. 2 - Head Coach Professional Development



- **Brought in experienced MSHSL Athletic Director Troy Urdahl from St. Anthony to recognize coaches' strengths and share new ideas for continued growth.**
- **Book Study: *What's Your Juice?* — encouraging reflection, purpose, and personal growth.**
- **Embrace a Semper Fi mentality: Lead with commitment, resilience, teamwork, and accountability.**

Highlight No. 3 - Bleacher Captains



- Bleacher Captains continue to drive school spirit, game-day energy, and student engagement.
- Spectator supervisors reported positive student behavior at 100% of NHS home events they attended.
- Student leaders promote spirited, enthusiastic, and positive student sections.
- Shared our successful program model with two school districts to help expand its impact.

Goal No. 1 - Positive Connection to School Through Activities



- Aligning with **District Benchmark # 4**, a focus on **head coach professional development**.
- **Student-Coach Connection**
Build strong, valuing relationships.
- **Whole Student Focus**
Support physical, social, emotional growth.
- **Coaching Continuity**
Align all coaches under shared values.
- **Staff Togetherness**
Foster unity across all activities.

Goal No. 2 - Bleacher Captains



- Aligning with **District Benchmark # 2.**
- **Promotes Positive Behavior**
Encourages students to lead with respect in the community.
- **Annual Training Required**
New leaders trained each year to lead positive, sportsmanlike cheers.
- **Focus on Supportive Spirit**
Cheer *for* our team — not *against* opponents or officials.
- **Grant-Funded Support**
MSHSL grant used for guest speakers and training resources this fall.

Goal No. 3 - Stakeholder Survey Reflection and Goals



- Aligning with **District Benchmark # 9.**
- **Seek Input Regularly**
Ask families about their child's activity experience.
- **Support Continuous Growth**
Use feedback to improve programs and experiences.
- **Commitment to Improvement - It's About the Process!**
Ongoing learning drives everything we do.

NHS Activities Participation Rates - Fall

	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027
Strength & Conditioning				15	45
Boys Cross Country	53	62	62	74	79
Girls Cross Country	40	41	44	47	46
Football	92	93	100	98	85
Boys Soccer	54	70	58	64	65
Girls Soccer	39	54	47	50	48
Girls Swim & Dive	51	48	50	50	50
Girls Tennis	38	36	45	42	44
Volleyball	50	57	62	58	55
Bowling	16	15	13	10	15
Fall Play/Musical	20	26	38	34	50
	453	502	519	542	582



NHS Activities Participation Rates - Winter

	2022-2023	2023-2024	2024-2025	2025-2026
Mock Trial	23	15	15	8
Speech	15	15	20	19
Knowledge Bowl	41	45	44	45
Boys Alpine	9	8	7	6
Boys Basketball	52	50	56	57
Boys Hockey	37	37	33	36
Boys Nordic	16	18	10	12
Boys Swim & Dive	34	35	30	37
Boys Weightlifting	32	28	31	35
Dance	30	25	33	37
Girls Alpine	18	18	13	15
Girls Basketball	31	26	31	27
Girls Hockey	31	26	32	30
Girls Nordic	41	22	26	25
Girls Weightlifting	19	23	21	21
Gymnastics	13	13	8	15
Wrestling	43	40	47	42
Fall Musical	20	* Off Year	38	* Off Year
Rock & Roll Revival	* Off Year	121	* Off Year	123
Out of Season' Lifting	-	-	37	25
	505	565	532	615
		102 students in RRR cast	26 students in Fall Musical cast	
		19 students in the RRR band	12 students in Fall Musical crew	



NHS Activities Participation Rates - Spring

	2022-2023	2023-2024	2024-2025	2025-2026
Baseball	56	55	52	59
Softball	42	45	41	39
Boys Lacrosse	37	43	42	36
Girls Lacrosse	32	29	29	23
Boys Tennis	26	28	22	24
Boys Golf	17	24	34	30
Girls Golf	14	14	18	22
Boys Track and Field	89	76	97	106
Girls Track and Field	74	78	70	80
Clay Target	93	89	87	68
Out of Season' Lifting				6
	480	481	492	493



Thank You and Questions



NORTHFIELD PUBLIC SCHOOLS

School Board Minutes

October 13, 2026
District Office Board Room

1. Call to Order
School Board Chair Claudia Gonzalez-George called the regular meeting of the Board of Education of Independent School District No. 659 to order at 6:00 p.m. Present: Butler, Epstein, Gonzalez-George, Miller, Nelson, and Quinnell. Absent: Goerwitz. This meeting was open to the public, live-streamed and recorded, and access to the recording was posted on the school district website.
2. Land Acknowledgement Statement. DYC Co-Chair Max Beckman recited the land acknowledgement statement: “The Northfield School District recognizes that we reside on the homeland of the Wahpekute Tribe of the Dakota Nation. We acknowledge the wrongdoings, previous and ongoing, and strive to repair and strengthen our relations with Indigenous peoples.”
3. Agenda Approval/Table File
On a motion by Quinnell, seconded by Nelson, the board unanimously approved the agenda.
4. Public Comment
There were no public comments.
5. Announcements and Recognitions
 - Greenvale Park Elementary fourth graders were selected to take part in the festivities of Governor Walz's pheasant opener weekend by participating in conservation stations hosted by the DNR this past Friday. The day featured hands-on learning activities focused on native plants, wildlife, and environmental stewardship.
 - The Greenvale Park PTO had a very successful fundraiser in September. One of the reward levels for students was planting trees for the school. In partnership with Tree Trust, 25 trees were planted around the school property. Classrooms named and planted a tree that students will now care for by watering. This was a collaborative effort, led by second grade teacher Danielle Amundson and the PTO leadership.
 - Congratulations to the Raider Girls' Tennis Team for securing their second straight team state tournament appearance after defeating Simley 4-3 last Friday. Northfield will represent Section 1AA at the team state tournament at the Life Time Bloomington South facility on Oct. 27-28. Individual sections are taking place tonight, Tuesday, October 13.
 - Superintendent Anderson provided activities highlights from the past week: The Raider volleyball team competed in the Milan Mader Volleyball tournament last week, with victories over John-Marshall High School, Albert Lea, Mayo High School, Moorhead and Prior Lake, and a 2-1 loss to Caledonia. The girls soccer team lost to both Byron and Owatonna and defeated Mankato West. They host sections tonight at 7:00 p.m. The boys soccer team defeated Mankato West last Tuesday and lost to Owatonna on Thursday. They hosted sections yesterday against Pine Island/Zumbrota-Mazeppa, finishing with a 3-2 win in overtime. They will now move on to the section semifinals and play Winona on Thursday night. The Raider football team lost to Owatonna last week, and hosts Rochester Century tomorrow. The girls swim and dive team finished second in the True Team Meet, but lost to Mankato West on Thursday. Both the girls and boys cross country teams competed in Owatonna last Thursday. The girls finished first out of 16 teams, and the boys finished 11th out of 15.
6. Items for Discussion and Reports
 - a. Special Services Presentation. Director of Special Services Caleb Davidson provided an update on the Minnesota Department of Education's comprehensive review of the district's special education program taking place during the 2026-2027 school year, and the district's revision of its Total Special Education System (TSES) plan. The TSES plan outlines how Northfield Public Schools identifies, evaluates, and serves students with disabilities and will be an item for individual action at the October 26, 2026 board meeting.
 - b. Superintendent's State of the District. Superintendent Anderson shared the State of the District presentation with the Northfield Chamber of Commerce on September 30, 2026. He reviewed that presentation with the

board.

- c. Policy Committee Recommendations. Superintendent Anderson presented the policy committee's recommended updates to policies 602, 603, 605, 607, 608, 609, 613, 709, and 722. This will be an item for individual action at the October 26, 2026 board meeting.

7. Consent Agenda

On a motion by Butler, seconded by Epstein, the board unanimously approved the consent agenda.

- a. Minutes. Minutes of the regular school board meeting held on September 28, 2026.
- b. Gift Agreements. Gift agreements included in the board packet.
- c. Financial Reports - July 2026. Director of Finance Val Mertesdorf requested the board approve paid bills totaling \$3,642,792.73, payroll checks totaling \$3,857,901.53, bond payments in the amount of \$1,423,604.38, a wire transfer totaling \$200,000.00 from Frandsen General to Frandsen Sweep, a wire transfer totaling \$50,000.00 from Frandsen Sweep to Frandsen General, and the financial reports for July 2026. At the end of July 2026, total cash and investments amounted to \$73,212,239.26.
- d. Grant Application. Director of Community Education Erin Bailey and Early Childhood Coordinator Sara Line requested school board approval to apply for a grant to purchase a modular equipment system for the NCEC outdoor classroom for \$20,000 from the Southern Minnesota Initiative Foundation (SMIF). The outdoor classroom space is utilized by all programs at the NCEC, for special events that support families with young children, and by community partners like Growing Up Healthy.
- e. Personnel Items.
 - i. Appointments
 - 1. Kyla Lambert, Assistant Girls Lacrosse Coach at the High School beginning 4/5/2027. \$4,614 stipend.
 - 2. Quinn Hanzlik, Special Ed EA/PCA for 6.75 hrs/day at Spring Creek beginning 10/14/2026. Step 3 \$23.18/hr.
 - 3. Updated: Margot Nelson, Community School Site Assistant for up to 10 hrs/week at the Middle School/Bridgewater beginning 9/21/2026-5/13/2027. Step 2, \$19.95/hr.
 - 4. Updated: Jaden Brown, Special Education Assistant-PCA, 6.75 hrs/day, Spring Creek Beginning 10/19/2026 Step 1 \$22.30/hr.
 - 5. Ava Mahr, Substitute Building Nurse for the district, Beginning 10/19/2026, Step 1 ADN/RN \$38.53/hr.
 - 6. Melissa Edel, Substitute Building Nurse for the district, Beginning 10/19/2026, Step 1 ADN/RN \$38.53/hr.
 - ii. Increase/Decrease/Changes in Assignment
 - 1. Lynnsey Carlsen, Special Ed EA/PCA for 6.75 hrs/day at Bridgewater, change to 6.5 hrs/day effective 9/7/2026.
 - 2. Claire Edwards, EA at Spring Creek, add Community School Site Assistant for up to 5 hrs/week effective 10/7/2026-5/13/2027.
 - 3. Richard Erickson, EA at Bridgewater, add Event Worker at the Middle School effective 9/29/2026.
 - 4. Daniel Riesgraf, Teacher at the Middle School, add Event Worker at the Middle School effective 9/29/2026.
 - 5. Sarah Wolfe, ECFE EA for 17.25 hrs/wk at the NCEC, change to 18.75 hrs/wk effective 10/1/2026.
 - 6. Tami Wunderlich, Custodian at Greenvale Park, change to Bridgewater effective 10/19/2026.
 - iii. Leave of Absences
 - 1. Danielle Crase, Special Education Teacher at the High School, FMLA leave of absence beginning 9/16/2026 and continuing through 11/6/2026.
 - 2. Matthew Crase, Special Education Teacher at the High School, FMLA leave of absence beginning 9/16/2026 and continuing through 9/30/2026.
 - 3. Kelly Erickson, Head Custodian at Spring Creek, FMLA leave of absence beginning 9/16/2026 and continuing through 10/27/2026.
 - 4. Lydia Guthridge, Teacher at Greenvale Park, FMLA leave of absence beginning approximately 2/4/2027 and continuing through 5/26/2027.
 - 5. Anna Hawanchak, HR Generalist at the District Office, FMLA leave of absence beginning approximately 11/4/2026 and continuing through 3/24/2027.
 - 6. Jen Henriksen, Administrative Support Assistant at the Middle School, FMLA leave of absence beginning 7/7/2026 and continuing on an intermittent basis for up to 60 work days.
 - 7. Sara Redetzke, Educational Assistant at the Middle School, FMLA leave of absence beginning 9/16/2026 and continuing on an intermittent basis for up to 60 work days.
 - 8. Alexa Schmidt, Early Ventures Teacher at the NCEC, FMLA leave of absence beginning approximately 10/12/2026 and continuing through 2/12/2027.

iv. Retirements/Resignations/Terminations

1. Michael Allen, 6th Grade Football Coach at the Middle School, resignation effective 10/31/2026.
2. Updated: Jadzia Feimster, Custodian at Bridgewater, resignation effective 9/30/2026.
3. Heather Olson, Lunch Room EA at Greenvale Park, resignation effective 10/30/2026.
4. Isaac Wagner, Special Education EA at Bridgewater, resignation effective 10/9/2026.
5. Rose Taylor, Special Education EA at High School, resignation effective 10/29/2026.

*Conditional offers of employment are subject to successful completion of a criminal background check and Pre-work screening (if applicable)

8. Items for Individual Action

- a. Resolution of School Board Supporting FORM A Application to Minnesota State High School League Foundation. On a motion by Nelson, seconded by Epstein, the board unanimously approved by roll call vote the Resolution of the School Board Supporting a FORM A Application to the Minnesota State High School League Foundation, which offsets student activity fees. Voting “yes” were: Butler, Epstein, Miller, Nelson, Quinnell, and Gonzalez-George. No one voted “no.”
- b. Resolution of School Board Supporting FORM B Application to Minnesota State High School League Foundation. On a motion by Epstein, seconded by Butler, the board unanimously approved the Resolution of the School Board Supporting a FORM B Application to the Minnesota State High School League Foundation by roll call vote. Voting “yes” were: Butler, Epstein, Miller, Nelson, Quinnell, and Gonzalez-George. No one voted “no.” The FORM B grant provides seminars/training opportunities or support for specific school functions for students/faculty members/officials and others who are involved in athletic and fine arts programs.

9. Items for Information

- a. Enrollment Report. Superintendent Anderson reviewed the October 2026 enrollment report.
- b. Construction Update No. 33. Superintendent Anderson provided an update on the NHS construction project.
- c. Retired Educators Luncheon. Board members are invited to attend the district’s annual retired educators luncheon on Friday, October 30. The luncheon will be held at Ruth’s on Stafford beginning at 11:30 a.m. If board members plan to attend, please RSVP to Kelly Spillman-Kramer no later than October 16.
- d. Comprehensive Achievement and Civic Readiness Presentation and Public Hearing. Instructional Services Director Jenn Reichel will summarize the 2026-2027 Comprehensive Achievement and Civic Readiness Plan at a public hearing scheduled for 5:15 p.m. on Monday, November 9. This public hearing will precede the regular school board meeting.
- e. National School Lunch Week. National School Lunch Week is October 12-16, 2026. The National School Lunch Program (NSLP) serves nearly 30 million children every school day. President John F. Kennedy created National School Lunch Week (NSLW) in 1962 to promote the importance of a healthy school lunch in a child’s life and the impact it has inside and outside of the classroom. We appreciate and thank all child nutrition staff in our district.
- f. National School Bus Safety Week. National School Bus Safety Week is October 19-23, 2026. School buses are the safest way for children to get to school. Their design is meant to be safer than any passenger vehicle in avoiding crashes and preventing injuries. Teaching children to follow safety rules on the bus is important, as is informing drivers about the laws regarding school buses. We appreciate and thank Benjamin Bus and their drivers for their continued support and partnership with Northfield Public Schools.

10. Future Meetings

- a. Monday, October 26, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
- b. Monday, October 26, 2026, Following Regular Board Meeting, Board Work Session, Northfield DO Boardroom

- c. Monday, November 2, 2026, 5:15 p.m., Board Work Session, MSBA New Superintendent Workshop, Northfield DO Boardroom
- d. Monday, November 9, 2026, 5:15 p.m., Comprehensive Achievement and Civic Readiness Presentation and Public Hearing, Northfield DO Boardroom
- e. Monday, November 9, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom
- f. Monday, November 23, 2026, 6:00 p.m., Regular Board Meeting, Northfield DO Boardroom

11. Adjournment

On a motion by Quinnell, seconded by Epstein, the board approved to adjourn the regular meeting at 7:27 p.m.

Maggie Epstein
School Board Clerk

RESOLUTION ACCEPTING DONATIONS

The following resolution was moved by _____ and seconded by _____:

WHEREAS, Minnesota Statutes 123B.02, Sub. 6 provides: “The board may receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, or for the benefit of pupils thereof, including trusts created to provide pupils of the district with advanced education after completion of high school, in the advancement of education.”; and

WHEREAS, Minnesota Statutes 465.03 provides: “Any city, county, school district or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Nothing herein shall authorize such acceptance or use for religious or sectarian purposes. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.”; and

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full;

THEREFORE, BE IT RESOLVED, that the School Board of Northfield Public Schools, ISD 659, gratefully accepts the following donations as identified below:

The vote on adoption of the Resolution was as follows:

Aye:

Nay:

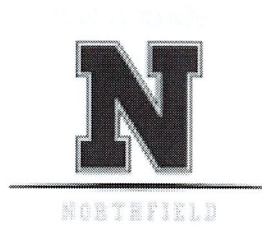
Absent:

Whereupon, said Resolution was declared duly adopted.

By: Claudia Gonzalez-George, Chair

By: Maggie Epstein, Clerk

Date of the bequest, donation, or gift:	Amount:	Who the bequest, donation, or gift is from:	What the bequest, donation, or gift is for:
10/8/2026	20 - Clear pencil boxes; 2 - 3 packs of clorox wipes; 2 packs of gallon sized storage bags; 3 - 10 pack of kid's wired headphones; 4 - TI-30XIIS calculators; 18 pack of post it notes; 4 - 7 pack of plastic folders; 12 pack of Expo dry erase markers; 120 pack of pens (black/blue ink); 2 - 30 pack of wooden pencils; 5 - 12 pack of ultra-clean markers; 5 - 12 pack of kid's scissors; 3 - 30 pack of glue sticks; 12 pack of Elmer's glue	St. Olaf Orientation and Transition Experiences	School Supply Drive
10/7/2026	\$20.00	Imelda Tovar	Donation to GVP Snack Cart
10/12/2026	\$5.00	Rebecca Lorang	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/12/2026	\$5.00	Naidine Villa	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/12/2026	\$5.00	Kristin Nierengarten	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/12/2026	\$5.00	Fernando Sevilla	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/12/2026	\$5.00	David Huyck	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/13/2026	\$5.00	Anne Kirchberg	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/13/2026	\$5.00	Elizabeth Sommer	SC Gr. 2 Compañeros Ordway Field Trip Scholarship
10/13/2026	\$500.00	Lakeville Insurance Agency	Northfield High School Music Department
10/14/2026	\$600.00	Dundas Dukes Association, Inc.	ALC Supplies E01.004.211.000.303.401
10/14/2026	\$43,841.49	Bridgewater Booster Club	Student Supply Fees 2026-2027 (\$36,460.00), Recess Equipment (\$1929.70), BW Kindness Retreat (\$1246.00), Field Trip Bus Transportation (\$4205.79)
10/14/2026	\$575.00	Community Resource Bank	Adult Basketball League sponsorship
10/19/2026	\$12.00	Sarah Kingsley	SC Gr. 3 Halloween Bowling Field Trip Scholarship
10/19/2026	\$250.00	Aurora Pharmaceutical, Inc.	Robotics sponsorship
10/20/2026	\$20.00	Olivia Boudreau	MS 7th & 8th Gr. Choir Children's Theatre How the Grinch Stole Christmas Scholarship
10/21/2026	\$2,000.00	Northfield Shares / Bjorn Norgaard Adventurous Spirit	Fishing Team
10/21/2026	\$2,000.00	Northfield Shares / Bjorn Norgaard Adventurous Spirit	Environmental Club



**Northfield High School
Activities Office**

Extended Overnight Request Form

Staff Member(s) Responsible (Name and phone):

School and Program:

Date of Requested Trip:

1. What group is taking this trip?

Northfield Alpine Ski Team

2. Estimated # of Students: # Adult Supervisors:

22 student/athletes; 2 coaches/adult supervisors

3. Destination:

Trollhaugen Ski Area, Dresser, WI

5. Date/Time of Departure:

Friday, Dec. 18, 8:00 AM

6. Date/Time of Return:

Saturday, Dec. 19, 3:30 PM

8. State purpose and/or educational value of trip (attach information to form if needed).

Early season alpine skiing training camp: the purposes of this camp are to: 1) train as

a team for the competitive alpine skiing season ahead in a focused two-day training

camp; and 2) promote team-bonding between Northfield and co-op athletes in a safe, fun, cooperative environment.

9. Name the manner of travel and the carrier.

Benjamin Bus

10.State housing arrangements (must include name, address and phone number of hotel).

Holiday Inn Express of St. Croix Falls, WI

2190 US Highway 8

St. Croix Falls, WI 54024

715-483-5775

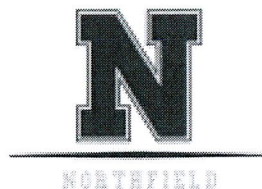
11.List of coach, parent or guardian contact info.(Attach)

Bill Sonnega, Head Coach

507-581-1502

Paul Bernhard, Assistant Coach

320-309-8481



12. List participants (reminder to have participants complete parent/guardian permission form if applicable). (Attach)

TBA per enrollment in Alpine Skiing, estimated 20 student/athletes

13. Indicate who will be in charge of supervising the trip (roles and responsibilities).

Bill Sonnega, Head Coach, and Paul Bernhard, Assistant Coach. Primary duties

include supervising all activities on- and off-the ski hill, including all student/athlete

participation in and conduct involving: bus transportation, lift tickets, on-hill training at

Trollhaugen Ski Area, lodging at Holiday Inn Express, and team dinner in St. Croix

Falls.

14. State the safety precautions and procedures for emergencies while on the trip. 11.

Safety precautions per MSHSL rules and guidelines for managing student/athlete

health and well being; on-hill training safety precautions per United States Ski &

Snowboard (USSS) standards for alpine training and competition; on-hill emergency

management per National Ski Patrol protocols administered by staff at Trollhaugen

Ski Area.

Give budget costs, how the trip will be funded and estimated cost per student.

See attached budget spreadsheet and itinerary. Estimated cost per student is \$100.

12. List any proposed precautions, special needs, special concerns, student concerns,
- if applicable.

***** Signature
of Staff Member Responsible: William Sonnega_____

Date field trip request was submitted to Principal: 10/12/26

Principal/Administrator Signature and Date:

gm
10/12/26

Approved: Not Approved:

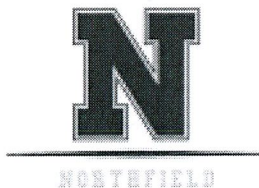
Superintendent Signature and Date:

Approved: Not Approved:

Board Review Date:

School

Approved: Not Approved:



NHS ALPINE TEAM CAMP

Trollhaugen Ski Area, Dresser, WI
Dec. 18-19, 2026

ITEM	PROVIDER	UNIT	NO.	COST	
Transportation	Northfield Lines			1118.32	1651.86 - 533.36 (NHS contribution)
Lodging/room	Holiday Inn Express, St. Croix Falls	236	6	1416	
Lift tickets/2 day	Trollhaugen Ski Area	75	22	1650	
Team dinner	TBA	15	22	330	
SUB TOTAL				4514.32	
Athlete fee		100	20	2000	
TOTAL				2514.32	

TENTATIVE ITINERARY

Dec. 18 8:00 AM	Depart NHS
9:30 AM	Arrive Trollhaugen
10:00 AM - 1:00 PM	SL Training
1:00 PM	Lunch
2:00-5:00 PM	Free skiing
5:00 PM	Depart Trollhaugen
5:30 PM	Arrive Holiday Inn Express
6:00 PM	Team dinner in St. Croix Falls
Dec. 19 8:30 AM	Depart Holiday Inn Express
9:00 AM	Arrive Trollhaugen
10:00 AM - 1:00 PM	SL Training
1:00 PM	Lunch
2:00 PM	Depart Trollhaugen
3:30 PM	Arrive NHS



Summary: This report updates the Board on two connected pieces of work: the Minnesota Department of Education's (MDE) comprehensive review of the district's special education program, which is taking place during the 2026–27 school year, and the district's revision of its Total Special Education System (TSES) plan, completed September 8, 2026. The district serves 3,739 students; 19.3% receive special education services.

MDE Comprehensive Review

MDE monitors district special education programs through a cyclical, risk-based process. Northfield is in Cohort 3, and 2026–27 is our monitoring year. Cohort numbers are randomly assigned to districts to allow rotating review of programs. The review includes a Topical Record Review of randomly selected student files (October–November), staff interviews and surveys (October), and a special education administrator interview and survey (November). From January through April 2027, MDE may assign differentiated monitoring activities based on our data. Results will be reported to the Board as they become available.

Revision of the Total Special Education System (TSES) Plan

Minnesota Rule 3525.1100 requires every district to maintain a TSES plan describing how students are identified and evaluated, how services are provided, how the system is managed, and how parents' rights are protected. Our revision, dated September 8, 2026, corrected outdated leadership and contact information, broken cross-references, and an incorrect MDE web address in the parents' rights notice. It added two required components that were missing: Region 10 Interagency Early Intervention Committee procedures and a written plan for receiving referrals, including monthly tracking of referral timelines in each building. It also aligned the plan with actual practice, naming the learning disability eligibility method our teams use and stating that the district acts on a parent's verbal request for an evaluation. This work supports the district's strategic commitments to equity, communication, and stewardship.

Special Services Update: Comprehensive Review & TSES Update

October 13, 2026

Caleb Davidson, Director of Special Services



Strategic Plan

Vision: We prepare **every** student for lifelong success by developing critical thinkers who are curious and ready to engage in our society.

Reaching Out, Reaching Up: THE 2027 STRATEGIC PLAN

VISION

We prepare every student for lifelong success by developing critical thinkers who are curious and ready to engage in our society.

BENCHMARKS

1 All children are ready for kindergarten .	2 All students are connected to the community .	3 All students are at grade level in reading and mathematics by the end of third and sixth grades.
4 All students exhibit physical, social and emotional well-being .	5 All students have a connection with a caring adult beyond their parents as they transition to middle school.	6 All students have interests, goals and a vision for the future by the end of eighth grade.
7 All students graduate from high school with a plan to reach their full potential.	8 All employees report satisfaction in the workplace.	9 All parents report satisfaction with their children's educational experience.
10 The district maintains 14% of its annual expenditures in its unassigned fund balance to ensure financial stability .	11 Community education provides relevant and accessible learning opportunities for all residents.	<small>Note: The first seven benchmarks are aligned with the language identified by Northfield Promise, a collective impact consortium of 20 community organizations committed to helping Northfield's youth thrive "from cradle to career."</small>

 **Northfield**
PUBLIC SCHOOLS

STRATEGIC COMMITMENTS

 **People**
We prioritize the engagement, satisfaction, and support of every student, staff member, and family.

 **Learner Outcomes**
We prepare every student to be academically and socially ready to choose their preferred pathway after high school graduation.

 **Equity**
We ensure that every child has a fair opportunity to reach their full potential.

 **Communication**
We communicate effectively and transparently with all stakeholders.

 **Stewardship**
We responsibly manage our personnel, finances, property, time and environmental impact.

 **Partnerships**
We seek community partnerships that accelerate student achievement of district benchmarks.

Who We Serve

- **3,739** students enrolled districtwide
- **19.3%** receive special education services
- **76.6 FTE** licensed special education staff
- **7** buildings served

October 1, 2025 Childcount

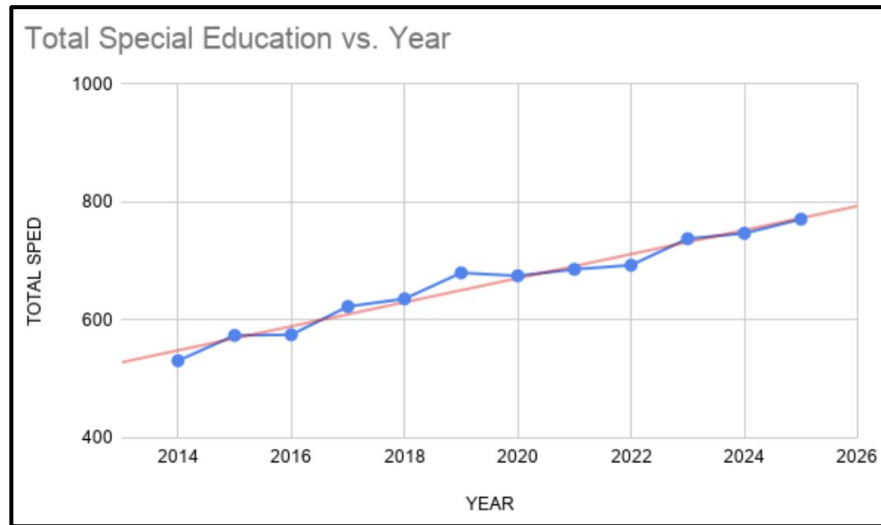


Chart Reflects December 1, Childcount

MDE Comprehensive Review

- **Student records:** a random sample of files, reviewed against state and federal requirements
- **Staff voice:** interviews and surveys with staff and special education administration
- **Follow-up:** differentiated activities assigned by MDE, based on the data

Cohort 3

2026–27 is Northfield's
monitoring year

Our Monitoring Timeline

When	Activity
October 2026	Staff interviews and surveys Topical Record Review begins
November 2026	Special education administrator interview and survey Topical Record Review continues
January–April 2027	Differentiated monitoring activities, to be determined by MDE based on our data <ul style="list-style-type: none">• Policy & Procedure Review• Facilities and Equipment Review• Follow up staff interviews

Total Special Education System (TSES) Plan

- Our district's blueprint for special education, required by Minn. R. 3525.1100
- Describes how we find and evaluate students, provide services, manage the system, and protect parents' rights
- Fully revised **September 8, 2026**

Plan sections

- I. Child Study Procedures
- II. Method of Providing Services
- III. Administration and Management
- IV. Interagency Committees (new)**
- V. Interagency Agreements
- VI. Special Education Advisory Council
- VII. Assurances

Appendix D: Receiving Referrals (new)

What We Changed

Corrected	Added	Aligned
<ul style="list-style-type: none">• Current leadership and contact information• Broken cross-references and numbering• Correct MDE web address in the parents' rights notice	<ul style="list-style-type: none">• Interagency committee procedures, required by rule• A plan for receiving referrals, promised but never written• Referral timelines tracked monthly in each building	<ul style="list-style-type: none">• Learning disability eligibility names the method our teams actually use• Template language describing plans we did not have, removed• Parents' verbal requests for evaluation accepted and acted on

Questions and Discussion

Connected to our strategic commitments

Equity: every student who may need services is found, evaluated, and served fairly

Communication: families can trust our plan reflects how we actually work

Stewardship: an accurate, current system protects students and the district





Total Special Education System

Independent School District No. 659

Northfield, Minnesota

Revised: September 2026

This document serves as the Total Special Education System Plan for the Northfield Public School District in accordance with Minnesota Rule 3525.1100. This plan also includes an assurance for compliance with the federal requirements pertaining to districts' special education responsibilities found in United States Code, title 20, chapter 33, and Code of Federal Regulations, title 34, part 300.

Caleb Davidson, Northfield Public Schools District's Director of Special Services, is responsible for program development, coordination, and evaluation; in-service training; and general special education supervision and administration. The Special Education Director may be reached at:

Caleb Davidson, Director of Special Services

201 Orchard Street South

Northfield, MN 55057

Office: 507-645-1234

Email: cdavidson@northfieldschools.org

Contents

I. Child Study Procedures

Appendix A — Identification of Students with Specific Learning Disabilities

II. Method of Providing Special Education Services for Identified Pupils

III. Administration and Management Plan

Appendix B — District Procedural Safeguards Notice

IV. Operating Procedures of Interagency Committees

V. Interagency Agreements the District has Entered

VI. Special Education Advisory Council

Appendix C — Operational Procedures of the SEAC

VII. Assurances

Appendix D — Plan for Receiving Referrals

I. Child Study Procedures

The district's identification system is developed according to the requirement of nondiscrimination as Northfield Public School District does not discriminate in education on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

A. Identification

Northfield Public School District has developed systems designed to identify pupils with disabilities beginning at birth, pupils with disabilities attending public and nonpublic schools, and pupils with disabilities who are of school age and are not attending any school.

Infant and toddler intervention services under United States Code, title 20, chapter 33, and Code of Federal Regulations, title 34, part 303, are available in Northfield Public School District to children from birth through two years of age who meet the outlined criteria.

The team determines that a child from birth through the age of two years is eligible for infant and toddler intervention services if:

1. The child meets the criteria of one of the disability categories in United States Code, title 20, chapter 33, as defined in Minnesota Rules; or
2. The child meets one of the criteria for developmental delay in subitem (1), (2), or (3):
 - a. The child has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay, regardless of whether the child has a demonstrated need or delay; or
 - b. The child is experiencing a developmental delay that is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate diagnostic measures and procedures, in one or more of the following areas:
 - i. Cognitive development;
 - ii. Physical development, including vision and hearing;
 - iii. Communication development;
 - iv. Social or emotional development; and
 - v. Adaptive development; or
 - c. The child's eligibility is established through the application of informed clinical opinion. Informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments to establish eligibility.

The team shall determine that a child from the age of three years through the age of six years is eligible for special education when:

1. The child meets the criteria of one of the categorical disabilities in United States Code, title 20, chapter 33, sections 1400 et seq., as defined in Minnesota Rules; or
2. The child meets one of the criteria for developmental delay in subitem (1) and the criteria in subitem (2). Northfield Public School District has elected the option of implementing these criteria for developmental delay.
 - a. The Child:
 - i. Has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay; or
 - ii. Has a delay in each of two or more of the areas of cognitive development, physical development, including vision and hearing; communication development; social or emotional development; and adaptive development, that is verified by an evaluation using one or more technically adequate, norm-referenced instruments. The instruments must be individually administered by appropriately trained professionals, and the scores must be at least 1.5 standard deviations below the mean in each area.
 - b. The child's need for special education is supported by:
 - i. At least one documented, systematic observation in the child's routine setting by an appropriate professional or, if observation in the daily routine setting is not possible, the alternative setting must be justified;
 - ii. A developmental history; and
 - iii. At least one other evaluation procedure in each area of identified delay that is conducted on a different day than the medical or norm-referenced evaluation, which may include criterion-referenced instruments, language samples, or curriculum-based measures.

Northfield Public School District's plan for identifying a child with a specific learning disability is consistent with Minnesota Rule 3525.1341. Northfield Public School District determines eligibility for a specific learning disability using the discrepancy model, establishing eligibility under items A, B, and C of Minnesota Rule 3525.1341, subpart 2. Scientific, research-based interventions (SRBI) are used to satisfy the two-intervention requirement of Minnesota Statutes, section 125A.56 prior to referral; SRBI is not used as the basis for the eligibility determination. Northfield Public School District implements its interventions consistent with this plan. The Minnesota definition and criteria for specific learning disability are attached as Appendix A.

B. Evaluation

Evaluation of the child and assessment of the child and family will be conducted in a manner consistent with Code of Federal Regulations, title 34, section 303.321.

1. General.

- a. The lead agency must ensure that, subject to obtaining parental consent in accordance with §303.420(a)(2), each child under the age of three who is referred for evaluation or early intervention services under this part and suspected of having a disability, receives—
 - i. A timely, comprehensive, multidisciplinary evaluation of the child in accordance with paragraph (b) of this section, unless eligibility is established under paragraph (a)(3)(i) of this section; and
 - ii. If the child is determined eligible as an infant or toddler with a disability as defined in §303.21—
 - A multidisciplinary assessment of the unique strengths and needs of that infant or toddler and the identification of services appropriate to meet those needs;
 - A family-directed assessment of the resources, priorities, and concerns of the family and the identification of the supports and services necessary to enhance the family’s capacity to meet the developmental needs of that infant or toddler. The assessments of the child and family are described in paragraph (c) of this section, and these assessments may occur simultaneously with the evaluation, provided that the requirements of paragraph (b) of this section are met.
- b. As used in this part—
 - i. *Evaluation* means the procedures used by qualified personnel to determine a child’s initial and continuing eligibility under this part, consistent with the definition of infant or toddler with a disability in §303.21. An initial evaluation refers to the child’s evaluation to determine his or her initial eligibility under this part.
 - ii. *Assessment* means the ongoing procedures used by qualified personnel to identify the child’s unique strengths and needs and the early intervention services appropriate to meet those needs throughout the period of the child’s eligibility under this part and includes the assessment of the child, consistent with paragraph (c)(1) of this section and the assessment of the child’s family, consistent with paragraph (c)(2) of this section; and
 - iii. *Initial assessment* refers to the assessment of the child and the family assessment conducted prior to the child’s first IFSP meeting.
- c. Records and clinical opinion:

- i. A child's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) under this part if those records indicate that the child's level of functioning in one or more of the developmental areas identified in §303.21(a)(1) constitutes a developmental delay or that the child otherwise meets the criteria for an infant or toddler with a disability under §303.21. If the child's part C eligibility is established under this paragraph, the lead agency or EIS provider must conduct assessments of the child and family in accordance with paragraph (c) of this section.
 - ii. Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. In addition, the lead agency must ensure that informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility under paragraph (b) of this section.
 - d. All evaluations and assessments of the child and family must be conducted by qualified personnel, in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory.
 - e. Unless clearly not feasible to do so, all evaluations and assessments of a child must be conducted in the native language of the child, in accordance with the definition of native language in §303.25.
 - f. Unless clearly not feasible to do so, family assessments must be conducted in the native language of the family members being assessed, in accordance with the definition of native language in §303.25.
2. **Procedures for the evaluation of the child.** In conducting an evaluation, no single procedure may be used as the sole criterion for determining a child's eligibility under this part. Procedures must include—
- a. Administering an evaluation instrument;
 - b. Taking the child's history (including interviewing the parent);
 - c. Identifying the child's level of functioning in each of the developmental areas in §303.21(a)(1);
 - d. Gathering information from other sources such as family members, other caregivers, medical providers, social workers, and educators, if necessary, to understand the full scope of the child's unique strengths and needs; and
 - e. Reviewing medical, educational, or other records.
3. **Procedures for assessment of the child and family.**

- a. An assessment of each infant or toddler with a disability must be conducted by qualified personnel in order to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs. The assessment of the child must include the following—
 - i. A review of the results of the evaluation conducted by paragraph (b) of this section;
 - ii. Personal observations of the child; and
 - iii. The identification of the child's needs in each of the developmental areas in §303.21(a)(1).
- b. A family-directed assessment must be conducted by qualified personnel in order to identify the family's resources, priorities, and concerns, and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability. The family-directed assessment must—
 - i. Be voluntary on the part of each family member participating in the assessment;
 - ii. Be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment; and
 - iii. Include the family's description of its resources, priorities, and concerns related to enhancing the child's development.

The team conducts an evaluation for special education purposes within a reasonable time not to exceed 30 school days from the date the district receives parental permission to conduct the evaluation or the expiration of the 14-calendar-day parental response time in cases other than initial evaluation, unless a conciliation conference or hearing is requested.

The Northfield Public School District conducts a full and individual initial evaluation before the initial provision of special education and related services to a pupil. The initial evaluation consists of procedures to determine whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability must obtain informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation is not construed as consent for placement for the receipt of special education and related services. The District will not override the written refusal of a parent to consent to an initial evaluation or re-evaluation.

Evaluation Procedures

Evaluations and reevaluations are conducted according to the following procedures:

1. The Northfield Public School District shall provide notice to the parents of the pupil, according to Code of Federal Regulations, title 34, sections 300.500 to 300.505, that describes any evaluation procedures the district proposes to conduct.
2. In conducting the evaluation, the Northfield Public School District:
 - a. Uses a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent, that are designed to assist in determining whether the child is a pupil with a disability and the content of the pupil's individualized education program, including information related to enabling the pupil to be involved in and progress in the general curriculum, or for preschool pupils, to participate in appropriate activities;
 - b. Does not use any single procedure as the sole criterion for determining whether a child is a pupil with a disability or determining an appropriate education program for the pupil; and
 - c. Uses technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
3. The Northfield Public School District ensures that:
 - a. Tests and other evaluation materials used to evaluate a child under this part are selected and administered so as not to be discriminatory on a racial or cultural basis, and are provided and administered in the pupil's native language or other mode of communication, unless it is clearly not feasible to do so;
 - b. Materials and procedures used to evaluate a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education and related services, rather than measure the child's English language skills.
 - c. Any standardized tests that are given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such tests.
 - d. The child is evaluated in all areas of suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
 - e. Evaluation tools and strategies that provide relevant information that directly assist persons in determining the educational needs of the pupil are provided.

- f. If an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report.
 - g. Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
 - h. Tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure; and
 - i. In evaluating each pupil with a disability, the evaluation is sufficiently comprehensive to identify all of the pupil's special education and related service needs, whether or not commonly linked to the disability category in which the pupil has been classified.
- 4. Upon completion of administration of tests and other evaluation materials, the determination of whether the child is a pupil with a disability as defined in Minnesota Statutes, section 125A.02, shall be made by a team of qualified professionals and the parent of the pupil in accordance with item E, and a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.
- 5. In making a determination of eligibility under item D, a child shall not be determined to be a pupil with a disability if the determining factor for such determination is lack of instruction in reading or math or limited English proficiency, and the child does not otherwise meet eligibility criteria under parts 3525.1325 to 3525.1351.

Additional Requirements for Evaluations and Reevaluations

- 1. As part of an initial evaluation, if appropriate, and as part of any reevaluation under this part, or a reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:
 - a. Review existing evaluation data on the pupil, including evaluations and information provided by the parents of the pupil, current classroom-based assessments and observations, and teacher and related services providers' observations; and
 - b. On the basis of the review, and input from the pupil's parents, identify what additional data, if any, are needed to determine whether the pupil has a

particular category of disability, as described in Minnesota Statutes, section 125A.02, or, in case of a reevaluation of a pupil, whether the pupil continues to have such a disability, the present levels of performance and educational needs of the pupil, whether the pupil needs special education and related services, or in the case of a reevaluation of a pupil, whether the pupil continues to need special education and related services, and whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the individualized education program of the pupil and to participate, as appropriate, in the general curriculum.

2. The district administers such tests and other evaluation materials as may be needed to produce the data identified by the IEP team under item A, subitem (2).
3. The district obtains informed parental consent, in accordance with subpart 1, prior to conducting any reevaluation of a pupil, except that such informed parental consent need not be obtained if the district can demonstrate that it had taken reasonable measures to obtain such consent and the pupil's parent has failed to respond.
4. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the pupil continues to be a pupil with a disability, the district shall notify the pupil's parents of that determination and the reasons for it, and the right of such parents to request an evaluation to determine whether the pupil continues to be a pupil with a disability, and shall not be required to conduct such an evaluation unless requested to by the pupil's parents.
5. A district evaluates a pupil in accordance with federal regulation before determining that the pupil is no longer a pupil with a disability.

Procedures for Determining Eligibility and Placement

1. In interpreting the evaluation data for the purpose of determining if a child is a pupil with a disability under parts 3525.1325 to 3525.1351 and the educational needs of the child, the school district:
 - a. draws upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
 - b. ensures that the information obtained from all of the sources is documented and carefully considered.

2. If a determination is made that a child is a pupil with a disability who needs special education and related services, an IEP is developed for the pupil according to Minnesota Rule 3525.2810.

Evaluation Report

An evaluation report is completed and delivered to the pupil's parents within the specified evaluation timeline. At a minimum, the evaluation report includes:

1. a summary of all evaluation results;
2. documentation of whether the pupil has a particular category of disability or, in the case of a reevaluation, whether the pupil continues to have such a disability;
3. the pupil's present levels of performance and educational needs that derive from the disability;
4. whether the child needs special education and related services or, in the case of a reevaluation, whether the pupil continues to need special education and related services; and
5. whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

C. Plan for Receiving Referrals

Northfield Public School District's plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies is attached as Appendix D.

Authority: Minn. R. 3525.1100, subp. 2(A); Minn. R. 3525.0750; Minn. Stat. § 363A.13; Minn. R. 3525.1350; Minn. R. 3525.1351; Minn. R. 3525.1341; 34 C.F.R. § 303.321; Minn. R. 3525.2550; Minn. R. 3525.2710; Minn. Stat. § 125A.091; Minn. R. 3525.2710, subps. 3, 4, 5, 6; Minn. Stat. § 125A.0942(c)

Appendix A: Identification of Students with Specific Learning Disabilities

District Determination

Northfield Public Schools determines eligibility for a specific learning disability using the **discrepancy model**, establishing eligibility under **items A, B, and C** of Minnesota Rule 3525.1341, subpart 2.

The criteria below reproduce all four items of the rule. Item D, which establishes eligibility through an inadequate rate of progress measured under scientific, research-based interventions, is defined here for completeness but is **not** used by Northfield Public Schools as a basis for determining eligibility. Scientific, research-based interventions are used to satisfy the two-intervention requirement of Minnesota Statutes, section 125A.56 prior to referral.

Definition

Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

The disorder is:

1. manifested by interference with the acquisition, organization, storage, retrieval, manipulation, or expression of information so that the individual does not learn at an adequate rate for the child's age or to meet state-approved grade-level standards when provided with the usual developmental opportunities and instruction from a regular school environment; and
2. demonstrated primarily in academic functioning, but may also affect other developmental, functional, and life adjustment skill areas; and may occur with, but cannot be primarily the result of, visual, hearing, or motor impairment; cognitive impairment; emotional disorder; or environmental, cultural, or economic influences, limited English proficiency, or lack of appropriate instruction in reading or math.

Criteria

A child is eligible and in need of special education and related services for a specific learning disability when the child meets the criteria in **items A, B, and C**, or in **items A, B, and D**. Information about each item must be sought from the parent and must be included as part of the evaluation data. The evaluation data must confirm that the effects of the child's disability occur in a variety of settings.

The child must receive **two interventions**, as defined in Minnesota Statutes, section 125A.56, prior to evaluation, unless the parent requests an evaluation or the IEP team waives this requirement because it determines the child's need for an evaluation is urgent.

A. Inadequate Achievement

The child does not achieve adequately in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematics calculation, or mathematical problem solving, in response to appropriate classroom instruction, **and either**:

1. the child does not make adequate progress to meet age or state-approved grade-level standards in one or more of the areas listed above when using a process based on the child's response to scientific, research-based intervention (SRBI); **or**
2. the child exhibits a **pattern of strengths and weaknesses** in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability. The performance measures used to verify this finding must be representative of the child's curriculum or useful for developing instructional goals and objectives.

Northfield Public Schools applies subitem (2), pattern of strengths and weaknesses.

Required documentation. Documentation to verify this finding includes evidence of low achievement from the following sources, when available: cumulative record reviews; class work samples; anecdotal teacher records; statewide and districtwide assessments; formal, diagnostic, and informal tests; curriculum-based evaluation results; and results from targeted support programs in general education.

B. Disorder in Basic Psychological Processes

The child has a disorder in one or more of the basic psychological processes, which includes an information processing condition that is manifested in a variety of settings by behaviors such as inadequate:

- acquisition of information; organization; planning and sequencing;
- working memory, including verbal, visual, or spatial;
- visual and auditory processing; speed of processing;
- verbal and nonverbal expression; transfer of information; and
- motor control for written tasks.

C. Severe Discrepancy

The child demonstrates a severe discrepancy between general intellectual ability and achievement in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematics calculation, or mathematical problem solving.

The demonstration of a severe discrepancy shall not be based solely on the use of standardized tests. The group shall consider standardized test results as only one component of the eligibility criteria. The instruments used to assess the child's general intellectual ability and achievement must be individually administered and interpreted by an appropriately licensed person using standardized procedures.

For initial placement, the severe discrepancy must be **equal to or greater than 1.75 standard deviations** below the mean of the distribution of difference scores for the general population of individuals at the child's chronological age level.

D. Inadequate Rate of Progress

Defined for completeness. Northfield Public Schools does not use item D as a basis for determining eligibility.

The child demonstrates an inadequate rate of progress. The rate of progress is measured over time through progress monitoring while using intensive SRBI, which may be used prior to a referral or as part of an evaluation for special education. A minimum of **12 data points** are required from a consistent intervention implementation over at least **seven school weeks** in order to establish the rate of progress. The rate of progress is inadequate when the child's:

1. rate of improvement is minimal and continued intervention will not likely result in reaching age or state-approved grade-level standards;
2. progress will likely not be maintained when instructional supports are removed;
3. level of performance in repeated assessments of achievement falls below the child's age or state-approved grade-level standards; and
4. level of achievement is at or below the fifth percentile on one or more valid and reliable achievement tests using either state or national comparisons. Local comparison data that is valid and reliable may be used in addition to either state or national data. If local comparison data is used and differs from either state or national data, the group must provide a rationale to explain the difference.

Exclusionary Factors (Minn. R. 3525.1341, subp. 3.C(2))

The group determines that the child's inadequate achievement or lack of progress is **not primarily the result** of:

1. A visual, hearing, or motor disability;
2. Intellectual disability;
3. Emotional behavior disorder;
4. Cultural factors;
5. Environmental or economic disadvantage;
6. Limited English proficiency; or
7. Lack of appropriate instruction in reading or math.

Authority: Minn. R. 3525.1341; Minn. Stat. § 125A.56

II. Method of Providing Special Education Services for Identified Pupils

The Northfield Public District provides a full range of educational service alternatives. All students with disabilities are provided with the special instruction and services that are appropriate to their needs. The following is representative of The Northfield Public School District's method of providing special education services for the identified pupils, sites available at which service may occur, and instruction and related services are available.

Appropriate program alternatives to meet the special education needs, goals, and objectives of a pupil are determined on an individual basis. Choice of specific program alternatives is based on the pupil's current levels of performance, pupil's special education needs, goals, and objectives, and must be written in the IEP. Program alternatives are comprised of the type of services provided, the setting in which services occur, and the amount of time and frequency in which special education services occur. A pupil may receive special education services in more than one alternative based on the IEP or IFSP.

A. Method of Providing Special Education Services

1. Direct specialized instruction
 - a. Small group instruction in the special education setting
 - b. Small group instruction in the general education setting
 - c. Co-teaching in the general education setting
2. Consultation services
 - a. Indirect consultation, modeling, and instructional support by related services providers
 - b. Indirect consultation, modeling, and instructional support by direct services providers
3. Indirect instruction

B. Sites Available at Which Services May Occur

Site	Address
Northfield Area Learning Center	201 Orchard Street South Northfield, MN 55057
Northfield High School	1400 Division Street South Northfield, MN 55057
Northfield Middle School	2200 Division Street South Northfield, MN 55057

Site	Address
Bridgewater Elementary	401 Jefferson Parkway Northfield, MN 55057
Spring Creek Elementary	1400 Maple Street Northfield, MN 55057
Greenvale Park Elementary	500 Lincoln Parkway Northfield, MN 55057
Northfield Community Education Center	700 Lincoln Parkway Northfield, MN 55057
Cannon Valley Special Education Cooperative	200 Western Avenue NW Faribault, MN 55021
Homebound & Home-based Services	—
Non-public services	Child find and access to specialized instruction per IEP & IEP needs. Services are delivered on-site in the Northfield Public School District

C. Available Instruction and Related Services

1. Speech/Language Services
2. Occupational Therapy
3. Physical Therapy
4. School Psychological Services
5. School Social Work Services
6. Developmental Adaptive Physical Education Services
7. Deaf/Hard of Hearing Services
8. Blind/Visually Impaired Services
9. Other Health Disabilities Consultant
10. Autism Consultant

Authority: Minn. R. 3525.1100, subp. 2(B); Minn. Stat. § 125A.08; Minn. R. 3525.2335

III. Administration and Management Plan

The Northfield Public School District utilizes the following administration and management plan to assure effective and efficient results of child study procedures and methods of providing special education services for the identified pupils.

A. Organization of Administration and Management

The following table illustrates the organization of administration and management to assure effective and efficient results of child study procedures and methods of providing special education services for the identified pupils:

Staff Name and Title	Contact Information	Description of Staff Responsibilities
Caleb Davidson Director of Special Services	(507) 645-1234 cdavidson@northfieldschools.org District Office 201 Orchard Street S. Northfield, MN 55057	Duties involve the supervision of special education staff, program development, program evaluation, fiscal/budget administration of special needs programming, and oversight of due process and compliance requirements.
Jill Petersen Assistant Director of Special Services	(507) 414-4887 jpetersen@northfieldschools.org Northfield Community Education Center 700 Lincoln Parkway Northfield, MN 55057	Assists the Director in the areas listed above and provides administrative oversight of Early Childhood Special Education programming, including Part C infant and toddler intervention services.
Alisa Anderson Assistant Director of Special Services	(507) 645-3421 aanderson@northfieldschools.org Spring Creek Elementary 1400 Maple Street Northfield, MN 55057	Assists the Director in the areas listed above.

B. Due Process Assurances Available to Parents

Northfield School District has appropriate and proper due process procedures in place to assure effective and efficient results of child study procedures and methods of providing

special education services for the identified pupils, including alternative dispute resolution and due process hearings. A description of these processes are as follows:

1. Prior written notice to (a) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child's placement or for providing special education services unless the child's parent notifies the district of an objection within 14 days of when the district sends the prior written notice to the parent; and (b) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference or another alternative dispute resolution procedure.
2. The Northfield Public School District will not proceed with the initial evaluation of a child, the initial placement of a child in a special education program, or the initial provision of special education services for a child without the prior written consent of the child's parent. A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.
3. A parent, after consulting with health care, education, or other professional providers, may agree or disagree to provide the parent's child with sympathomimetic medications unless medical, dental, mental and other health services are necessary, in the professional's judgment, that the risk to the minor's life or health is of such a nature that treatment should be given without delay and the requirement of consent would result in delay or denial of treatment.
4. Parties are encouraged to resolve disputes over the identification, evaluation, educational placement, manifestation determination, interim alternative educational placement, or the provision of a free appropriate public education to a child with a disability through conciliation, mediation, facilitated team meetings, or other alternative process. All dispute resolution options are voluntary on the part of the parent and must not be used to deny or delay the right to a due process hearing. All dispute resolution processes are provided at no cost to the parent.
5. **Conciliation Conference:** A parent has the opportunity to meet with appropriate district staff in at least one conciliation conference if the parent objects to any proposal of which the parent receives prior written notice. Northfield Public School District holds a conciliation conference within ten calendar days from the date the district receives a parent's objection to a proposal or refusal in the prior written notice. All discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five school days after the final conciliation conference, the district must prepare and provide to the parent a conciliation conference memorandum that describes the district's final proposed offer of service. This memorandum is admissible in evidence in any subsequent

proceeding.

6. In addition to offering at least one conciliation conference, Northfield Public School District informs parents of other dispute resolution processes, including at least mediation and facilitated team meetings. The fact that an alternative dispute resolution process was used is admissible in evidence at any subsequent proceeding. State-provided mediators and team meeting facilitators shall not be subpoenaed to testify at a due process hearing or civil action under special education law nor are any records of mediators or state-provided team meeting facilitators accessible to the parties.
7. Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in Northfield Public School District's Procedure Safeguard Notice, attached as Appendix B.

Authority: Minn. R. 3525.1100, subp. 2(C); Minn. R. 3525.1100, subp. 2(A) and (B); Minn. Stat. § 125A.091

Appendix B: District Procedural Safeguards Notice

Part B: Notice of Procedural Safeguards — Parental Rights for Public School Special Education Students

The material contained in this document is intended to provide general information and guidance regarding special education rights and procedural safeguards afforded to parents of children age 3 through 21 under state and federal law. This document explains a selection of some of the rights and procedural safeguards provided to parents under the Individuals with Disabilities Education Act (IDEA), the implementing regulations at 34 C.F.R. Part 300, and applicable Minnesota laws and regulations; it is not a complete list or explanation of those rights. This notice is not a substitute for consulting with a licensed attorney regarding your specific legal situation. This document does not purport to include a complete rendition of applicable state and federal law, and the law may have changed since this document was issued.

Introduction

This document provides an overview of parental special education rights, sometimes called procedural safeguards. These same procedural safeguards are also available for students with disabilities who have reached the age of 18.

This Notice of Procedural Safeguards must be given to you at least one time per year. 34 C.F.R. § 300.504(a). It must also be given to you:

1. The first time your child is referred for a special education evaluation or if you request an evaluation, 34 C.F.R. § 300.504(a)(1);
2. The first time you file a complaint with the Minnesota Department of Education (MDE) in a school year, 34 C.F.R. § 300.504(a)(2);
3. The first time you or the district requests a due process hearing in a school year, 34 C.F.R. § 300.504(a)(2);
4. On the date the district decides to change the placement of your student by removing the student from school for a violation of the district discipline policy, 34 C.F.R. § 300.504(a)(3); or
5. Upon your request, 34 C.F.R. § 300.504(a)(4).

Prior Written Notice

The district must provide you with prior written notice each time it proposes to initiate or change, or refuses to initiate or change:

- the identification of your child;
- the evaluation and educational placement of your child;
- the provision of a free appropriate public education (FAPE) to your child; or

- when you revoke consent for services for your child in writing and before the district stops providing special education and related services, 34 C.F.R. §§ 300.503(a)(1)-(2) and 300.300(b)(4)(i).

This written notice must include:

1. A description of the action proposed or refused by the district, 34 C.F.R. § 300.503(b)(1);
2. An explanation of why the district proposes or refuses to take the action, 34 C.F.R. § 300.503 (b)(2);
3. A description of each evaluation procedure, assessment, record, or report the district used as a basis for its proposal or refusal, 34 C.F.R. § 300.503(b)(3);
4. A statement that you, as parents of a child with a disability, have protection under these procedural safeguards and information about how you can get a copy of the brochure describing the procedural safeguards, 34 C.F.R. § 300.503(b)(4);
5. Sources for you to contact to obtain assistance in understanding these procedural safeguards, 34 C.F.R. § 300.503(b)(5);
6. A description of other options the IEP team considered and the reasons why those options were rejected, 34 C.F.R. § 300.503(b)(6); and
7. A description of other factors relevant to the district's proposal or refusal, 34 C.F.R. § 300.503(b)(7).

In addition to federal requirements, prior written notice must inform you that, except for the initial placement of your child in special education, the school district will proceed with its proposal for your child's placement, or for providing special education services, unless you notify the district of an objection within 14 days of when the district sent you the prior written notice. Minn. Stat. § 125A.091, subd. 3a(1). The district must also provide you with a copy of the proposed IEP whenever the district proposes to initiate or change the content of the IEP. Minn. R. 3525.3600.

The prior written notice must also state that, if you object to a proposal or refusal in the prior written notice, you must have an opportunity for a conciliation conference, and the school district must inform you of other alternative dispute resolution procedures, including mediation and facilitated IEP team meetings, under Minnesota Statutes, section 125A.091, subdivisions 7-9. Minn. Stat. § 125A.091, subd. 3a(2).

For More Information

If you need help understanding any of your procedural rights or anything about your child's education, please contact your district's special education director. This notice must be provided in your native language or other mode of communication you may be using. If your mode of communication is not a written language, the district must take steps to translate this notice orally or by other means. The district must ensure that you understand

the content of this notice and maintain written evidence that this notice was provided to you in an understandable mode of communication and that you understood the content of this notice. 34 C.F.R. § 300.503(c).

For further information, you may contact one of the following organizations:

Organization	Website	Phone
ARC Minnesota (advocacy for persons with developmental disabilities)	www.arcminnesota.org	952-920-0855 1-833-450-1494
Minnesota Association for Children’s Mental Health	www.macmh.org	651-644-7333 1-800-528-4511
Minnesota Disability Law Center	www.mndlc.org	612-334-5970 (Twin Cities Metro) 1-800-292-4150 (Greater Minnesota) 612-332-4668 (TTY)
Minnesota Department of Education	https://education.mn.gov/MDE/index.htm	651-582-8689 651-582-8201 (TTY)
PACER (Parent Advocacy Coalition for Educational Rights)	www.pacer.org	952-838-9000 1-800-53-PACER 952-838-0190 (TTY)
SMRLS Education Law Advocacy Project (Serves families with low-income in 33 southern Minnesota counties)	www.smrls.org	1-877-696-6529

Electronic Mail

If your school district gives parents the choice to receive notices by email, you can choose to receive your prior written notice, procedural safeguards notice, or notices related to a due process complaint via email. 34 C.F.R. § 300.505.

Parental Consent

Definition of Consent. Consent means that you have been fully informed of all information relevant to the activity for which your consent is sought, in your native language, or through another mode of communication. 34 C.F.R. § 300.9(a). In order to consent you must understand and agree in writing to the carrying out of the activity for which your consent is sought. This written consent must list any records that will be released and to whom. 34 C.F.R. § 300.9(b).

Revocation of Consent. Consent is voluntary and may be revoked in writing at any time. 34 C.F.R. §§ 300.9(c)(1) and 300.300(b)(4). However, revocation of consent is not retroactive; meaning revocation of consent does not negate an action that has occurred after the consent was given and before the consent was revoked. 34 C.F.R. § 300.9(c)(2).

When the District Must Obtain Your Consent

A. Initial Evaluation. The district must obtain your written and informed consent before conducting its initial evaluation of your child. 34 C.F.R. § 300.300(a)(1)(i) and Minn. Stat. § 125A.091, subd. 5(a). You or a district can initiate a request for an initial evaluation. 34 C.F.R. § 300.301(b). If you do not respond to a request for consent or if you refuse to provide consent for an initial evaluation, the district cannot override your refusal to provide consent. 34 C.F.R. § 300.300(a)(3)(i) and Minn. Stat. § 125A.091, subd. 5(a). An initial evaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation, unless a conciliation conference or hearing is requested. Minn. R. 3525.2550, subp. 2.

A district will not be found in violation of meeting its child find obligation or its obligations to conduct evaluations and reevaluations if you refuse to consent to or fail to respond to a request for consent for an initial evaluation. 34 C.F.R. § 300.300(a)(3)(ii).

If you consent to an initial evaluation, this consent cannot be construed as being consent for the initial provision of special education and related services. 34 C.F.R. § 300.300(a)(1)(ii).

B. Initial Placement and Provision of Special Education Services and Related Services. The district must obtain your written consent before proceeding with the initial placement of your child in a special education program and the initial provision of special education services and related services to your child determined to be a child with a disability. Minn. Stat. § 125A.091, subd. 3a(1) and 5(a); 34 C.F.R. § 300.300(b)(1).

If you do not respond to a request for consent, or if you refuse to consent to the initial provision of special education and related services to your child, the district may not override your written refusal. Minn. Stat. § 125A.091, subd. 5(a).

If you refuse to provide consent for the initial provision of special education and related services, or you fail to respond to a request to provide consent for the initial provision of special education and related services, the district will not be considered in violation for

failure to provide your child with special education and related services for which the district requested consent. 34 C.F.R. § 300.300(b)(4)(i).

C. Reevaluations. Your consent is required before a district conducts a reevaluation of your child. 34 C.F.R. § 300.300(c). If you refuse consent to a reevaluation, the district may not override your written refusal. 34 C.F.R. § 300.300(c)(1)(ii) and Minn. Stat. § 125A.091, subd. 5(a). A reevaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation or within 30 days from the expiration of the 14-calendar-day time period during which you can object to the district's proposed action. Minn. R. 3525.2550, subp. 2.

D. Transition Services. Your consent is required before personally identifiable information is released to officials of participating agencies providing or paying for transition services. 34 C.F.R. §§ 300.622(a)(2) and 300.321(b)(3).

When Your Consent is Not Required

Except for an initial evaluation and the initial placement and provision of special education and related services, if you do not notify the district of your objection within 14 days of when the district sends the notice of the district's proposal to you, the district's proposal goes into effect even without your consent. Minn. Stat. § 125A.091, subd. 3a(1).

Additionally, your consent is not required for a district to review existing data in your child's educational file as part of an evaluation or a reevaluation. 34 C.F.R. § 300.300(d)(1)(i).

Your consent is also not required for the district to administer a test or other evaluation that is given to all children, unless consent is required from parents of all children. 34 C.F.R. § 300.300(d)(1)(ii).

Parent's Right to Object and Right to a Conciliation Conference

You have a right to object to any action the district proposes within 14 calendar days of when the district sends you the prior written notice of their proposal. Minn. Stat. § 125A.091, subd. 3a(1). If you object to the district's proposal, you have the right to request a conciliation conference, mediation, facilitated IEP team meeting or a due process hearing. 34 C.F.R. § 300.507; Minn. Stat. §§ 125A.091, subd. 3a(2) and subd. 14. Within ten calendar days from the date the district receives notice of your objection to its proposal or refusal in the district's prior written notice, the district will ask you to attend a conciliation conference. Minn. Stat. § 125A.091, subd. 7.

Except as provided under Minnesota Statutes, section 125A.091, all discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five days after the final conciliation conference, the district must prepare and provide to you a conciliation conference memorandum that describes the district's final proposed offer of service. This memorandum is admissible evidence in any subsequent proceeding. Minn. Stat. § 125A.091, subd. 7.

You and the district may also agree to use mediation or a facilitated individualized education program (IEP) team meeting to resolve your disagreement. Minn. Stat. § 125A.091, subd. 8. You or the district can also request a due process hearing (see section about Impartial Due Process Hearings later in this document). The district must continue to provide an appropriate education to your child during the proceedings of a due process hearing. 34 C.F.R. § 300.518.

Confidentiality and Personally Identifiable Information

Personally identifiable information is information that includes, but is not limited to, a student's name, the name of the student's parent or other family members, the address of the student or student's family, a personal identifier, such as the student's Social Security number, student number, or biometric record, another indirect identifier, such as the student's date of birth, place of birth, a mother's maiden name, other information that, alone or in combination, is linked to or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates. 34 C.F.R. § 99.3.

Districts and MDE must protect the confidentiality of any personally identifiable data, information, and records they collect, maintain, disclose and destroy. 34 C.F.R. §§ 300.610 and 300.623.

Generally, your written consent is required before a district may disclose personally identifiable information from your child's educational record with anyone other than officials of participating agencies collecting or using the information under the Individuals with Disabilities Education Act (IDEA) or for any purpose other than meeting a requirement of that law. 34 C.F.R. §§ 99.3 and 99.31.

When your consent is not required to share personally identifiable information: Your consent, or the consent of an eligible student (age 18 or older), is not required before personally identifiable information contained in education records is released to officials of a school district or the state department of education for meeting IDEA requirements. 34 C.F.R. § 300.622(a).

Your child's educational records, including disciplinary records, can be transferred without your consent to officials of another school, district, or postsecondary institution if your child seeks to enroll in or attend the school or institution or a school in that district. 34 C.F.R. § 99.31(a)(2).

Disclosures made without your consent must be authorized under the Family Educational Rights and Privacy Act (FERPA). Please refer to 34 C.F.R. Part 99 for additional information on consent requirements concerning data privacy under federal law.

Directory Information

Directory information can be shared without your consent. This type of information is data contained in an education record of your child that would not generally be considered harmful or an invasion of privacy if disclosed. 34 C.F.R. § 99.3.

Directory information includes, but is not limited to, a student's address, telephone number, email address, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in official activities and sports, weight and height of athletic team members, degrees, honors, and awards received, the most recent educational agency or institution attended, and a student ID number, user ID, or other unique personal identifier used for accessing or communicating electronically if certain criteria are met. Directory information does not include a student's Social Security number or a student ID number not used in connection with accessing or communicating electronically as provided under federal law. 34 C.F.R. § 99.3.

Districts must give you the option to refuse to let the district designate any or all data about your child as directory information. This notice can be given to you by any means reasonably likely to inform you or an eligible student of this right. Minn. Stat. § 13.32, subd. 5. If you do not refuse to release the above information as directory information, that information is considered public data and can be shared without your consent.

Data about you (meaning parents) is private data but can be treated as directory information if the same procedures that are used by a district to designate student data as directory information are followed. Minn. Stat. § 13.32, subd. 2(c).

Written Annual Notice Relating to Third-Party Billing for IEP Health-Related Services

Before billing Medical Assistance or MinnesotaCare for health-related services the first time, and each year, the district must inform you in writing that:

1. The district will share data related to your child and health-related services on your child's IEP with the Minnesota Department of Human Services to determine if your child is covered by Medical Assistance or MinnesotaCare and whether those services may be billed to Medical Assistance or MinnesotaCare.
2. Before billing Medical Assistance or MinnesotaCare for health-related services the first time, the district must obtain your consent, including specifying the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided), the purpose of the disclosure, the agency to which the disclosure may be made (i.e., the Department of Human Services) and which specifies that you understand and agree that the school district may access your (or your child's) public benefits or insurance to pay for health-related services.
3. The district will bill Medical Assistance or MinnesotaCare for the health-related services on your child's IEP. Minn. Stat. § 125A.21, subd. 2(c)(1).

4. The district may not require you to sign up for or enroll in Medical Assistance or MinnesotaCare or other insurance programs in order for your child to receive special education services.
5. The district may not require you to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for health services provided, but may pay the cost that you otherwise would be required to pay.
6. The district may not use your child's benefits under Medical Assistance or MinnesotaCare if that use would: decrease available lifetime coverage or any other insured benefit; result in your family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time your child is in school; increase your premiums or lead to the discontinuation of benefits or insurance; or risk your loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.
7. You have the right to receive a copy of education records the district shares with any third party when seeking reimbursement for IEP health-related services. Minn. Stat. § 125A.21, subd. 2(c)(2).

You have the right to stop your consent for disclosure of your child's education records to a third party, including the Department of Human Services, at any time. If you stop consent, the district may no longer share your child's education records to bill a third party for IEP health-related services. You can withdraw your consent at any time, and your child's IEP services will not change or stop. Minn. Stat. § 125A.21, subd. 2(c)(3).

Independent Educational Evaluations

An independent educational evaluation (IEE) is an evaluation by a qualified person(s) who is not an employee of your district. 34 C.F.R. § 300.502(a)(3)(i). You may ask for an IEE at school district expense if you disagree with the district's evaluation. 34 C.F.R. § 300.502(b)(1). A hearing officer may also order an independent educational evaluation of your child at school district expense during a due process hearing. 34 C.F.R. § 300.502(d).

Upon request for an IEE, the district must give you information regarding its criteria for selection of an independent examiner and information about where an independent education evaluation may be obtained. 34 C.F.R. § 300.502(a)(2).

If you request an IEE, the district must, without delay, ensure that it is provided at public expense or request a hearing to determine the appropriateness of its evaluation. 34 C.F.R. § 300.502(b)(2). If the district goes to hearing and the hearing officer determines the district's evaluation is appropriate, you still have the right to an independent evaluation, but not at public expense. 34 C.F.R. § 300.502(b)(3).

If you obtain an IEE, the results of the evaluation must be considered by the IEP team and may be presented as evidence at a due process hearing regarding your child. 34 C.F.R. § 300.502(c).

Education Records

Definition of an Education Record. Under federal law an education record means those records that are directly related to a student and that are maintained by the department or the district.

Your Access to Records. If you want to look at your child's education records, the district must give you access to those records for your review. Education records include most of the information about your child that is held by the school. 34 C.F.R. § 300.613(a). However, information held solely by your child's teacher for his or her own instructional use may not be included in the education records. Minn. Stat. § 13.32, subd. 1(a).

The district must allow you to review the records without unnecessary delay, and before any meeting regarding an IEP, or any hearing or resolution session about your child. 34 C.F.R. § 300.613(a). In addition, the district must comply with your request to review your child's education records immediately, if possible, or within 10 days of the date of the request (excluding Saturdays, Sundays and legal holidays), if immediate compliance is not possible. Minn. Stat. § 13.04, subd. 3.

Your right to inspect and review records includes the right to:

1. An explanation or interpretation from the district of your child's records upon request, 34 C.F.R. § 300.613(b)(1); Minn. Stat. § 13.04, subd. 3;
2. Have your representative inspect and review the records on your behalf, 34 C.F.R. § 300.613(b)(3);
3. Request that the district provide copies of your child's educational records to you, 34 C.F.R. § 300.613(b)(2); Minn. Stat. § 13.04, subd. 3; and
4. Review your child's records as often as you wish in accordance with state law, 34 C.F.R. § 300.613(c). State law provides that if you have been shown private data and have been informed of its meaning, that data does not need to be disclosed to you for a period of 6 months unless a dispute or action is pending or new information is created or collected. Minn. Stat. § 13.04, subd. 3.

Transfer of Rights. Your rights regarding accessing your child's education records generally transfer to your child at age 18. 34 C.F.R. §§ 300.625 and 99.5(a). Notice must be provided to you and your child regarding this transfer of rights. 34 C.F.R. § 300.520(a)(3).

Records on More Than One Child. If any education record includes information on more than one child, you have the right to inspect and review only information relating to your child. 34 C.F.R. § 300.615. You can seek consent to review and inspect education records

that include information about children in addition to your own, but those parents of those children have a right to refuse your request for consent.

List of Types and Locations of Information. Upon your request, the district and the department must provide you with a list of the types and locations of education records they collect, maintain or use. 34 C.F.R. § 300.616.

Record of Access by Others. The district must keep a record of each request for access to, and each disclosure of, personally identifiable information in your child's education records. This record of access must include the name of the individual who made the request or received personally identifiable information from your child's education records, the date access was given and the purpose of the disclosure or the individual's legitimate interest in the information. 34 C.F.R. §§ 300.614 and 99.32.

Consent to Release Records. Generally, your consent is required before personally identifiable information is released to unauthorized individuals or agencies. 34 C.F.R. §§ 300.622(a) and 99.30(a); Minn. Stat. § 13.05, subd. 4(d). The consent must be in writing and must specify the individuals or agencies authorized to receive the information: the nature of the information to be disclosed; the purpose for which the information may be used; and a reasonable expiration date for the authorization to release information. 34 C.F.R. § 99.30(b); Minn. Stat. § 13.05, subd. 4(d). Upon request, the district must provide you with a copy of records it discloses after you have given this consent. 34 C.F.R. § 99.30(c).

The district may not disclose information contained in your child's IEP, including diagnosis and treatment information, to a health plan company without your signed and dated consent. Minn. Stat. § 125A.21, subd. 7.

Fees for Searching, Retrieving and Copying Records. The district may not charge a fee to search or retrieve records. However, if you request copies, the district may charge a reasonable fee for the copies, unless charging that fee would prevent you from exercising your right to inspect and review the education records because you cannot afford to pay it. 34 C.F.R. §§ 300.617 and 99.11; Minn. Stat. § 13.04, subd. 3.

Amendment of Records at Parent's Request. If you believe that information in your child's records is inaccurate, misleading, incomplete or in violation of your child's privacy or other rights, you may request in writing that the district amend or remove the information. 34 C.F.R. §§ 300.618(a) and 99.20(a); Minn. Stat. § 13.04, subd. 4.

The district must decide within a reasonable time whether it will amend the records. 34 C.F.R. §§ 300.618(b) and 99.20(b). If the district decides not to amend the records, it must inform you that you have the right to a hearing to challenge the district's decision. 34 C.F.R. §§ 300.618(c), 300.619 and 99.20(c). If, as a result of that hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of your child's privacy right, it must inform you that you have the right to include a statement of your comments and disagreements alongside the challenged information in your child's

education records. 34 C.F.R. § 300.620(b). A hearing to challenge information in education records must be conducted according to the procedures for such hearings under FERPA. 34 C.F.R. § 300.621.

Transfer of Records. Minnesota Statutes require that a district, a charter school, or a nonpublic school transfer a student's educational records, including disciplinary records, from a school a student is transferring from to a school in which a student is enrolling within 10 business days of a request. Minn. Stat. § 120A.22, subd. 7.

Destruction of Records. The district must inform you when personally identifiable information is no longer needed in order to provide education services to your child. 34 C.F.R. § 300.624(a). That information must be destroyed at your request. However, the school may retain a permanent record of your child's name, address, phone number, grades, attendance records, classes attended, grade level completed and year completed. 34 C.F.R. § 300.624(b).

Under federal law, destruction means the physical removal of personal identifiers from information so that the information is no longer personally identifiable. Thus, the student's record does not need to be physically destroyed to comply with your request to destroy special education related records. Districts can appropriately comply with this requirement by removing personally identifiable information from the student's records. The choice of destruction method generally lies with the school district. 34 C.F.R. § 300.611; Letter to Purcell, 211 IDELR 462 (OSEP, 1987); and Klein Indep. Sch. Dist., 17 IDELR 359 (SEA TC, 1990).

The district shall not destroy any education records if there is an outstanding request to inspect or review the records. 34 C.F.R. § 99.10(e).

Despite your request to destroy records a district can keep certain records necessary to comply with the General Education Provision Act (GEPA), which requires that recipients of federal funds keep records related to the use of those funds. Letter to New, 211 IDELR 473 (OSEP, 1987); 34 C.F.R. § 300.611(a); and 20 U.S.C. Ch. 31, sec. 1232(f)(a). You may want to maintain certain special education records about your child for documentation purposes in the future, such as for applying for SSI benefits.

Mediation

Mediation is a free, voluntary process to help resolve disputes. You or your district may request mediation at no charge from the Minnesota Department of Education's Special Education Alternative Dispute Resolution program at 651-582-8689. Mediation uses a neutral third party trained in dispute resolution techniques. Mediation may not be used to deny or delay your right to a due process hearing. Both you and district staff must agree to try mediation before a mediator can be assigned. At any time during the mediation, you or the district may end the mediation. 34 C.F.R. §§ 300.506 and 300.152(a)(3)(ii).

If you and the district resolve all or a portion of the dispute or agree to use another procedure to resolve the dispute, the mediator shall ensure that the resolution or agreement is in writing and signed by both you and the district and that both parties receive a copy of the document. The written resolution or agreement shall state that all discussions that occurred during mediation are confidential and may not be used as evidence in any hearing or civil proceeding. The resolution or agreement is legally binding on both you and the district and is enforceable in state or federal district court. You or the district can request another mediation to resolve a dispute over implementing the mediation agreement, if needed. Minn. Stat. § 125A.091, subd. 10.

Filing a Written Special Education State Complaint

Any organization or individual may file a complaint with the Minnesota Department of Education (MDE). 34 C.F.R. § 300.153(a). Complaints sent to MDE must:

1. Be in writing and be signed by the individual or organization filing the complaint, 34 C.F.R. § 300.153(a);
2. Allege violations of state or federal special education law or rule, 34 C.F.R. § 300.153(b)(1);
3. State the facts upon which the allegation is based, 34 C.F.R. § 300.153(b)(2);
4. Include the name, address and telephone number of the person or organization making the complaint, 34 C.F.R. § 300.153(b)(3);
5. Include the name and address of the residence of the child and the name of the school the child is attending, 34 C.F.R. § 300.153(b)(4)(i)(ii);
6. A description of the nature of the child's problem; including facts relating to the problem, 34 C.F.R. § 300.153(b)(4)(iv);
7. A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed, 34 C.F.R. § 300.153(b)(4)(v); and
8. Be forwarded to the public agency providing services to the child at the same time the complaint is sent to MDE, 34 C.F.R. § 300.153(d).

The complaint must be sent to:

Minnesota Department Education Division of Assistance and Compliance Due
Process Supervisor
400 NE Stinson Blvd
Minneapolis, MN 55413
Phone: 651.582.8689 / Fax: 651.582.8725

The complaint must be received by MDE no later than one year after the alleged violation occurred. 34 C.F.R. § 300.153(c). MDE will issue a written decision within 60 days, unless exceptional circumstances require a longer time or you or the district agree to extend the time to participate in mediation. 34 C.F.R. § 300.152(a) and (b). The final complaint

decision may be appealed to the Minnesota Court of Appeals by you (the parent) or the school district injured-in-fact by the decision within 60 days of receiving notice of the final decision.

Impartial Due Process Hearing

Both you and the district have a right to file a due process complaint and request an impartial due process hearing in writing within two years of the date you or the agency knew or should have known about the alleged action that forms the basis of the due process complaint. Minn. Stat. § 125A.091, subd. 14(a) and 34 C.F.R. §§ 300.507 and 300.511(e).

A due process complaint can be filed regarding a proposal or refusal to initiate or change a child's evaluation, IEP, educational placement, or to provide FAPE. Minn. Stat. § 125A.091, subd. 14(a).

A due process complaint may address any matter related to the identification, evaluation, educational placement, manifestation determination or provision of a free and appropriate public education of your child. Minn. Stat. § 125A.091, subd. 12. Within 15 days of receiving notice of your due process complaint, and prior to the due process hearing, the school district must arrange for a resolution meeting with you and the relevant members of the IEP team who have knowledge of the facts alleged in the due process complaint. 34 C.F.R. § 300.510(a).

The purpose of this meeting is for you to discuss the due process complaint, and the facts that form the basis of the due process complaint, and to allow the school district an opportunity to resolve the dispute that is the basis for the due process complaint. 34 C.F.R. § 300.510(a)(2).

The resolution meeting need not be held if you and the school district agree in writing to waive the meeting or agree to mediation. 34 C.F.R. § 300.510(a)(3). A resolution meeting is also not required to be held when the district is the filing party. 34 C.F.R. 300.510(a) cmts. at 71 F.R. 46700 (2006).

If the matter is not resolved within 30 days of receipt of the due process complaint, the hearing timelines begin. 34 C.F.R. § 300.510(b)(1).

If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made, and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint. 34 C.F.R. § 300.510(b)(4).

Loss of Right to a Due Process Hearing. *NOTE:* Due to an interpretation of state law by the 8th Circuit Court of Appeals, if your child changes school districts and you do not file a due process complaint before your child enrolls in a new district, you may lose the right to have a due process hearing about any special education issues that arose in the previous

district. See *Thompson v. Bd. of the Special Sch. Dist. No. 1*, 144 F.3d.574 (8th Cir. 1998). You do still have a right to file a due process complaint about special educational issues that may arise in the new district where your child is attending.

Procedures for Initiation of a Due Process Hearing. Upon filing a written due process complaint, the district must give you a copy of this procedural safeguard notice and a copy of your rights at hearing. 34 C.F.R. § 300.504(a)(2). If you or the district file a due process complaint, the other party must be provided with a copy of the complaint and submit the complaint to MDE. Once it receives the request, MDE must give a copy of the procedural safeguards notice to you. Minn. Stat. § 125A.091, subd. 14(d). All written requests must include:

1. The name of your child, 34 C.F.R. § 300.508(b)(1); Minn. Stat. § 125A.091, subd. 14(b);
2. The address of your child, 34 C.F.R. § 300.508(b)(2); Minn. Stat. § 125A.091, subd. 14(b);
3. The name of the school your child is attending, 34 C.F.R. § 300.508(b)(3); Minn. Stat. § 125A.091, subd. 14(b);
4. A description of the problem(s), including your view of the facts, 34 C.F.R. § 300.508(b)(5); Minn. Stat. § 125A.091, subd. 14(b); and
5. A proposed resolution of the problem to the extent known and available to you at the time, 34 C.F.R. § 300.508(b)(6); Minn. Stat. § 125A.091, subd. 14(b).

MDE maintains a list of qualified hearing officers. Upon receipt of a written due process complaint, MDE will appoint a hearing officer from that list to conduct the hearing. Minn. Stat. § 125A.091, subd. 13. Below are a few of your rights at hearing. This is not a complete list of rights.

Both you and the district have the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities, 34 C.F.R. § 300.512(a)(1);
2. Present evidence and confront, cross-examine and compel the attendance of witnesses, 34 C.F.R. § 300.512(a)(2);
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five business days before the hearing, including evaluation data and recommendations based on that data, 34 C.F.R. § 300.512(a)(3); and
4. Receive a free copy of the hearing transcript or electronic recording of findings of fact and decisions, 34 C.F.R. §§ 300.512(a)(4)-(a)(5) and (c)(3).

As a parent, you, specifically, have the right to:

1. Have your child, who is the subject of the hearing, present, 34 C.F.R. § 300.512(c)(1);
2. Open the hearing to the public, 34 C.F.R. § 300.512(c)(2); and
3. Have the record or transcript of the hearing and the hearing officer's findings of fact, conclusions of law and decisions made provided to you at no cost. 34 C.F.R. § 300.512(c)(3); Minn. Stat. § 125A.091, subd. 12.

Responding to a Due Process Complaint. If you file a due process complaint and you did not previously receive a prior written notice from the district about the subject matter of the complaint, the district must send you a written explanation of why the district refused to take the action raised in the complaint within 10 days of receiving your complaint. This explanation must include a description of other options considered by the IEP team, why those options were rejected, a description of each evaluation procedure, assessment, record, or report that the district used as the basis for the proposed or refused action, and a description of the factors relevant to the district's proposal or refusal decision. Minn. Stat. § 125A.091, subd. 14(e)(1).

The district can assert that the due process complaint does not meet the requirements under state law. A due process complaint is considered sufficient unless the party who received the request notifies the hearing officer in writing within 15 days of receiving the request that they believe the request does not meet statutory requirements. The hearing officer must determine whether the due process complaint meets statutory requirements within five days of receiving the complaint and notify the parties. Minn. Stat. § 125A.091, subd. 14(e)(1) and (2).

Upon receiving your due process complaint, the district must also send you a written response that addresses the issues you raised in the complaint within 10 days of receiving the request. Minn. Stat. § 125A.091, subd. 14(f).

Disclosure of Additional Evidence Before a Hearing. A prehearing conference must be held within five business days of the date the commissioner appoints a hearing officer. This conference can be held in person, at a location within the district, or by telephone. Minn. Stat. § 125A.091, subd. 15. At least five business days before a hearing, you and the district must disclose to each other all evaluations of your child completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. 34 C.F.R. § 300.512(b)(1). A hearing officer may refuse to allow you to introduce any undisclosed evaluations or recommendations at the hearing without consent of the other party. 34 C.F.R. § 300.512(b)(2).

The Hearing Decision. A hearing decision must be issued and provided to each party within 45 calendar days, or within an appropriately extended time period, upon the expiration of the 30-day resolution period after the due process complaint was received by the state agency. 34 C.F.R. § 300.515; Minn. Stat. § 125A.091, subd. 20(a). A hearing officer may extend the time beyond the 45-day period if requested by either party for good cause

shown on the record. 34 C.F.R. § 300.515(c); Minn. Stat. § 125A.091, subd. 18, 20(a). A hearing officer must conduct oral arguments in a hearing at a time and place that is reasonably convenient to you and your child. Minn. Stat. § 125A.091, subd. 20(a). A hearing officer's decision on whether your child received FAPE must be based on evidence and arguments that directly relate to FAPE. 34 C.F.R. § 300.513. The hearing decision is final unless you or the district files a civil action. 34 C.F.R. §§ 300.514(a)-(b) and 300.516(a). A hearing officer lacks the authority to amend a decision except for clerical and mathematical errors. Minn. Stat. § 125A.091, subd. 20(b).

Separate Due Process Complaint. You have the right to file a separate due process complaint on an issue separate from a due process complaint already filed. 34 C.F.R. § 300.513(c).

Free or Low-Cost Legal Resources. The district must inform you of any free or low-cost legal and other relevant services available in the area if you request the information or if you or the school district file a due process complaint. 34 C.F.R. § 300.507(2)(b). A legal resource list is also available on MDE's Special Education Hearings webpage (MDE > Select Students and Families > Special Education > Conflicts in Special Education > Special Education Due Process Hearings).

Complaint and Hearings Database. Final decisions on special education complaints and due process hearings are available to the public on the MDE website. 34 C.F.R. § 300.513(d). MDE maintains a public database and makes decisions available that are redacted, removing all personally identifiable information. This database is available on MDE's website > Data Center > Data Reports and Analytics > Complaints and Hearing Decisions (<https://public.education.mn.gov/MDEAnalytics/DataTopic.jsp?TOPICID=366>).

Civil Action. When you or the district disagrees with the findings or decisions made by a hearing officer, either party may file a court action. The action may be brought in federal district court or the state court of appeals. 34 C.F.R. §§ 300.514(b) and 300.516(a). Different standards of review apply in each court. An appeal to the state court of appeals must be made within 60 calendar days of your receipt of the decision. Minn. Stat. § 125A.091, subd. 24. An appeal to federal district court must be made within 90 days of the date of the decision. 34 C.F.R. § 300.516(b); Minn. Stat. § 125A.091, subd. 24.

Placement During a Hearing or Civil Action. During a hearing or court action, unless you and the district agree otherwise, your child will remain in the educational placement where he/she is currently placed and must not be denied initial admission to school. 34 C.F.R. §§ 300.518(a) and (b) and 300.533. This is commonly referred to as the "stay-put" rule.

Two exceptions to the "stay-put" rule exist:

1. Students may be removed from their educational setting for not more than 45 school days to an interim alternative educational placement for certain weapon, drug or serious bodily injury violations, 34 C.F.R. § 300.530(g)(1)-(3); and

2. A hearing officer's decision agreeing with you that a change in placement is appropriate as the "stay-put" placement during subsequent appeals, 34 C.F.R. § 300.518(d).

Expedited Hearings. You (the parent) or the district can file a due process complaint and request an expedited hearing in the following situations:

1. Whenever you dispute the district's proposal to initiate or change the identification, evaluation or educational placement of your child or the district's provision of FAPE to your child, Minn. Stat. § 125A.091, subd. 14(a); 34 C.F.R. § 300.532(a) and (c)(1); 34 C.F.R. 300.507(a) and 34 C.F.R. § 300.503(a)(1);
2. Whenever you dispute the district's refusal to initiate or change the identification, evaluation or educational placement of your child or the district's provision of FAPE to your child, Minn. Stat. § 125A.091, subd. 14(a); 34 C.F.R. § 300.532(a) and (c)(1); 34 C.F.R. § 300.507(a); 34 C.F.R. § 300.503(a)(2);
3. Whenever you dispute the manifestation determination, 34 C.F.R. §§ 300.530 and 300.532(a); and
4. Whenever the district believes that maintaining the current placement of your child is substantially likely to result in injury to the child or to others, 34 C.F.R. § 300.532(b)(2)(ii).

You or a school district may file a written due process complaint and request an expedited due process hearing as described above. Minn. Stat. § 125A.091, subd. 19; 34 C.F.R. § 300.532(c)(1).

Timelines for Expedited Hearings. Expedited hearings must be held within 20 school days of the date the expedited due process complaint is filed. The hearing officer must issue a decision within 10 school days after the hearing. Minn. Stat. § 125A.091, subd. 19; 34 C.F.R. § 300.532(c)(2). A resolution meeting must occur within 7 days of receiving the expedited due process complaint unless you and the school district agree in writing to either waive the resolution meeting or use the mediation process. Minn. Stat. § 125A.091, subd. 19; 34 C.F.R. § 300.532(c)(3) and (3)(i). The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receiving the request. Minn. Stat. § 125A.091, subd. 19; 34 C.F.R. § 300.532(c)(3)(ii).

Dismissal of Due Process Complaint. If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint. 34 C.F.R. § 300.510(b)(4).

Placement by a Hearing Officer. A hearing officer may decide to move your child to an interim alternative educational setting for up to 45 school days if the hearing officer

determines your child is substantially likely to injure themselves or others if they remain in the current placement. 34 C.F.R. § 300.532(b)(2)(ii).

Right to Appeal Decision. You or the district can appeal the decision of a hearing officer in an expedited due process hearing. 34 C.F.R. §§ 300.532(c)(5) and 300.514.

Interim Alternative Educational Placement. The district may change your child's educational placement for up to 45 school days, if your child:

1. Carries a dangerous weapon to or possesses a dangerous weapon at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law, 34 C.F.R. § 300.530(g)(1);
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE. This does not include alcohol or tobacco, 34 C.F.R. § 300.530(g)(2); or
3. Inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law, 34 C.F.R. § 300.530(g)(3).

On the date the district decides to remove your child and the removal is a change of placement of a child with a disability because of a violation of a code of student conduct, the school district must notify you of that decision, and provide you with the procedural safeguards notice. 34 C.F.R. § 300.530(h).

The IEP team determines the interim alternative educational setting and appropriate special education services. 34 C.F.R. §§ 300.530(d)(5) and 300.531. Even though this is a temporary change, it must allow your child:

1. To continue to participate in the general education curriculum and progress towards meeting goals set out in your child's IEP, although in a different setting, 34 C.F.R. §§ 300.530(d)(1)(i) and (d)(4); and
2. Include services and modifications designed to prevent the behavior from recurring, 34 C.F.R. § 300.530(d)(1)(ii).

If your child is placed in an interim alternative educational setting, an IEP meeting must be convened within 10 school days of the decision. 34 C.F.R. § 300.530(e)(1). At this meeting, the team must discuss behavior and its relationship to your child's disability. The team must review evaluation information regarding your child's behavior, and determine the appropriateness of your child's IEP and behavior plan. The team will then determine if your child's conduct was caused by, or had a direct relationship to his or her disability, or if your child's conduct was the direct result of the school district's failure to implement the IEP. 34 C.F.R. § 300.530(e)(1).

Attorney's Fees for Hearings. You may be able to recover attorney fees if you prevail in a due process hearing. 34 C.F.R. § 300.517(a)(1)(i). A judge may make an award of attorney's fees based on prevailing rates in your community. 34 C.F.R. § 300.517(c)(1). The court may reduce an award of attorney's fees if it finds that you unreasonably delayed the settlement or decision in the case. 34 C.F.R. § 300.517(c)(4)(i). If the district prevails and a court agrees that your request for a hearing was for any improper purpose, you may be required to pay the district's attorney's fees. 34 C.F.R. § 300.517(a)(iii).

Exclusions and Expulsion of Pupils With a Disability

Before your child with a disability can be expelled or excluded from school, a manifestation determination must be held. Minn. Stat. § 121A.43(d). If your child's misbehavior is related to his or her disability, your child cannot be expelled.

When a child with a disability is excluded or expelled under the Pupil Fair Dismissal Act, Minnesota Statutes Sections 121A.41-56, for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services after the period a period of suspension, if imposed. Minn. Stat. § 121A.43(d).

Disciplinary Removals. If a child with a disability is removed from his or her current educational placement, this is considered a change of placement if:

1. The removal is for more than 10 school days in a row, 34 C.F.R. § 300.536(a)(1); or
2. Your child has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than 10 school days in a year, 34 C.F.R. § 300.536(a)(2)(i);
 - b. Your child's behavior is substantially similar to your child's behavior in previous incidents that resulted in a series of removals, 34 C.F.R. § 300.536(a)(2)(ii); and
 - c. Of additional factors such as the length of each removals, the total amount of time your child has been removed, and the proximity of the removals to one another, 34 C.F.R. § 300.536(a)(2)(iii).

The determination of whether a pattern of removals constitutes a change of placement is made by the district. 34 C.F.R. § 300.536(b)(1). If this determination is challenged it is subject to review through due process and judicial proceedings. 34 C.F.R. § 300.536(b)(2).

Children Not Determined Eligible for Special Education and Related Services. If your child has not been determined eligible for special education and related services and violates a code of student conduct, and the school district knew before the discipline violation that your child was a child with a disability then your child can utilize the protections described in this notice. 34 C.F.R. § 300.534(a).

A district is deemed to have knowledge that your child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. You expressed concern in writing to supervisory or administrative personnel at the district or to your child's teacher that your child is in need of special education and related services, 34 C.F.R. § 300.534(b)(1);
2. You requested an evaluation related to eligibility for special education and related services under Part B of the IDEA, 34 C.F.R. § 300.534(b)(2); or
3. Your child's teacher or other district personnel expressed specific concerns about a pattern of behavior demonstrated by your child directly to the district's director of special education or to other district supervisory staff, 34 C.F.R. § 300.534(b)(3).

Exceptions to a District's Knowledge. A district would not be deemed to have such knowledge if:

1. You have previously refused consent for an evaluation of your child or you have previously refused special education services, 34 C.F.R. § 300.534(c)(1)(i)-(ii); or
2. Your child has already been evaluated and determined to not be a child with a disability under Part B of IDEA, 34 C.F.R. § 300.534(c)(2).

Conditions that Apply if There is No Basis of Knowledge. If a district does not have knowledge that your child is a child with a disability prior to taking disciplinary measures against your child, your child may be subjected to similar disciplinary consequences that are applied to children without disabilities who engage in similar behaviors. 34 C.F.R. § 300.534(d).

If a request is made for an evaluation of your child during the time period in which your child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. 34 C.F.R. § 300.534(d)(2)(i). Until the evaluation is complete, your child remains in the educational placement determined by the district, which can include suspension or expulsion without educational services. 34 C.F.R. § 300.534(d)(2)(ii). In Minnesota, regular special education services are provided on the sixth day of a suspension and alternative education services are provided.

Referral to and Action by Law Enforcement and Judicial Authorities

A district can report a crime committed by a child with a disability to appropriate authorities and State law enforcement and judicial authorities can exercise their responsibilities under the law related to crimes committed by a child with a disability. 34 C.F.R. § 300.535(a).

Transmittal of Records. If a district reports a crime committed by a child with a disability, the district must ensure that copies of the child's special education and disciplinary records are transmitted to the appropriate authorities to whom the crime is reported for

consideration. However, the district may only transmit copies of your child's special education and disciplinary records to the extent permitted by FERPA. 34 C.F.R. § 300.535(b).

Private School Placement

IDEA does not require the district to pay for the cost of educating your child, including special education and related services, at a private school if the district made FAPE available to your child and you chose to place your child in a private school. 34 C.F.R. § 300.148(a). However, you may be able to recover tuition expenses for a private school placement if you informed the district of your intent to enroll your child in a private school at public expense in a timely manner and if a hearing officer finds that the district did not promptly make FAPE available to your child prior to your child being enrolled in the private school and if the private placement is appropriate. You must inform the district of your intent to place your child in a private placement at public expense at the most recent IEP meeting prior to removal of your child from public school or by written notice to the district at least 10 business days prior to removal of your child from public school. 34 C.F.R. § 300.148(c)-(d).

Your notice must state why you disagree with the district's proposed IEP or placement. If a hearing officer or court finds that the district failed to provide or is unable to provide your child with an appropriate education and that the private placement is appropriate, you may be reimbursed for the cost of the private placement. Failure to tell the school of your intent to enroll your child in a private school at public expense, failure to make your child available for evaluation prior to placing your child in a private school after the district has given you notice of its intent to evaluate your child, or other unreasonable delay on your part could result in a reduction or denial of reimbursement for the private school placement. 34 C.F.R. § 300.148(d).

A hearing officer cannot reduce or deny the cost of reimbursement if: the district prevented you from being provided with this notice; you did not receive notice of your responsibilities as discussed above in this section; or if compliance with the above requirements would likely result in physical harm to your child and if you failed to provide the required notice because you cannot write in English or if compliance with the above requirements would likely result in serious emotional harm to your child. 34 C.F.R. § 300.148(e).

Part C: Notice of Procedural Safeguards and Parental Rights — Infant and Toddler Intervention

The material contained in this document is intended to provide general information and guidance regarding special education rights and procedural safeguards afforded to parents of children from birth through age 2 under state and federal law. This document explains a selection of some of the rights and procedural safeguards provided to parents under the Individuals with Disabilities Education Act (IDEA), the implementing regulations at 34 C.F.R. Part 303, and applicable Minnesota laws and regulations; it is not a complete list or explanation of those rights. This notice is not a substitute for consulting with a licensed attorney regarding your specific legal situation. This document does not purport to include a complete rendition of applicable state and federal law, and the law may have changed since this document was issued.

Introduction

This brochure provides an overview of parental special education rights for infant and toddler intervention services, sometimes called procedural safeguards. This Notice of Procedural Safeguards must be given to you when your child is referred under Part C of the IDEA, including when you or the district request a due process hearing. The district must also make available an initial copy of your child's early intervention record, at no cost to you.

Prior Written Notice

The school district or a service provider must provide you with prior written notice within a reasonable timeframe before each time it proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, and education placement of your child or the provision of appropriate infant and toddler intervention services to your child and your child's family. This notice must be given to you before any changes are made and must include sufficient detail to inform you of:

1. The action that is being proposed or refused;
2. An explanation of why the district proposes or refuses to take the action; and
3. All procedural safeguards that are available under Part C of the IDEA, including a description of mediation, how to file a state complaint, and a due process complaint in the provisions, and any timelines under those procedures.

The notice must be written in a language understandable to the general public and provided in your native language unless it is clearly not feasible to do so.

If your native language or other mode of communication is not a written language, the public agency, or designated early intervention service provider, must take steps to ensure that the notice is translated orally or by other means to you in your native language or other mode of communication. The provider must also take steps to ensure that you

understand the notice; and, that there is written evidence that these requirements have been met.

Native language, when used with respect to an individual who is limited English proficient, means the language normally used by that individual, or in the case of a child, the language normally used by the parents of the child. For evaluations and assessments conducted for the child, native language means the language normally used by the child, if this language is determined developmentally appropriate for the child by the qualified personnel conducting the evaluation or assessment. For an individual who is deaf or hard of hearing, blind or visually impaired, or for an individual with no written language, native language means the mode of communication that is normally used by the individual, such as sign language, braille, or oral communication.

For More Information

If you need help understanding any of your procedural rights or anything about your child's education, please contact your child's early childhood special education coordinator, the school district's special education director or the person listed below. This notice must be provided in your native language or other mode of communication you may be using.

Organization	Phone
ARC Minnesota	952-920-0855 1-833-450-1494
Minnesota Association for Children's Mental Health	651-644-7333 1-800-528-4511
Minnesota Department of Education	651-582-8689 651-582-8201 (TTY)
Minnesota Disability Law Center	612-332-1441 1-800-292-4150 612-332-4668 (TTY)
PACER Center (Parent Advocacy Coalition for Educational Rights)	952-838-9000 1-800-53-PACER 952-838-0190 (TTY)
SMRLS Education Law Advocacy Project (Southern Minnesota Regional Legal Services)	1-877-696-6529

Parental Consent

Definition of Consent. As a parent, you have the right to give consent to any action proposed by the district. Consent means that you have been fully informed, in your native language, of all information relevant to the activity for which your written permission is sought and that you fully understand and agree in writing with carrying out the activity for which consent is sought. The written consent must describe the activity and list any early intervention records that will be released and to whom. Consent is voluntary and may be revoked at any time. However if you revoke your consent, that revocation is not retroactive.

When the District Must Obtain Your Consent. There are several situations in which the district must obtain your written consent before acting. The district must obtain your written consent before the following:

1. Administering screening procedures that are used to determine whether your child is suspected of having a disability;
2. Conducting all Part C evaluations and assessments of your child;
3. Providing early intervention services to your child;
4. Using public benefits or private insurance to pay for your child's Part C early intervention services in certain situations; and
5. Disclosing personally identifiable information about you or your child.

As a parent, you also have the right to receive written notice of and to provide written consent to the exchange of information among agencies that is consistent with state and federal law.

Parent's Right to Decline Consent. If you do not provide consent, the district must make reasonable efforts to ensure that you are fully aware of the nature of the evaluation and assessment, or the early intervention services that would be available, and that you understand that your child will not be able to receive the evaluation and assessment or receive early intervention services unless you provide consent. The district may not use the due process hearing procedures in Part B or Part C of the IDEA to challenge your refusal to provide any consent that is required. Thus, if you refuse, in writing, to consent to the initial evaluation or reevaluation of your child the district may not override your written refusal.

Parental Right to Decline Services. You can decide whether or not to accept or decline any early intervention service. You can selectively accept or decline any early intervention service, including declining a service after first accepting it, without jeopardizing other early intervention services your child may receive.

Confidentiality and Personally Identifiable Information. Personally identifiable information is information that includes, but is not limited to, your child's name; your name (parent's name) or other family member's name; your address; your child's address; a personal identifier, such as your child's or your Social Security number; biometric record; another indirect identifier, such as the child's date of birth, place of birth, a mother's

maiden name, or a list of personal characteristics; or other information that would make it possible to identify your child with reasonable certainty.

Districts, the Minnesota Department of Education (MDE), and any other early intervention service providers must protect the confidentiality of any personally identifiable data about you and your child, including information and records they collect, use and maintain, disclose and destroy. Generally, a district or other participating agency may not disclose personally identifiable information, as defined in Part C of the IDEA, to any party except participating agencies (including the lead agency and early intervention service providers) that are part of the state's Part C system without parental consent unless authorized to do so under the IDEA or for any purpose other than meeting a requirement of that law. Please refer to the Federal Educational Rights and Privacy Act (FERPA) for additional information on consent requirements concerning data privacy under federal law.

Confidentiality provisions under Part C of the IDEA apply from the point in time when your child is referred for early intervention services until the district is no longer required to maintain or no longer maintains the child's information under applicable state or federal laws, whichever is later.

Notice to Parents about Confidentiality. The district must give you notice when your child is referred under Part C of the IDEA that fully informs you about the confidentiality requirements discussed above. This notice should include a description of your child about whom personally identifiable information is maintained, the types of information about your child requested, the method intended to be used in gathering information, including the sources from whom information is gathered, and how the information about your child will be used. This notice must also include a summary of the policies and procedures that the district and providing agencies must follow regarding storage of data about you and your child, disclosure of this data to third parties, and retention and destruction of personally identifiable information. Additionally, this notice must include a description of all of your rights and your child's rights regarding this information, including rights under the Part C confidentiality provisions. Lastly, this notice must include a description of the extent that the notice is provided in the native languages of the various population groups in the state.

Individual Family Service Plans (IFSP)

If your child is under age three and has a disability, you and your child have a right to receive an IFSP. An IFSP is a written plan that is developed by a team to record your goals for your family and your child. An IFSP also lists the services that will best help you and your child reach those goals and describe when, where, and how services will be delivered. You and other family members work with the early intervention service coordinator and other providers (if appropriate) to create the IFSP. You may invite anyone you wish to the IFSP meetings, including an advocate. The IFSP is reviewed at least every six months, or more frequently if requested. You are involved in planning the time, date and place of these

meetings to ensure your participation. You may request a meeting to review your child's IFSP at any time, even if one recently took place. A district must provide you with a copy of each of your child's evaluations, assessments, family assessments, and IFSPs as soon as possible after each IFSP meeting at no cost to you.

The Right to Receive Services in Natural Environments

Early intervention services for infants and toddlers with disabilities are focused around your family's and your child's daily routines and are designed to be carried out within regular activities. These services are provided, to the maximum extent appropriate, in natural environments. This helps you and/or your child's other caregivers learn strategies for teaching your child new skills that may be practiced throughout the day. When a service needs to be provided anywhere other than a natural environment, the IFSP team must provide written justification in the IFSP.

Written Annual Notice Relating to Third-Party Billing for IFSP Health-Related Services

The school district must obtain your consent before your (or your child's) public benefits or insurance or private insurance information is used to pay for Part C services, if such consent is required.

The district must provide you annual written notice that:

1. Parental consent must be obtained under Part C of the IDEA before the state lead agency or Early Intervention Service Provider discloses personal information for billing purposes;
2. A statement of the no-cost protection provisions in Part C of the IDEA. If you do not provide consent, Part C services must still be made available to you and your child through the IFSP for which you have provided consent;
3. The district will bill medical assistance or Minnesota Care for the health-related services on your child's IFSP;
4. You have the right to receive a copy of education records the district shares with any third party when seeking reimbursement for health-related services on your child's IFSP; and
5. You have a right to withdraw your consent to disclose your child's education records to a third party at any time. If you withdraw consent, the district may no longer share your child's education records to bill a third party for IFSP health-related services. You can withdraw your consent at any time, and your child's IFSP services will not change or stop.

Education Records

Your Access to Records. You have the right to inspect and review all Part C early intervention records about your child and your child's family that are collected, maintained or used under Part C of the IDEA, including records related to evaluations and assessments, screening, eligibility determinations, development and implementation of IFSPs, provision of early intervention services, individual complaints involving your child, or any part of your child's early intervention record. Upon request, the district must give you access to your child's early intervention records without unnecessary delay and before any meeting regarding an IFSP or any due process hearing. The district must respond to your request immediately, if possible, or within 10 days of the request (excluding weekends and legal holidays).

Your right to inspect and review early intervention records includes the right to:

1. A response from the participating district to reasonable requests for explanations or interpretations of your child's record;
2. Request that the participating district provide copies of your child's early intervention records to you if failure to provide these copies would effectively prevent you from exercising your right to inspect and review the records;
3. Have your representative inspect and review the early intervention records; and
4. Review your child's records as often as you wish, in accordance with state law. State law provides that if you have been shown private data and have been informed of its meaning, that data does not need to be disclosed to you for a period of six months unless a dispute or action is pending or new information is created or collected.

A district may presume that you have the authority to inspect and review records relating to your child unless the district has been provided documentation that you do not have the authority under applicable state laws governing such matters as custody, foster care, guardianship, separation, and divorce.

Under Minnesota state law, education records include most of the information about your child that is held by the school, including evaluations and assessments, eligibility determinations, development and implementation of IFSPs, individual complaints dealing with your child, and any other records about your child and family. However, information held solely by your child's teacher for his or her own instructional use may not be included in the education records.

Disclosure to Health Plan Company. The district may not disclose information contained in your child's IFSP, including diagnosis and treatment information, to a health plan company without your signed consent.

Records on More Than One Child. If any education record includes information on more than one child, you only have the right to inspect and review information relating to your child. You can seek consent to review and inspect education records that include

information about children in addition to your own, but the parents of those children have a right to refuse your request for consent.

Record of Access by Others. The district must keep a record of each request for access and who obtains access to early intervention records collected, maintained, or used under Part C about you and your child. Access to these records by you and authorized representatives and employees of the district do not need to be recorded. This record of access must include the name of the individual to whom access was given, and the purpose for which the individual was authorized to use the early intervention records.

List of Types and Locations of Information. Upon your request, the district and MDE must provide you with a list of the types and locations of education records they collect, maintain or use.

Consent to Release Records. Generally, your consent is required before personally identifiable information is released to unauthorized individuals or agencies. The consent must be in writing and must specify the individuals or agencies authorized to receive the information; the nature of the information to be disclosed; the purpose for which the information may be used; and a reasonable expiration date for the authorization to release information. Upon request, the district must provide you with a copy of records it discloses.

Fees for Searching, Retrieving and Copying Records. The district may not charge a fee to search or retrieve records. However, if you request copies, the district may charge a reasonable fee for the copies, unless charging that fee would prevent you from exercising your right to inspect and review the education records because you cannot afford to pay it. A district must provide you with a copy of each of your child's evaluations, assessments, family assessments, and IFSPs as soon as possible after each IFSP meeting at no cost to you.

Amendment of Records at Parent's Request. If you believe that information in your child's early intervention records is inaccurate, misleading, incomplete, or in violation of your child's privacy or other rights or your rights as a parent, you may request that the district amend the record or remove the information.

The district must decide within a reasonable time whether it will amend the records. If the district decides not to amend the records, it must inform you of its refusal to amend the records and inform you that you have the right to a hearing to challenge the district's decision.

Opportunity for a Hearing. Upon your request, the district must provide you with the opportunity for a hearing to challenge information in your child's early intervention records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of you or your child. You may request a hearing under the procedures set out under Part C of the IDEA or you may request a hearing under Minnesota's due process hearing procedures.

If as a result of the hearing the district decides that the information is inaccurate, misleading or in violation of the privacy or other rights of you or your child, it must amend the information accordingly and inform you in writing.

If, as a result of that hearing, the district decides that the information in your child's early intervention record is not inaccurate, misleading, or otherwise in violation of the privacy rights or other rights of you or your child, it must inform you that you have the right to include a statement of your comments and disagreements alongside the challenged information in your child's early intervention education records. Any explanation placed alongside your child's early intervention education records must be kept by the district as part of your child's early intervention records as long as your child's records are maintained by the district. If your child's early intervention records or the contested portion of your child's records are disclosed by the district to any party, the explanation you submitted must also be disclosed to the party.

Transfer of Records. Minnesota Statutes require that a district, a charter school, or a nonpublic school transfer a student's educational records, including disciplinary records, from a school a student is transferring from to a school in which a student is enrolling within 10 business days of a request.

Destruction of Records. The district must inform you when personally identifiable information collected, maintained, or used by the district is no longer needed in order to provide early intervention services to your child. You have the right to request that education records about the provision of early intervention services to your child under Part C of the IDEA be destroyed upon your request. This information must be destroyed by the district upon receiving your request. However, the district may retain a permanent record of your child's name, date of birth, parent contact information (including address and phone number), names of service coordinators and early intervention service providers, and exit data (including year and age upon exit, and any programs your child entered upon exiting Part C).

Under federal law, destruction means the physical destruction of the record or the removal of personal identifiers from information ensuring that the information is no longer personally identifiable. Thus, your child's record does not need to be physically destroyed to comply with your request to destroy special education related records. Districts can appropriately comply with this requirement by removing personally identifiable information from your child's records. The choice of destruction method is generally up to the school district.

Despite your request to destroy records, a district can keep certain records necessary to comply with the General Education Provision Act (GEPA), which requires that recipients of federal funds keep records related to the use of those funds. You may want to maintain certain special education records about your child for documentation purposes in the future, such as for applying for Supplemental Security Income (SSI) benefits.

The district shall not destroy any education records if there is an outstanding request to inspect or review the records.

Child's Right to a Surrogate Parent

A child with a disability whose parent cannot be identified or located by the district using reasonable efforts, or who is a ward of the state, has the right to have a surrogate parent assigned to them.

The appropriate public agency must determine whether a child needs a surrogate parent and assign a surrogate to the child. In appointing a surrogate parent for a child, the public agency must consult with the agency that has been assigned to care for the child. The public agency must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 days after a public agency determines that the child needs a surrogate parent.

A surrogate parent may be selected in any way permitted under state law. The appropriate public agency must ensure that the person selected as a surrogate parent is not an employee of any state agency or early intervention service provider that provides services or care to the child or any family member of the child; has no personal or professional interest that conflicts with the interests of the child he or she represents; and has knowledge and skills necessary for adequate representation of the child. In the case of a child who is a ward of the state, the surrogate parent can be appointed by the judge overseeing the child's case, as long as the surrogate parent appointed satisfies the above-mentioned requirements. An individual who qualifies to be a surrogate parent is not an employee of the public agency solely because he or she is paid by the agency to serve as a surrogate parent.

A surrogate parent has the same rights as a parent for all purposes under the Part C regulations. Thus, a surrogate parent may represent a child in all matters related to the evaluation and assessment of the child, development, and implementation of the child's IFSP, including annual evaluations and periodic reviews, the ongoing provision of early intervention services, and any other rights available to the child under the Part C regulations.

Alternative Dispute Resolution (ADR)

Parties are encouraged to resolve disputes over the identification, evaluation, educational placement, manifestation determination, interim alternative educational placement, or the provision of a free appropriate public education to your child through conciliation, mediation, facilitated IFSP team meetings, or through other alternative processes. All ADR options are voluntary on your part and cannot be used to deny or delay your right to a due process hearing. All alternative dispute resolution processes are provided at no cost to you.

Mediation

Mediation is a free, voluntary process to help resolve disputes. You or your district may request mediation at no charge from MDE's Special Education ADR program at

651-582-8689. Mediation is conducted by a qualified and impartial mediator who is trained in effective mediation techniques. The state maintains a list of qualified mediators who are knowledgeable in laws and regulations relating to the provision of special education and related services. Mediators are selected by the state on a random, rotational basis.

Mediation may not be used to deny or delay your right to a due process hearing or any other rights under Part C of the IDEA. Mediation must be scheduled in a timely manner and must be held in a location that is convenient for both you and the district.

If you and the district reach an agreement to the dispute during the mediation process, the agreement must be set forth in writing. The agreement must be signed by both you (the parent) and a representative of the district who has the authority to bind the district. Parties to the mediation will receive a copy of the agreement. Discussions held during the mediation process are confidential and cannot be used as evidence in any subsequent due process hearing or civil proceeding. Resolution of a dispute through mediation, or other form of alternative dispute resolution, is not limited to formal disputes arising from your objection and is not limited to the period following the filing of a due process complaint and request for hearing. You may request mediation at any time to resolve a dispute arising under Part C of the IDEA, including matters arising prior to the filing of a due process complaint, regardless of whether a special education complaint or a due process complaint has been filed.

The local primary agency may request mediation on behalf of the involved agencies when disputes arise between agencies regarding responsibilities to coordinate, provide, pay for, or facilitate payment for infant and toddler early intervention services. You or the district can request another mediation to resolve a dispute over implementing the mediation agreement.

An individual who serves as a mediator may not be an employee of the state, the district, or a provider that is involved in the provision of early intervention services or other services to your child under Part C of the IDEA. A mediator cannot have a personal or professional interest that conflicts with their objectivity. A mediator is not considered an employee of the state, the district, or a provider of early intervention services solely because they are paid by the agency to serve as a mediator.

For more information about mediation, please contact MDE's mediation coordinator at 651-582-8689.

Filing a Written State Complaint

You or the district may file a state complaint with MDE. Complaints sent to MDE must:

1. Be in writing and be signed by the individual or organization filing the complaint;
2. Include a statement alleging violations of state or federal special education law or rule related to Part C of the IDEA;
3. State the facts upon which the allegation is based;

4. Include the signature and contact information for the complainant;
5. Include the name and residence of your child, the name of the early intervention service provider, a description of the nature of your child's problem, including facts related to the problem, and a proposed resolution of the problem to the extent known and available to you at the time the complaint is filed, if the alleged violation is related to your specific child; and
6. Allege a violation that occurred not more than **one year** prior to the date that the complaint is received.

The complaint must be sent to:

Minnesota Department Education
Office of General Counsel Due Process Supervisor
400 NE Stinson Blvd.
Minneapolis, MN 55413-2614
Phone: 651-582-8689 / Fax: 651-582-8725
MDE.Dispute-Resolution@state.mn.us

The party filing the complaint, either you or the district, must send a copy of the complaint to the district or early intervention service provider at the same time you or the district files with MDE.

MDE will complete its investigation and issue a written decision within 60 calendar days, unless exceptional circumstances require a longer time or if you and the district agree to extend the timeframe to engage in mediation. You (the parent) or the school district injured-in-fact by the decision may appeal the final complaint decision within 60 days of receiving notice of the final decision.

If a written complaint is received that is also the subject of a due process hearing, or contains multiple issues of which one or more are part of that hearing, the part of the complaint that is being addressed in the due process hearing must be set aside until the conclusion of the hearing.

If an issue is raised in a complaint filed under Part C of the IDEA that has previously been decided in a due process hearing involving the same parties, the hearing decision is binding and the complainant must be informed of this by MDE. Please see the section below for more information about due process hearings.

Impartial Due Process Hearing

For due process hearing procedures for children covered under Part C of the IDEA, Minnesota has chosen to adopt the Part B due process hearing procedures set out in the IDEA.

Filing a Due Process Complaint and Request for Hearing. You, the district, or a provider of early intervention services may file a due process complaint with MDE on any matter relating to the identification, evaluation, or placement of your child, or the provision of early intervention services to your child and your family under Part C of the IDEA. Specifically, a due process hearing can be requested regarding a proposal or refusal to initiate or change your child's evaluation, IFSP, educational placement, or to provide FAPE. The due process complaint must be in writing and must allege a violation of the IDEA that occurred not more than **two years** before the date that you or the early intervention service provider knew, or should have known, about the alleged action that forms the basis of the due process complaint.

This two-year timeline does not apply if you were prevented from filing a due process complaint because the district or an early intervention service provider misrepresented that it had resolved the problem forming the basis of your due process complaint or the district or early intervention service provider failed to provide you with information that was required under the IDEA.

MDE must inform you of any free or low-cost legal and other relevant services available in your area when you or the district file a due process complaint.

An impartial hearing officer will be assigned to your case. MDE maintains a list of individuals who serve as impartial hearing officers. You may not raise issues in a due process hearing that were not raised in the written complaint.

Within 15 days of receiving notice of your due process complaint, and prior to the due process hearing, the school district must arrange for a resolution meeting with you and the relevant members of your child's IFSP Team who have knowledge of the facts alleged in the due process complaint. If the resolution meeting is not held within 15 days of receiving notice of your due process complaint, you may seek the intervention of a hearing officer to begin the due process hearing timeline.

This resolution meeting must include a representative of the district who has decision-making authority and may NOT include an attorney for the district unless an attorney accompanies you. You and the district determine the relevant members of the IFSP team to attend the resolution meeting. The purpose of this meeting is for you to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the school district has the opportunity to resolve the dispute that is the basis for the due process complaint.

If you do not participate in the resolution meeting, your actions will delay the timelines for the resolution process and a due process hearing until the meeting is held. However, you and the school district may agree in writing to waive the resolution meeting or agree to mediation.

Resolution Period. If the matter is not resolved within 30 days of receipt of your due process complaint, the hearing timelines begin and a due process hearing may occur. If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made, and the district has documented its efforts to obtain your participation, and the school district does not agree to waive the resolution meeting or to use mediation, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint.

Hearing Timeline. The 30-day hearing timeline starts the day after one of the following events:

1. You and the district agree in writing to waive the resolution meeting;
2. After either mediation or the resolution meeting starts, but before the end of the 30-day period, you and the district both agree in writing that no agreement is possible; or
3. You and the district agree to continue the mediation at the end of the 30-day resolution period, but later, you or the district withdraws from the mediation process.

Settlement Agreement. If you and the district reach a resolution at the resolution meeting, you and the district must execute a legally binding agreement that is signed by both you and a representative of the district that has the authority to bind the district; the agreement is enforceable in any state or district court. You or the district may void such an agreement within three days of the agreement's execution.

Procedures for Initiation of a Due Process Hearing. If you wish to have a hearing, you or your attorney must file a due process complaint and request for a due process hearing in writing. The written complaint must be sent to:

Minnesota Department Education
Office of General Counsel Due Process Hearing Coordinator
400 NE Stinson Blvd.
Minneapolis, MN 55413-2614
Phone: 651-582-8689 / Fax: 651-582-8725
MDE.Dispute-Resolution@state.mn.us

All written requests for a due process hearing must include:

1. The name and address of your child;
2. The name of the early intervention service provider serving your child;
3. A description of the nature of the problem, including your view of the facts; and
4. A proposed resolution of the problem to the extent known and available to you at the time of filing your due process complaint.

Upon receiving a written due process complaint from you or the district, MDE must give you a copy of the procedural safeguard notice, which includes a description of your rights at a due process hearing. If you or the district file a due process complaint with MDE, you must provide the other party with a copy of the complaint at the same time you file with MDE.

If you file a due process complaint and you did not previously receive a prior written notice from the district about the subject matter of the due process complaint request, the district must send you a written explanation of why the district proposed or refused to take the action raised in the due process complaint within 10 days of receiving the due process complaint. This explanation must include a description of other options considered by the IFSP team; why those options were rejected; a description of each evaluation procedure; assessment, record, or report that the district or early intervention service provider used as the basis for the proposed or refused action; and a description of the factors relevant to the district's proposal or refusal decision.

Upon receiving your due process complaint, the district must also send you a written response that specifically addresses the issues you raised in the due process complaint within 10 days of receiving the request.

The district or early intervention service provider can assert that your due process complaint does not meet the requirements under state law. A due process complaint is considered sufficient unless the party who received the due process complaint notifies the hearing officer and the other party in writing within 15 days of receiving the complaint that they believe the due process complaint does not meet statutory requirements. The hearing officer must determine whether the due process complaint meets statutory requirements within five days of receiving the complaint and immediately notify the parties in writing of that determination.

MDE maintains a list of qualified hearing officers. Upon receipt of a written due process complaint, MDE will appoint a hearing officer from that list to conduct the hearing. Below are a few of your rights at hearing. This is not a complete list of rights.

Both you and the district have the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to early intervention services for infants and toddlers with disabilities;
2. Present evidence and confront, cross-examine, and compel the attendance of witnesses;
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five business days before the hearing, including evaluation data and recommendations based on that data that are intended to be used at the hearing; and

4. Receive a written or electronic, verbatim record of the hearing transcript and/or the findings of fact and decisions.

As the parent, you have the right to:

1. Decide whether or not to have your child will be present at the due process hearing. Infants and toddlers do not need to be present at due process hearings, however, you, as the parent, can decide whether or not your infant or toddler will attend the due process hearing;
2. Open the hearing to the public; and
3. Receive a copy of the record or transcript of the hearing and the hearing officer's findings of fact, conclusions of law and decisions made at no cost.

Amending a Due Process Complaint. You or the district may amend your due process complaint only if the other party consents in writing to the amendment and is given an opportunity to resolve the due process complaint through a resolution meeting or if the hearing officer grants permission. The hearing officer may only grant permission not later than five days before the due process hearing begins.

If you or the district files an amended due process complaint, the timelines for the resolution meeting and the resolution period begin again with the filing of the amended complaint.

Disclosure of Additional Evidence before a Hearing and Prehearing Conference. A prehearing conference must be held within five business days of the date the commissioner appoints a hearing officer. The hearing officer must initiate the prehearing conference. This conference can be held in person, at a location within the district, or by telephone. The hearing officer must create a verbatim record of the prehearing conference, which is available to you or the district upon request. At the prehearing conference, the hearing officer must accomplish the following: identify the questions that must be answered to resolve the dispute and elimination claims and complaints that are without merit; set a scheduling order for the hearing and additional prehearing activities; determine if the hearing can be disposed of without an evidentiary hearing and, if so; establish the management, control, and location of the hearing to ensure its fair, efficient, and effective disposition.

At least five business days before a hearing, you and the district must disclose to each other all evaluations of your child completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. A hearing officer may refuse to allow you to introduce any undisclosed evaluations or recommendations at the hearing without consent of the other party.

The Hearing Decision. The hearing officer must reach a final decision in the due process hearing and give a copy of the decision to each party not later than 45 days after the 30-day

period or within the adjusted time periods. The hearing officer is encouraged to accelerate the timeline to 30 days for a child under the age of three whose needs change rapidly and who requires quick resolution of a dispute. The hearing decision timeline may be extended if the hearing officer determines that good cause exists. The hearing officer must conduct oral arguments in a hearing at a time and place that is reasonably convenient to you and your child. The hearing officer's decision whether an infant or toddler was appropriately identified, evaluated, or placed, or whether the infant or toddler with a disability and the family were appropriately provided early intervention services under Part C of the IDEA, must be based on substantive grounds. The hearing decision is final unless you or the district files a civil action. A hearing officer does not have the authority to amend a decision except for clerical and mathematical errors.

Separate Due Process Complaint. You have the right to file a separate due process complaint on an issue separate from a due process complaint already filed.

Complaints and Hearings Database

Final decisions on special education complaints and due process hearings are available to the public on MDE's Complaint and Hearing Decisions web page (<https://public.education.mn.gov/MDEAnalytics/DataTopic.jsp?TOPICID=366>). Decisions available in the database are redacted and all personally identifiable information is removed.

Civil Action

When you or the district disagrees with the findings or decisions made by a hearing officer, either party may file a court action and appeal the decision. The action may be brought in federal district court or the state court of appeals. Different standards of review apply in each court. An appeal to the state court of appeals must be made within 60 calendar days of your receipt of the decision. An appeal to federal district court must be made within 90 days of the date of the decision. If you file an appeal, an impartial review of the findings and decision appealed will be made.

Placement During a Hearing or Civil Action

During a hearing or court action, unless you and the district agree otherwise, your child must continue to receive the appropriate early intervention services in the setting identified and that you consented to in the IFSP. If the complaint involves an application for initial services under Part C of the IDEA, your child must continue to receive those services that are not in dispute.

Expedited Due Process Hearings

You or a school district may file a written due process complaint and request for an expedited due process hearing.

Expedited hearings must be held within 20 school days of the date the expedited due process complaint is filed. The hearing officer must issue a decision within 10 school days

after the hearing. A resolution meeting must occur within seven days of receiving the expedited due process complaint, unless you and the school district agree in writing to either waive the resolution meeting or use the mediation process. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receiving the expedited due process complaint.

IV. Operating Procedures of Interagency Committees

Northfield Public School District participates in the **Region 10 Interagency Early Intervention Committee (IEIC)**, established in cooperation with the health and human service agencies located in the counties in which the district is located, for children with disabilities under age five and their families, and for children with disabilities ages three to 22 consistent with Minnesota Statutes, sections 125A.023 and 125A.027.

A. Committee Identification and Structure

1. **Committee:** Region 10 Interagency Early Intervention Committee.
2. **Mission:** Promoting positive beginnings by identifying and serving eligible children and their families.
3. **Purpose:** The Region 10 IEIC develops and assures the implementation of interagency policies and procedures so that eligible children ages birth to five and their families are identified and have access to appropriate services and supports.
4. **Counties served:** Dodge, Fillmore, Freeborn, Goodhue, Houston, Mower, Olmsted, Rice, Steele, Wabasha, and Winona. Northfield Public School District is located in Rice County.
5. **Fiscal host and Local Primary Agency:** Zumbro Education District. The Local Primary Agency performs duties consistent with Minnesota Statutes, section 125A.31, including oversight of funds received through the annual fund request and oversight of data collection efforts.
6. **Elected offices:** Chair, Chair-elect, and Recorder, elected from among the committee's members. The committee also funds a Coordinator position and designates two representatives to the Governor's Interagency Coordinating Council.
7. **Meeting cycle:** The committee meets quarterly — first quarter July through September, second quarter October through December, third quarter January through March, and fourth quarter April through June.
8. **Records:** The Local Primary Agency maintains committee documents, including operating procedures, work plan, meeting minutes, membership rosters, and meeting records. Minutes and agendas are posted at region10projects.org.

B. Membership

Membership is at will and reviewed annually at the spring meeting. There are two representatives from each county in the Region 10 IEIC.

Mandated sector representation: health; education; county human services; early childhood family education programs; Head Start; parents of young children with disabilities under age 12; child care resource and referral; school readiness programs; and current service providers.

Additional representation: private agencies; public agencies; school nurses; and other members as determined by the committee.

Ex officio membership: Minnesota Department of Education designee; Centers of Excellence staff; and the Regional Low Incidence Facilitator.

C. Operating Procedures

The Region 10 IEIC develops and implements interagency policies and procedures concerning the following ongoing duties:

1. Develop public awareness systems designed to inform potential recipient families, especially parents with premature infants or infants with other physical risk factors associated with learning or development complications, of available programs and services;
2. To reduce families' need for future services, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who is involved in a substantiated case of abuse or neglect, or who is identified as affected by illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure;
3. Establish and evaluate the identification, referral, child and family assessment systems, procedural safeguard process, and community learning systems to recommend, where necessary, alterations and improvements;
4. Assure the development of individualized family service plans for all eligible infants and toddlers with disabilities from birth through age two and their families, and individual education plans and individual service plans when necessary to appropriately serve children with disabilities age three and older and their families, and recommend assignment of financial responsibilities to the appropriate agencies;
5. Implement a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;
6. Facilitate the development of a transitional plan if a service provider is not recommended to continue to provide services;
7. Identify the current services and funding being provided within the community for children with disabilities under age five and their families;

8. Develop a plan for the allocation and expenditure of additional state and federal early intervention funds under United States Code, title 20, section 1471 et seq., and United States Code, title 20, section 631 et seq.; and
9. Develop a policy that is consistent with Minnesota Statutes, section 13.05, subdivision 9, and federal law to enable a member of an interagency early intervention committee to allow another member access to data classified as not public.

The committee also:

1. Participates in needs assessments and program planning activities conducted by local social service, health, and education agencies for young children with disabilities and their families; and
2. Reviews and comments on the early intervention section of the Total Special Education System plan for the district, the county social service plan, the sections of the community health services plan addressing the needs of and service activities targeted to children with special health care needs, the section on children with special needs in the county child care fund plan, sections in Head Start plans on coordinated planning and services for children with special needs, any relevant portions of early childhood education plans such as early childhood family education or school readiness, and the section of the maternal and child health special project grants addressing the needs of and service activities targeted to children with chronic illness and disabilities.

The complete Region 10 IEIC Operating Procedures are maintained by the Local Primary Agency and available at region10projects.org.

Authority: Minn. R. 3525.1100, subp. 2(D); Minn. Stat. § 125A.30; Minn. Stat. § 125A.31; Minn. Stat. § 125A.023; Minn. Stat. § 125A.027

V. Interagency Agreements the District has Entered

The Northfield Public School District has entered in the following interagency agreements or joint powers board agreements for eligible children, ages 3 to 21, to establish agency responsibility that assures that interagency services are coordinated, provided, and paid for, and that payment is facilitated from public and private sources:

Cannon Valley Special Education Cooperative

1. This agreement outlines the shared programs between the four districts to provide Setting IV EBD programs to students needing one of the following programs: K12 Day Treatment, EBD behavioral programming K-12, Students with Unique Needs K-12, and 18-22 Secondary Transition Education Program.
2. Terms of Agreement: Faribault, Northfield, Medford and Owatonna Public Schools entered into Joint Powers Agreement for Setting IV and 18-22 Secondary Transition Education Program.
3. The agreement was entered into in October, 2015, and remains in effect until two-thirds of the members leave the cooperative.

Authority: Minn. R. 3525.1100, subp. 2(E)

VI. Special Education Advisory Council

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, the Northfield Public School District has a special education advisory council.

1. Northfield Public Schools District's Special Education Advisory Council is individually established.
2. Northfield Public Schools District's Special Education Advisory Council is not a subgroup of an existing committee.
3. At least half of the Northfield Public Schools District's parent advisory councils' members are parents of students with a disability.
 - a. The district has a nonpublic school located in its boundaries and the parent advisory council includes at least one member who is a parent of a nonpublic school student with a disability, or an employee of a nonpublic school if no parent of a nonpublic school student with a disability is available to serve.
4. Northfield Public Schools District's Special Education Advisory Council meets three times per year, once each fall, winter, and spring.
5. The operational procedures of Northfield Public Schools District's Special Education Advisory Council are attached as Appendix C.

Authority: Minn. Stat. § 125A.24

Appendix C: Operational Procedures of the Northfield Public Schools Special Education Advisory Council (SEAC)

I. Authority and Purpose (as per MN Statute 125A.24)

- A. The Northfield Public Schools Special Education Advisory Council (SEAC) is established in accordance with Minnesota Statute 125A.24 to increase the involvement of parents of children with disabilities in district policy making and decision making.
- B. The Council shall act in an advisory capacity to the School Board and District Administration concerning policies, issues, and decisions affecting students with disabilities.

II. Membership and Composition

- A. **Composition:** The Council is composed of volunteers including parents, district staff, and community members.
- B. **Statutory Requirement:** At least half (50%) of the designated members must be parents of students with a disability currently enrolled in Northfield Public Schools (ISD #659).
- C. **Nonpublic Representation:** The Council must include at least one member who is a parent of a nonpublic school student with a disability, or an employee of a nonpublic school, if such a parent is unavailable to serve.
- D. **Recruitment and Appointment:**
 - *Annual Recruitment:* Annually, a survey will be distributed to families seeking new volunteer members.
 - *Term of Appointment:* Members shall serve a term of two (2) years, renewable upon mutual agreement.
 - *District Liaison:* The Director of Special Services, or a designee, shall serve as the non-voting District Liaison to the SEAC.

III. Officers and Duties

- A. **Officers:** The Council shall elect a Chair and a Vice-Chair.
- B. **Election:** Officers shall be elected annually by a simple majority vote of the Council members present at the first meeting of the school year.

- C. **Chair Duties:** Preside at all meetings, prepare meeting agendas in consultation with the District Liaison, and officially present recommendations to the School Board or Administration.

IV. Meetings and Public Access

- A. **Frequency:** The SEAC shall meet three times annually, in line with district committee meeting schedules.
- B. **Quorum:** A quorum necessary to conduct business and vote on recommendations shall be a simple majority of appointed members.
- C. **Public Meeting:** One (1) of the three annual meetings shall be designated as open to the public to solicit community input.
- D. **Public Notice:** Notice of all meetings, including time, date, and location, shall be posted on the district website at least one week in advance.
- E. **Decision Making:** Recommendations to the district shall be approved by a simple majority vote of the quorum present.

V. Review and Amendment

- A. These Operational Procedures shall be reviewed by the SEAC at least once every three years.
- B. Any proposed amendment to these procedures must be shared with the full Council at one meeting and voted on at a subsequent meeting, requiring a two-thirds majority vote of all appointed members for adoption.

VII. Assurances

Yes: Assurance given.

Citation and Authority: Code of Federal Regulations, section 300.201: Consistency with State policies.

The Northfield Public School District, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under sections 300.101 through 300.163, and sections 300.165 through 300.174. (Authority: 20 U.S.C. § 1413(a)(1)).

Authority: 34 C.F.R. §§ 300.200 through 300.213

Appendix D: Plan for Receiving Referrals

Northfield Public School District maintains the following plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies.

A. Sources of Referral

The district accepts referrals for special education evaluation from any source, including:

1. Parents and legal guardians;
2. District teachers, administrators, and support staff;
3. Physicians, clinics, hospitals, and other health care providers, including prenatal and postnatal care facilities;
4. Private and public programs, including child care, Head Start, and early learning programs;
5. Health and human services agencies, including county social services and public health agencies;
6. Public health facilities;
7. Nonpublic schools located within district boundaries;
8. The student, where age-appropriate; and
9. Any other member of the community.

A referral is accepted regardless of whether the child is enrolled in a Northfield public school, enrolled in a nonpublic school, homeschooled, or not attending any school.

B. Where Referrals Are Received

Students enrolled in a Northfield public school (ages 3–21)

Referrals may be made by contacting the child's teacher, counselor, or building principal. Each building has an assigned school psychologist who serves as the intake point for special education referrals and is responsible for managing the referral through to an evaluation decision.

Building	Address	Phone
Bridgewater Elementary	401 Jefferson Parkway Northfield, MN 55057	507.664.3300
Greenvale Park Elementary	500 Lincoln Parkway Northfield, MN 55057	507.645.3500

Building	Address	Phone
Spring Creek Elementary	1400 Maple Street Northfield, MN 55057	507.645.3470
Northfield Middle School	2200 Division Street South Northfield, MN 55057	507.663.0650
Northfield High School	1400 Division Street South Northfield, MN 55057	507.663.0630
Northfield Area Learning Center	201 Orchard Street South Northfield, MN 55057	507.645.1201

Children from birth through age two

Referrals for infant and toddler intervention services under Part C are received through two channels:

1. The statewide **Help Me Grow** referral system; and
2. **Direct contact with Early Childhood Special Education at the Northfield Community Education Center**, 700 Lincoln Parkway, Northfield, MN 55057, 507.664.3649.

Referrals arriving through either channel are managed by Early Childhood Special Education staff at the Northfield Community Education Center, under the administrative oversight of the Assistant Director of Special Services responsible for Early Childhood Special Education.

Part C referrals follow Part C timelines and result in an Individual Family Service Plan rather than an IEP. They do not route through building school psychologists.

Children not enrolled in a Northfield public school

Referrals concerning children who are enrolled in a nonpublic school, homeschooled, or not attending any school are directed to the **Director of Special Services**. The Director assigns the referral to a school psychologist, who then follows up and manages the referral using the same process applied to enrolled students.

C. Form of the Referral

Parents are encouraged to submit a request for evaluation in writing, by email or letter. Written requests create a clear record for both the family and the district.

The district also accepts and acts on verbal requests. A verbal request for a special education evaluation is a referral. When a parent makes a request verbally, the staff

member receiving it documents the request on the date it is made, including the requester's name, the date, and the concern described, and forwards it to the building school psychologist.

The district does not require a written request as a condition of acting on a parent's referral. This is consistent with federal guidance from the Office of Special Education and Rehabilitative Services, which states that a parent may contact the child's teacher or another school professional to ask that their child be evaluated, and that the request may be made verbally or in writing.

D. What Happens After a Referral Is Received

1. **Documentation.** The receiving school psychologist records the referral, the date received, and the source.
2. **Student Support Team review.** The school psychologist brings the referral to the building Student Support Team, which meets weekly. The team reviews existing data, prior interventions, and the student's response to them.
3. **Options available to the team.** In responding to the reported academic or behavioral concern, the team may:
 - a. develop and implement interventions within the general education setting that target the identified concern;
 - b. refer the student to the Section 504 team to determine whether the student is eligible for and needs accommodations under a 504 plan; or
 - c. proceed to a comprehensive special education evaluation.
4. **Pre-referral intervention check.** For referrals originating from district staff or the Student Support Team, the team confirms whether the student has received two documented interventions as required by Minn. Stat. § 125A.56, and determines whether additional intervention is warranted prior to evaluation. This requirement does not apply where the parent has requested an evaluation, or where the team determines the child's need for evaluation is urgent.
5. **Duration of pre-referral intervention.** The duration of pre-referral interventions is based on the individual child's needs and must be sufficient to allow the child to benefit from the new instructional strategies or interventions. The pre-referral process must not be used to unduly delay a special education evaluation once it becomes apparent that the interventions are not successful.
6. **Decision and notice.** The district either proposes an evaluation or declines to evaluate. Either outcome is communicated to the parent through prior written

notice under 34 C.F.R. § 300.503. Where the notice consists solely of a refusal of a parent's request, it is served within fourteen calendar days.

7. **Consent.** Where an evaluation is proposed, the district obtains informed written parental consent before the evaluation is conducted.
8. **Evaluation timeline.** The evaluation is completed within 30 school days of the district's receipt of parental permission, consistent with Minn. R. 3525.2550.

Because Student Support Teams meet weekly, a referral is reviewed within one week of receipt. This keeps the district inside the fourteen-calendar-day window for issuing prior written notice where the notice consists solely of a refusal of a parent's request.

E. Tracking and Accountability

The assigned school psychologist tracks each referral from receipt through evaluation decision, including all applicable timelines. Each school psychologist maintains a referral log for their assigned building, recording at minimum: the student's name, date the referral was received, referral source, date of Student Support Team review, date prior written notice was issued, date parental consent was received, and the evaluation due date.

Referral tracking is reviewed monthly in two settings:

1. Individual check-in meetings between the assigned school psychologist and a Special Services administrator; and
2. Monthly building special education team meetings.

These reviews confirm that referrals are moving and that applicable timelines are being met.

F. Child Find

The district's obligation to identify children with disabilities extends to children not enrolled in its schools. In addition to the referral channels above, Northfield Public Schools conducts child find activities including:

- [Early childhood screening]
- [Communication with nonpublic schools within district boundaries]
- [Public notice — where published, how often]
- [Coordination with community agencies, clinics, and early learning programs]

Authority: Minn. R. 3525.1100, subp. 2(A); Minn. Stat. § 125A.56; 34 C.F.R. § 300.503; Minn. R. 3525.2550

Northfield Public Schools

Policy Committee Recommendations

October 26, 2026

Policy	Changes
602: Organization of School Calendar and School Day	Regular Review <ul style="list-style-type: none"> Updated formatting. Linked MN statutes. Added a section to III.B regarding starting the school year prior to Labor Day for the 2026-27 and 2027-28 school years.
603: Curriculum Development	Regular Review <ul style="list-style-type: none"> Linked MN statutes. Tied the purpose statement to the strategic plan. Adjusted the definition of the membership of a school site team in section V.
605: Alternative Educational Services	Regular Review <ul style="list-style-type: none"> Updated formatting. Corrected name of statute in legal references section. Tied the purpose statement to the strategic plan. Adjusted purpose statement since the October 13 board meeting to remove reference to the 2027 strategic plan and instead refer to it as the “district strategic plan.” Aligned the general statement of policy to the MSBA model policy. Included mention of the Northfield Area Learning Center as an alternative education opportunity available in section III.A.
607: Organization of Grade Levels	Regular Review <ul style="list-style-type: none"> Tied the purpose statement to the strategic plan. Updated formatting. Corrected name of statutes in legal references section.
608: Instructional Services - Special Education	Regular Review <ul style="list-style-type: none"> Updated formatting. Updated language in section IV.A to the MSBA model policy. Updated language in section IV.C as recommended by the special services department Linked statutes. Updated statutes in legal references section.
609: Religion and Religious and Cultural Observances	Regular Review <ul style="list-style-type: none"> Updated formatting. Tied the purpose statement to the strategic plan.

	<ul style="list-style-type: none"> ● Updated statutes in legal references section. ● Made correction to parent/guardian/caregiver reference in Section III.4.
613: Graduation Requirements	Change Type: Regular Review and Non Substantive <ul style="list-style-type: none"> ● Updated graduation credit requirements in Section VI to align with state requirements. ● Made additions/changes to legal references and added resources. ● Added high school diploma for veterans provision enacted by the 2026 Minnesota Legislature.
709: Student Transportation Safety	Change Type: Substantive <ul style="list-style-type: none"> ● Added definition of a school bus in section VII.A.6. ● Added first aid kit requirements for buses enacted by the 2026 Minnesota Legislature in section VII.B.10. ● Added legal reference. ● Added Resources section. ● Added references to parents/guardians/caregivers or parents/guardians where appropriate.
722: Public Data and Data Subject Requests	This policy has been removed from this meeting's agenda and is returning to the policy committee for additional discussion about policy placement of the Safe at Home information.

Policy 602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the Northfield School District's school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, and provide for emergency closings. ~~and other information related to students, staff and parents.~~
- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., ~~or~~ III.B.3, or III.B.4. Days devoted to teacher's workshops may be held before Labor Day.
 - 1. The district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.
 - 2. The district may begin the school year on any day before Labor Day if the school district has agreement under [Minnesota Statutes, section 123A.30, 123A.32, or 123A.35](#) with a school district that qualifies under Section III.B.1.
 - 3. The district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.
 - 4. Notwithstanding [Minnesota Statutes, section 120A.40](#), for the 2026-2027 and 2027-2028 school years only, a school district may begin the school year on or after September 1. This section does not limit a school district that otherwise qualifies to begin the school year on any day before Labor Day as provided under Minnesota Statutes, section 120A.40.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

III. SCHOOL DAY RESPONSIBILITY

- A. The superintendent or designee shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such relevant factors, including school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, and cost effectiveness.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

V. E-LEARNING DAYS

- A. An “e-learning day” is a school day where a school offers full access to online instruction provided by students’ individual teachers due to inclement weather.
- B. A district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. A school board may adopt an e-learning day plan after consulting with the exclusive representative of the teachers. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The district must notify parents and students of its e-learning day plan at the beginning of each school year.
- F. When an e-learning day is declared by the district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student’s teacher must be accessible both online and by telephone during normal school hours to assist students and parents.
- H. When the district declares an e-learning day, it must continue to pay the full wages for scheduled work hours and benefits of all school employees for the duration of the e-learning period. During the e-learning period, school employees must be allowed to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

Policy 602 Organization of School Calendar and School Day

Adopted: 11.26.2007; Updated 05.2013, INSERT DATE; Non-Substantive Updates: 12.02.2019, 08.11.2022; Statutory Update: 07.10.2023

Board of Education
INDEPENDENT SCHOOL DISTRICT NO. 659
Northfield, Minnesota

Legal References: Minn. Stat. § 10.55 (Juneteenth)
Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Hours of Instruction)
Minn. Stat. § 120A.414 (e-Learning Days)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Conduct of School on Certain Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123A.32 (Interdistrict Cooperation)
Minn. Stat. § 123A.35 (Cooperation and Combination)
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)
Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)
Minn. Stat. § 645.44 (Words and Phrases Defined)

Cross References: MSBA/MASA Model Policy 425 (Staff Development)

Policy 603 CURRICULUM DEVELOPMENT

I. PURPOSE

~~The purpose of this policy is to provide direction for continuous review and improvement of the Northfield School District curriculum.~~ The purpose of this policy is to provide direction for continuous review, alignment, and improvement of the Northfield School District curriculum to fulfill the district's Strategic Plan. Curriculum development supports the district's vision of preparing every student for lifelong success and advances strategic commitments to learner outcomes, equity, and high student achievement.

II. GENERAL STATEMENT OF POLICY

Curriculum development shall be directed toward the fulfillment of the goals and objectives of the education program of the district.

III. RESPONSIBILITY

The superintendent or their designee shall be responsible for curriculum development and for determining the most effective way of conducting research on the district's curriculum needs and establishing a long-range curriculum development program. Timelines shall be determined by the superintendent or their designee that will provide for periodic reviews of each curriculum area.

IV. DISTRICT ADVISORY COMMITTEE

- A. The Board of Education must establish an advisory committee to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
- B. The district advisory committee, to the extent possible, must reflect the diversity of the district and its school sites, include teachers, parents, support staff, students, and other community residents, and provide translation to the extent appropriate and practicable. Whenever possible, parents and other community residents must comprise at least two-thirds of advisory committee members.
- C. The district advisory committee must pursue community support to accelerate the academic and native literacy and achievement of English learners with varied needs, from young children to adults, consistent with [Minnesota Statutes section 124D.59](#), subdivisions 2 and 2a.
- D. The district may establish site teams as subcommittees of the district advisory committee.
- E. The district advisory committee must recommend to the board:

1. Rigorous academic standards, student achievement goals and measures consistent with [Minnesota Statutes, sections 120B.11](#), subdivision 1a, [section 120B.022](#), subdivisions 1a and 1b, and [section 120B.35](#).
 2. District assessments.
 3. Means to improve students' equitable access to effective and more diverse teachers.
 4. Strategies to ensure the curriculum is rigorous, accurate, antiracist, culturally sustaining, and reflects the diversity of the student population.
 5. Strategies to ensure that curriculum and learning and work environments validate, affirm, embrace, and integrate the cultural and community strengths of all racial and ethnic groups.
 6. Program evaluations.
- F. School sites may expand upon district evaluations of instruction, curriculum, assessments, or programs.

V. SCHOOL SITE TEAM

Each school must establish a site team to develop and implement strategies and education effectiveness practices to improve instruction, curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site. The site team must include ~~an equal number of teachers and administrators~~ teachers, administrators, and at least one parent/guardian/caregiver. ~~and at least one parent.~~ The site team advises the board and the advisory committee about developing the annual budget and creates an instruction and curriculum improvement plan to align curriculum, assessment of student progress, and growth in meeting state and district academic standards and instruction.

VI. CURRICULUM DEVELOPMENT PROCESS

- A. Within the ongoing process of curriculum development, the following needs shall be addressed:
1. Provide for articulation of courses of study from kindergarten through grade twelve.
 2. Identify minimum objectives for each course and at each elementary grade level.
 3. Provide for continuing evaluation of programs for the purpose of attaining district objectives.

4. Provide a program for ongoing monitoring of student progress.
 5. Provide for specific, particular, and special needs of all members of the student community.
 6. Integrate required and elective course standards in the scope and sequence of the district curriculum.
 7. Meet all applicable requirements of the Minnesota Department of Education and federal law.
- B. Students who do not meet or exceed Minnesota academic standards, as measured by the Minnesota Comprehensive Assessments that are administered during high school, shall be informed that admission to a public school is free and available to any resident under 21 years of age or who meets the requirements of [Minnesota Statutes section 120A.20](#), subdivision 1(c). A student's plan under this section shall continue while the student is enrolled.
- C. The superintendent shall be responsible for keeping the board informed of all state-mandated curriculum changes, as well as recommended discretionary changes, and for periodically presenting recommended modifications for board review and approval.
- D. The superintendent shall have discretionary authority to develop guidelines and directives to implement board policy relating to curriculum development.

Policy 603 Curriculum Development

Adopted: 09.27.2004; Updated: 01.13.2020; INSERT DATE; Non-Substantive Update: 03.25.2022; Statutory Update: 12.12.2022, 08.14.2023, 10.28.2024

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References:

Minn. Stat. § 120A.20 (Admission to Public School)
Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness)
Minn. Stat. § 120B.12 (Read Act Goal and Interventions)
Minn. Stat. § 120B.125(f) (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 124D.59 (Definitions)
Minn. Rules Part 3500.0550 (Inclusive Educational Program)
Minn. Rules Part 3501.0660 (Academic Standards for Kindergarten through Grade 12)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Part 3501.0820 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)

Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:

MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 605 (Alternative Programs)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 619 (Staff Development for Standards)
MSBA/MASA Model Policy 620 (Credit for Learning)
MSBA/MASA Model Policy 623 (Mandatory Summer School Instruction)

Policy 605 ALTERNATIVE EDUCATIONAL SERVICES

I. PURPOSE

~~The purpose of this policy is to recognize the need for alternative educational services for some Northfield School District students. The purpose of this policy is to support the district's strategic plan — specifically our commitment to equity, learner outcomes, and ensuring every student has flexible pathways to graduate and achieve lifelong success.~~

II. GENERAL STATEMENT OF POLICY

~~The school board recognizes the importance of alternative educational services for some students who are at risk of not continuing or completing their educational programs. It is the policy of the school district that options shall be made available for some students to select educational alternatives that will enhance their opportunity to complete their educational programs. The school board recognizes the importance of alternative educational services for some students. Circumstances may be such that some students are put at risk of being able to continue or to complete their education programs. It is the policy of the school district that options shall be made available for some students to select educational alternatives that will enhance their opportunity to complete their education programs, recognizing that some students may become successful learners if given an opportunity to learn in a different environment and through a different learning style~~

III. RESPONSIBILITY

- A. Any student who is 17 years old who seeks to withdraw from school, and the student's parent or guardian must attend a meeting with school personnel to discuss the educational opportunities available to the student, including alternative educational opportunities such as but not limited to the Northfield Area Learning Center, and/or alternative educational opportunities approved by the district or Minnesota Department of Education, and sign a written election to withdraw from school.
- B. It shall be the responsibility of the superintendent or their designee to identify alternative educational opportunities to be made available to students who may be at risk, to recommend such alternative programs to the school board for approval, and to familiarize students and parents with the availability of such alternative educational services. The superintendent shall, through cooperative efforts with other schools, agencies, and organizations, periodically recommend additional or modified alternative educational services to the school board.
- C. The superintendent or their designee shall have discretionary authority to develop guidelines and directives to implement school board policy relating to alternative programs.

Adopted: 11.26.2007; Updated: INSERT DATE; Substantive Update: 05.17.2022

Board of Education
INDEPENDENT SCHOOL DISTRICT NO. 659
Northfield, Minnesota

Legal References:

Minn. Stat. § 120A.22, Subd. 8 (Compulsory Instruction)
Minn. Stat. § 121A.41, Subd. 11 (Definitions – Alternative Educational Services)
Minn. Stat. § 121A.45, Subd. 1 (Grounds for Dismissal)
Minn. Stat. § 123A.06 (~~Center Programs and Services~~ State-Approved Alternative Programs and Services)
Minn. Stat. § 124D.66 (Assurance of Mastery Programs)
Minn. Stat. § 124D.68 (Graduation Incentives Programs)
Minn. Stat. § 124D.74 (American Indian Language and Cultural Educational Programs)
Minn. Stat. § 125A.50 (Alternative Delivery of Specialized Instructional Services)

Cross References:

MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Policy ~~604~~ 648 (Instructional Curriculum)

Policy 607 ORGANIZATION OF GRADE LEVELS

I. PURPOSE

~~The purpose of this policy is to address the grade level organization of schools within the Northfield School District.~~ The purpose of this policy is to define the grade level organization of schools in the Northfield School District to fulfill the district's vision of developing curious, critical thinkers and preparing every student for lifelong success.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to address the groupings of grade levels as recognized in Minnesota Statutes section 120A.05, as follows:

Elementary:	Grades kindergarten through 5
Middle:	Grades 6 through 8
Senior High	Grades 9 through 12
Area Learning Center	Grades 6 through 12

- B. The superintendent may seek school board approval to administer certain programs on a nongraded basis or a design different from that indicated. Program proposals that seek school board approval must meet all state requirements and reflect the rationale for the modification.
- C. The school district may request documentation that verifies a student falls within the school's minimum and maximum age requirements for admission to publicly funded prekindergarten, preschool, kindergarten, or grades 1 through 12. Documentation may include a passport, a hospital birth record or physician's certificate, a baptismal or religious certificate, an adoption record, health records, immunization records, immigration records, previously verified school records, early childhood screening records, Minnesota Immunization Information Connection records, or an affidavit from a parent/guardian.

III. DEFINITIONS

- A. "Kindergarten" means a program designed for students at least five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter first grade the following school year.
- B. "Prekindergarten" means a program designed for students younger than five years of age on September 1 of the calendar year in which the school year commences that prepares students to enter kindergarten the following school year.

Policy 607 Organization of Grade Levels

Adopted: 12.10.2007; Updated: 11.09.2020, INSERT DATE; Non-Substantive Update: 04.19.2022

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659
Northfield, Minnesota

Legal References: Minn. Stat. § 120A.05, Subds. 9, 10a, 11, 13, 17 (Definitions—~~Public Schools~~)
Minn. Stat. § 120A.20, Subds. 4 (~~Verification of Age for~~ Admission to Public School)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)

Cross References: None

Policy 608 INSTRUCTIONAL SERVICES – SPECIAL EDUCATION

I. PURPOSE

The purpose of this policy is to set forth the position of the school board on the need to provide special educational services for eligible students in the Northfield School District to prepare every student for lifelong success through equitable learning experiences.

II. GENERAL STATEMENT

The school board recognizes that some students need special education and further recognizes the importance of providing a free appropriate public education and delivery system for students in need of special education.

III. CHILDREN BIRTH THROUGH AGE SIX EXPERIENCING DEVELOPMENTAL DELAYS

- A. “Child with a disability” means a child identified under federal and state special education law as deaf or hard-of-hearing, blind or visually impaired, deafblind, or having a speech or language impairment, a physical impairment, other health disability, developmental cognitive disability, an emotional or behavioral disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or severe multiple impairments, and who needs special education and related services, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children. A licensed physician, an advanced practice registered nurse, a physician assistant, or a licensed psychologist is qualified to make a diagnosis and determination of attention deficit disorder or attention deficit hyperactivity disorder for purposes of identifying a child with a disability.
- B. In addition to Paragraph A, every child under age three and, at local district discretion, every child from age three through age six, who needs special instruction and services, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children under age three and by the rules of the Commissioner of the Minnesota Department of Education for children ages three through six, because the child has a substantial delay or has a diagnosed physical or mental condition or disorder with a high probability of resulting in developmental delay is a child with a disability.
- C. A child with a short-term or temporary physical or emotional illness or disability, as determined by the rules of the Commissioner of the Minnesota Department of Children, Youth, and Families for children from birth through age two and by the rules of the Commissioner of the Minnesota Department of Education for all other children, is not a child with a disability.

IV. RESPONSIBILITIES AND DUE PROCESS PROCEDURES

- A. The board accepts its responsibility to identify, evaluate, and provide special education and related services for ~~disabled children~~ children with a disability who are properly the responsibility of the school district and who meet the criteria to qualify for special education and related services as set forth in Minnesota and federal law.
- B. The district shall ensure that all qualified children with a disability are provided special education and related services that are appropriate to their educational needs environment. When such services require or result from interagency cooperation, the district shall participate in such interagency activities in compliance with applicable federal and state law.
- C. ~~If parents/guardians object to the district's proposed action regarding identification, assessment, placement, or program of their child with a disability, they will have the opportunity to meet with appropriate district staff in at least one conciliation conference. If conflicts regarding the child's identification, assessment, placement, or program cannot be resolved in conciliation conferences, facilitated IEP meetings, or mediation, the parent/guardian will have the right to an impartial due process hearing as provided by law. If a parent/guardian objects to a proposed action regarding the identification, evaluation, educational placement, or provision of a free appropriate public education to their child, the school district will offer the parent/guardian the opportunity to meet with appropriate district staff in at least one conciliation conference. The school district will also inform parents/guardians of other alternative dispute resolution options available under state and federal law, including facilitated IEP team meetings and mediation. Participation in conciliation or any other alternative dispute resolution process is voluntary and will not be used to delay or deny a parent's/guardian's right to file a state complaint or to request an impartial due process hearing as provided by law~~
- D. The district may conduct an assessment for developmental adapted physical education, as defined in [Minnesota Rules, part 3525.1352](#), as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in [Minnesota Statutes, section 125A.091](#), subdivision 3a. A parent or guardian may request that the district conduct a comprehensive evaluation of the parent's or guardian's student.

Policy 608 Instructional Services - Special Education

Adopted: 12.10.2007; Updated: INSERT DATE; Non-Substantive Update: 05.18.2022; Statutory Update: 11.25.2024

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)

Minn. Stat. § 125A.02 (Definition of Child with a Disability)
Minn. Stat. §§ 125A.027 (Rulemaking) , ~~125A.03, 125A.08, 125A.15, and 125A.29 (District Obligations)~~
Minn. Stat. §§ 125A.03 (Special Instruction for Children with a Disability)
Minn. Stat. §§ 125A.08 (Individualized Education Programs)
Minn. Stat. §§ 125A.15 (Placement in Another District; Responsibility)
Minn. Stat. §§ 125A.29 (Responsibilities in County Boards and School Boards)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)
MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

Policy 609 RELIGION AND RELIGIOUS AND CULTURAL OBSERVANCES

I. PURPOSE

~~The purpose of this policy is to identify the status of religion as it pertains to the programs of the Northfield School District.~~ The purpose of this policy, in alignment with the Northfield Public Schools Strategic Plan, is to identify the status of religion as it pertains to the programs of the Northfield School District while fostering an environment of equity, student well-being, and mutual respect.

II. GENERAL STATEMENT OF POLICY

- A. The district shall neither promote nor disparage any religious belief or nonbelief. Instead, the district encourages all students and employees to have appreciation for and tolerance of each other's views.
- B. The district also recognizes that religion plays a significant role in the social, cultural, political, and historical development of civilization.
- C. The district recognizes that one of its educational objectives is to increase its students' knowledge and appreciation of music, art, drama, and literature which may have a religious basis or origin as well as a secular importance.
- D. The district supports the inclusion of religious music, art, drama, and literature in the curriculum and in school activities provided it is intrinsic to the learning experience and is presented in an objective manner without sectarian indoctrination.
- E. The historical and contemporary values and the origin of various religions, holidays, customs, and beliefs shall, if used, be explained in an unbiased and nonsectarian manner.

III. RESPONSIBILITY

- A. The superintendent or their designee shall be responsible for ensuring that the study of religious materials, customs, beliefs, and holidays in the district is in keeping with the following guidelines:
 - 1. The proposed study or activity must have a secular purpose.
 - 2. The primary objective of the study or activity must be one that neither advances nor inhibits religion.
 - 3. The study or activity must not foster excessive governmental relationships with religion.

4. Notwithstanding the foregoing guidelines, reasonable efforts must be made to accommodate any student who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. The district must provide annual notice to parents/guardians/caregivers of this policy.
- B. **Outside Speakers.** Outside speakers are permitted in accordance with [Policy 644](#) Guest Speakers. Speakers may present informational and historical information about religion, but will not proselytize. The staff member in charge should advise each speaker of Policy 609.
- C. The superintendent or their designee is granted authority to develop and present for school board review and approval directives and guidelines for the purpose of providing further guidance relative to the teaching of materials related to religion. Approved directives and guidelines shall be attached as an addendum to this policy.

Policy 609 Religion

Adopted: 12.10.2007; Updated: 05.2013; INSERT DATE; Non-Substantive Update: 04.20.2022; Substantive Update: 08.12.2024

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References:

U. S. Const., amend. I
Minn. Stat. § 120A.22, Subd. 12 (Compulsory Instruction)
Minn. Stat. § 120A.35 (Absence from School for Religious and Cultural Observances)
Minn. Stat. § 121A.10 (Moment of Silence)
Good News Club v. Milford Central School, 533 U.S. 98, ~~121 S.Ct. 2093~~, ~~150 L.Ed.2d 151~~ (2001)
Santa Fe Indep. Sch. Dist. V. Doe, 530 U.S. 290, ~~120 S.Ct. 2266~~ (2000)
Tangipahoa Parish Bd. Of Educ. V. Freiler, 530 U.S. 1251, ~~120 S.Ct. 2706~~ (2000)
Lemon v. Kurtzman, 403 U.S.602, ~~91 S.Ct. 2105~~, ~~29 L.Ed.2d 745~~ (1971)
Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1, 690 F.3d 996 (8th Cir.2012)
Wigg v. Sioux Falls Sch. Dist., 382 F.3d 807 (8th Cir. 2004)
Doe v. School Dist. of City of Norfolk, 340 F.3d 605 (8th Cir. 2003)
Stark v. Independent Sch. Dist. No. 640, 123 F.3d 1068 (8th Cir. 1997)
Florey v. Sioux Falls Sch. Dist. 49-5, 619 F.2d 1311 (8th Cir. 1980)
Roark v. South Iron R-I Sch. Dist. 573 F.3d 556 (8th Cir. 2009)
Child Evangelism Fellowship v. Elk River Area Sch. Dist. No. 728, 599 F.Supp.2d 1136 (D.Minn. 2009)
LeVake v. Independent Sch. Dist. No. 656, 625 N.W.2d 502 (Minn. App. 2001)
Minn. Op. Atty. Gen. 169-J (Feb. 14, 1968)
Minn. Op. Atty. Gen. 169-K (Oct. 21, 1949)
Minn. Op. Atty. Gen. No. 63 (1940)
Minn. Op. Atty. Gen. No. 120 (1924)
Minn. Op. Atty. Gen. No. 121 (1924)

Cross References:

MSBA/MASA Model Policy 801 (Equal Access to School Facilities)

Policy 613 GRADUATION REQUIREMENTS

I. PURPOSE

This policy sets the Northfield School District graduation requirements, focused on preparing every student for lifelong success by developing critical thinkers who are curious and ready to engage in our society.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

III. DEFINITIONS

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Individualized Education Program” or “IEP” means a written statement developed for a student eligible by law for special education and services.
- C. ~~“English language learners” or “EL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.~~
- D. “Required standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, and the arts, and (2) a locally adopted expectation for student learning in health.
- E. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.

IV. DISTRICT ASSESSMENT COORDINATOR

~~Jessie Hubsch shall be named~~ The District Assessment Coordinator ~~Said person~~ shall be in charge of all test procedures and shall bring recommendations to the board annually for approval.

V. GRADUATION CREDIT REQUIREMENTS

Students must successfully complete, as determined by the school district, the following high school level credits for graduation:

- A. Four credits of language arts sufficient to satisfy all academic standards in English language arts.
- B. Three credits of mathematics, ~~including an Algebra II credit or its equivalent, sufficient to satisfy all of the academic standards in mathematics.~~ encompassing Algebra II, Integrated Mathematics III, or an equivalent in high school as defined by the high school math standards. Grade 8 students must complete Algebra as defined by the Minnesota Math Standards.
- C. ~~An Algebra I credit by the end of 8th grade sufficient to satisfy all of the 8th grade standards in mathematics.~~
- D. Three credits of science, including at least: ~~(a) one credit of biology; (b) one credit of chemistry or physics; and (c) one elective credit of science. The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science: one credit to satisfy all the earth and space science standards for grades 9-12, one credit to satisfy all the life science standards for grades 9-12, and one credit to satisfy all the chemistry or physics standards for grades 9-12.~~
- E. Three and one-half credits of social studies, ~~encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies.~~ encompassing at least United States history, geography, government and citizenship in either grade 11 or 12 for students beginning in grade 9 in the 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under Minnesota Statutes, section 120B.21, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies
- F. One credit in the arts sufficient to satisfy all of the state or local academic standards in the arts.
- G. One credit of physical education.
- H. One-half credit of health.
- I. One-half credit in personal finance. (Starting with students who began ~~begin~~ grade 9 in the 2024-25 school year.)
- J. A minimum of seven elective credits.

K. Credit equivalencies

1. A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business education program or department may fulfill a one-half credit in social studies under Paragraph E. above, if the credit is sufficient to satisfy all of the academic standards in economics.
2. An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph D. above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph D. above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry or physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph D. above.
3. A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph B. or Paragraph F. above.
4. A computer science credit may fulfill a mathematics credit requirement under Paragraph B. above, if the credit meets state academic standards in mathematics.
5. A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph B. or Paragraph D. above, if the credit meets the state academic standards in mathematics or science.
6. An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.

VI. EARLY COMPLETION OF HIGH SCHOOL REQUIREMENTS

Students may be considered for early graduation, as provided for within Minnesota Statutes section 120B.07, upon meeting the following conditions:

- A. All course or standards and credit requirements must be met.
- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in postsecondary

education, and arrive at a timely decision.

- C. The principal's decision shall be in writing and will be reported to the superintendent with possible review by the board.

Early completion of graduation requirements will be permitted, but there will be only one graduation ceremony held at Northfield High School and one graduation ceremony held at the Area Learning Center, both traditionally held at the end of the academic year.

VII. GRANTING OF DIPLOMA

- A. Upon completion of graduation requirements specified in this policy a student will be granted a standard high school diploma.
- B. The academic standards for language arts, mathematics, and science apply to all students except students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.
- C. Students who have or will have successfully completed graduation requirements by the last day of the school year may participate in the commencement program and receive a diploma. Students who are one-half semester credit short of either the required courses or of the total credits required may also participate in commencement but will not receive a diploma until all graduation requirements are completed. Any student who is more than 1/2 credit short of either requirement is not allowed to participate in commencement.

VIII. HIGH SCHOOL DIPLOMA FOR VETERANS

A. Diploma

The school district must, upon a request under Paragraph B. below issue a high school diploma to a veteran as defined in [Minnesota Statutes, section 197.447](#) who attended Northfield High School and was unable to complete their high school education for reasons related or unrelated to their military service, and who served:

1. during the Korean Conflict; or
2. during the Vietnam War.

B. Request

A veteran may request a diploma on their own behalf, or a family member may make a posthumous request on behalf of a deceased veteran or service member. The high school diploma is awarded based on the veteran's knowledge and

experience gained while in service, or the veteran's other relevant lived experience. The school district may require the veteran or veteran's requestor to provide evidence that the veteran was a Minnesota public school student or is a current Minnesota resident.

C. No Report Required

The school district is not required to report on diplomas issued under Minnesota Statutes, section 127A.135.

D. Assistance

The Minnesota Department of Veterans Affairs and county veteran service officers may provide assistance to districts fulfilling diploma requests, including but not limited to verification of discharge paperwork.

Policy 613 Graduation Requirements

Adopted: 01.14.2008; Updated: 06.23.2013, 04.13.2022, 09.22.2025; Non-Substantive Update: 04.20.2022; 08.12.2022;
Statutory Update: 08.14.2023, INSERT DATE

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References: Minn. Stat. § 120B.018 (Definitions)

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)

Minn. Stat. § 120B.021 (Required Academic Standards)

Minn. Stat. § 120B.023 (Benchmarks)

Minn. Stat. § 120B.024 (Credits)

Minn. Stat. § 120B.07 (Early Graduation)

Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for Comprehensive Achievement and Civic Readiness ~~the World's Best Workforce~~)

Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)

Minn. Stat. § 120B.13 (Advanced Placement and International Baccalaureate Programs)

Minn. Stat. § 120B.30 (General Requirements: Statewide Assessments ~~Statewide Testing and Reporting System~~)

Minn. Stat. § 120B.303 (Assessment Graduation Requirements)

Minn. Stat. § 120B.307 (College and Career Readiness)

Minn. Stat. § 124D.09 (Postsecondary Enrollment Options Act)

Minn. Stat. § 124D.091 (Concurrent Enrollment Program Aid)

Minn. Stat. § 124F.08 (Education and Employment Transitions Partnerships)

Minn. Rules Part 3501.0660 (Academic Standards for Kindergarten through Grade 12 Language Arts)

Minn. Rules Parts 3501.0750~~60~~-3501.0745 (Academic Standards for Mathematics)

Minn. Rules Part 3501.0820 (Academic Arts Standards for Kindergarten through Grade 12)

Minn. Rules Parts 3501.0960 (Academic Science Standards for Kindergarten through Grade 12)

Minn. Rules Parts 3501.1200-1210 (Academic Standards for English Language Development)

Minn. Rules Parts 3501.1350~~60~~-3501.1345 (Academic Standards for Social Studies)

Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)

~~Minn. Rules Parts 3501.0800-3501.0820 (Academic Standards for the Arts)~~

~~Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)~~

Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References: MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs,
Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 616 (School District System Accountability)

MSBA/MASA Model Policy 620 (Credit for Learning)

Resources: Minnesota House of Representatives: Minnesota's Graduation Requirements (November 2025) (accessed 01.29.26)

Policy 709 STUDENT TRANSPORTATION SAFETY

I. PURPOSE

The purpose of this policy is to provide safe transportation for Northfield School District students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The school district may designate a school bus safety week. The National School Bus Safety Week is the third week in October.

B. Student School Bus Safety Training

1. The district shall provide students enrolled in grades kindergarten (K) through 10 with age-appropriate school bus safety training of the following concepts:
 - a. Transportation by school bus is a privilege, not a right.
 - b. District policies for student conduct and school bus safety.
 - c. Appropriate conduct while on the bus.
 - d. The danger zones surrounding a school bus.
 - e. Procedures for safely boarding and leaving a school bus.
 - f. Procedures for safe vehicle lane crossing, ~~and~~
 - g. School bus evacuation and other emergency procedures.
2. All students in grades K through 6 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training by the end of the third week of school. All students in grades 7 through 10 who are transported by school bus and are enrolled during the first or second week of school must receive the school bus safety training or receive bus safety instruction materials by the end of the sixth week of school, if they have not previously received school bus training. Students in grades K through 10 who enroll in a school after the second week of school, are transported by school bus, and have not received training in their previous school districts shall undergo school bus safety training or receive bus safety instructional materials within four weeks of their first day of attendance.
3. The district and a nonpublic school with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. Students taking driver's training instructional classes must receive training in the laws and proper procedures for operating a motor vehicle in the

vicinity of a school bus as required by Minnesota Statutes section 169.446, subdivision 2.

5. The district and a nonpublic school with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
6. The district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
7. The district may provide kindergarten students with school bus safety training before the first day of school.
8. The district shall adopt and make available for public review a curriculum for transportation safety education.
9. Nonpublic school students transported by the district will receive school bus safety training by their nonpublic school. The nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the nonpublic school must certify to the school district's school transportation safety director that all students enrolled in grades K through 10 have received the appropriate training.

C. Active Transportation Safety Training

1. Training required

- a. The district must provide public school pupils enrolled in kindergarten through grade 3 with age-appropriate active transportation safety training. At a minimum, the training must include pedestrian safety, including crossing roads.
- b. The district must provide pupils enrolled in grades 4 through 8 with age-appropriate active transportation safety training. At a minimum, the training must include:
 - 1) Pedestrian safety, including crossing roads safely using the searching left, right, left for vehicles in traffic technique.
 - 2) Bicycle safety, including relevant traffic laws, use and proper fit of protective headgear, bicycle parts and safety features, and safe biking techniques.
 - 3) Electric-assisted bicycle safety, including that a person under the age of 15 is not allowed to operate an electric-assisted bicycle.

2. Instruction

- a. The district may provide active transportation safety training through distance learning.

- b. The district and a nonpublic school must make reasonable accommodations for the active transportation safety training of pupils known to speak English as a second language and pupils with disabilities.

III. CONDUCT ON SCHOOL BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The district's general student behavior rules are in effect for all students on school buses; including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.
 - 1. **School Bus and Bus Stop Rules.** The district school bus safety rules are to be posted on every bus. If these rules are broken, the district's discipline procedures are to be followed. Consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the district's transportation office/school office.
 - 2. **Rules at the Bus Stop**
 - a. Get to your bus stop five minutes before your scheduled pick up time. The school bus driver will not wait for late students.
 - b. Respect the property of others while waiting at your bus stop.
 - c. Keep your arms, legs and belongings to yourself.
 - d. Use appropriate language.
 - e. Stay away from the street, road or highway when waiting for the bus.
 - f. Wait until the bus stops before approaching the bus.
 - g. After getting off the bus, move away from the bus.
 - h. If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
 - i. No fighting, harassment, intimidation or horseplay.
 - j. No use of alcohol, tobacco or drugs.
 - 3. **Rules on the Bus**
 - a. Immediately follow the directions of the driver.
 - b. Sit in your seat facing forward.
 - c. Talk quietly and use appropriate language.
 - d. Keep all parts of your body inside the bus.
 - e. Keep your arms, legs and belongings to yourself.
 - f. No fighting, harassment, intimidation or horseplay.

- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Do not bring any weapons or dangerous objects on the school bus.
- j. Do not damage the school bus.

4. **Consequences**

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with cocurricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

1) **Elementary (K-6)**

1st offense: Warning

2nd offense: 3 school-day suspension from riding the bus

3rd offense: 5 school-day suspension from riding the bus

4th offense: 10 school-day suspension from riding the bus/meeting with parent/guardian

Further offenses: Individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

2) **Secondary (7-12)**

1st offense: Warning

2nd offense: 5 school-day suspension from riding the bus

3rd offense: 10 school-day suspension from riding the bus

4th offense: 20 school-day suspension from riding the bus/meeting with parent/guardian

5th offense: Suspended from riding the bus for the remainder of the school year

Note: When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

3) **Other Discipline**

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

4) **Records**

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be

retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus-loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

5) **Vandalism/Bus Damage**

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

6) **Notice**

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

7) **Criminal Conduct**

In cases involving criminal conduct (for example, assault, weapons, possession or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

IV. PARENT/ ~~AND~~ GUARDIAN/CAREGIVER INVOLVEMENT

A. **Parent and Guardian Notification**

The district school bus and bus stop rules will be provided to each family. Parents, ~~and~~ guardians, and caregivers are asked to review the rules with their children.

B. **Parents/Guardians/Caregivers Responsibilities for Transportation Safety**

Parents/Guardians/Caregivers are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children.
2. Support safe riding and walking practices, and recognize that students are responsible for their actions.
3. Communicate safety concerns to their school administrators.
4. Monitor bus stops, if possible.
5. Have their children to the bus stop five minutes before the bus arrives.
6. Have their children properly dressed for the weather.
7. Have a plan in case the bus is late.

V. SCHOOL BUS DRIVER DUTIES AND RESPONSIBILITIES

- A. School bus drivers shall have a valid Class A, B, or C Minnesota driver's license with a school bus endorsement. A person possessing a valid driver's license, without a school bus endorsement, may drive a type III vehicle set forth in Sections VII.B. and VII.C., below. Drivers with a valid Class D driver's license, without a school bus endorsement, may operate a "Type A-I" school bus as set forth in Section VII.D., below.
- B. The school district shall conduct mandatory drug and alcohol testing of all school district bus drivers and bus driver applicants in accordance with state and federal law and school district policy.
- C. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of a criminal offense, a serious traffic violation, or of violating any other state or local law relating to motor vehicle traffic control, other than a parking violation, in any type of motor vehicle in a state or jurisdiction other than Minnesota, shall notify the Minnesota Division of Driver and Vehicle Services (Division) of the conviction within 30 days of the conviction. For purposes of this paragraph, a "serious traffic violation" means a conviction of any of the following offenses:
 - 1. Excessive speeding, involving any single offense for any speed of 15 miles per hour or more above the posted speed limit.
 - 2. Reckless driving.
 - 3. Improper or erratic traffic lane changes.
 - 4. Following the vehicle ahead too closely.
 - 5. A violation of state or local law, relating to motor vehicle traffic control, arising in connection with a fatal accident.
 - 6. Driving a commercial vehicle without obtaining a commercial driver's license or without having a commercial driver's license in the driver's possession.
 - 7. Driving a commercial vehicle without the proper class of commercial driver's license and/or endorsements for the specific vehicle group being operated or for the passengers or type of cargo being transported.
 - 8. A violation of a state or local law prohibiting texting while driving a commercial vehicle, ~~and~~
 - 9. A violation of a state or local law prohibiting the use of a hand-held mobile telephone while driving a commercial vehicle.
- D. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a commercial driver's license and who is convicted of violating, in any type of motor vehicle, a Minnesota state or local law relating to motor vehicle traffic control, other than a parking violation, shall notify the person's employer of the conviction within 30 days of conviction. The notification

shall be in writing and shall contain all the information set forth in Attachment A accompanying this policy.

- E. A school bus driver, with the exception of a driver operating a type A-I school bus or type III vehicle, who has a Minnesota commercial driver's license suspended, revoked, or canceled by the state of Minnesota or any other state or jurisdiction and who loses the right to operate a commercial vehicle for any period or who is disqualified from operating a commercial motor vehicle for any period shall notify the person's employer of the suspension, revocation, cancellation, lost privilege, or disqualification. Such notification shall be made before the end of the business day following the day the employee received notice of the suspension, revocation, cancellation, lost privilege, or disqualification. The notification shall be in writing and shall contain all the information set forth in Attachment B accompanying this policy.
- F. A person who operates a type III vehicle and who sustains a conviction as described in Section VII.C.1.g. (i.e., driving while impaired offenses), VII.C.1.h. (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor), or VII.C.1.i. (multiple moving violations) while employed by the entity that owns, leases, or contracts for the school bus, shall report the conviction to the person's employer within 10 days of the date of the conviction. The notification shall be in writing and shall contain all the information set forth in Attachment C accompanying this policy.

VI. SCHOOL BUS DRIVER TRAINING

A. Training

- 1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification. The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.
- 2. All bus drivers operating a type III vehicle will be provided with annual training and certification as set forth in Section VII.C.1.b., below, by either the school district or the entity from whom such services are contracted by the school district.

B. Evaluation

School bus drivers with a Class D license will be evaluated annually and all other bus drivers will be assessed periodically for the following competencies:

1. Safely operate the type of school bus the driver will be driving.
2. Understand student behavior, including issues relating to students with disabilities.
3. Ensure orderly conduct of students on the bus and handling incidents of misconduct appropriately.
4. Know and understand relevant laws, rules of the road and local school bus safety policies.
5. Handle emergency situations, ~~and~~
6. Safely load and unload students.

The evaluation must include completion of an individual “school bus driver evaluation form” (road test evaluation) as contained in the Model School Bus Driver Training Manual.

VII. OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Model School Bus Driver Training Program.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.
4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
6. A bus driver may not operate a school bus while communicating over, or otherwise operating, a cellular phone for personal reasons, whether

hand-held or hands free, when the vehicle is in motion or a part of traffic. For purposes of this paragraph, “school bus” has the meaning given in [Minnesota Statutes section 169.011](#), subdivision 71:-

"School bus" means a motor vehicle used to: (1) transport pupils to or from a school defined in [Minnesota Statutes, section 120A.22](#), or to or from school-related activities, by the school or a school district, or by someone under an agreement with the school or a school district; or (2) provide training on the operation of the vehicle for purposes specified in clause (1) to employees of the school, school district, or a person under agreement with the school or school district.

A school bus does not include a motor vehicle transporting children to or from school for which parents or guardians receive direct compensation from a school district, a motor coach operating under charter carrier authority, a transit bus providing services as defined in [Minnesota Statutes, section 174.22](#), subdivision 7, or a vehicle otherwise qualifying as a type III vehicle under [Minnesota Statutes, section 169.011](#), subdivision 71, paragraph (h), when the vehicle is properly registered and insured and being driven by an employee or agent of a school district for nonscheduled or nonregular transportation.

In addition, “school bus” also includes type III vehicles when driven by employees or agents of the school district. “Cellular phone” means a cellular, analog, wireless, or digital telephone capable of sending or receiving telephone or text messages without an access line for service.

B. Type III Vehicles

1. Type III vehicles are restricted to passenger cars, station wagons, vans, and buses having a maximum manufacturer’s rated seating capacity of 10 or fewer people including the driver and a gross vehicle weight rating of 10,000 pounds or less. A van or bus converted to a seating capacity of 10 or fewer and placed in service on or after August 1, 1999, must have been originally manufactured to comply with the passenger safety standards.
2. Type III vehicles must be painted a color other than national school bus yellow.
3. Type III vehicles shall be state inspected in accordance with legal requirements.
4. Vehicles model year 2007 or older must not be used as type III vehicles to transport school children, except those vehicles that are manufactured to meet the structural requirements of federal motor vehicle safety standard 222, Code of Federal Regulations, title 49, part 571.

5. If a Type III vehicle is school district owned, the school district name will be clearly marked on the side of the vehicle. The Type III vehicle must not have the words “school bus” in any location on the exterior of the vehicle or in any interior location visible to a motorist.
6. A “Type III school bus” and “Type III Head Start bus” must not be outwardly equipped and identified as a Type A, B, C, or D bus.
7. Eight-lamp warning systems and stop arms must not be installed or used on Type III vehicles.
8. Type III vehicles must be equipped with mirrors as required by law.
9. Any Type III vehicle may not stop traffic and may not load or unload before making a complete stop and disengaging gears by shifting into neutral or park. Any Type III vehicle used to transport students must not load or unload so that a pupil has to cross the road, except where not possible or impractical, then the driver or assistant must escort a pupil across the road. If the driver escorts the student across the road, then the motor must be stopped, the ignition key removed, the brakes set, and the vehicle otherwise rendered immobile.
10. Any Type III vehicle used to transport students must carry emergency equipment including:
 - a. Fire extinguisher. A minimum of one 10BC rated dry chemical type fire extinguisher is required. The extinguisher must be mounted in a bracket, and must be located in the driver’s compartment and be readily accessible to the driver and passengers. A pressure indicator is required and must be easily read without removing the extinguisher from its mounted position.
 - b. ~~First aid kit and a~~ Body fluids cleanup kit. ~~A minimum of a ten-unit first aid kit and a~~ A body fluids cleanup kit is required. ~~They~~ The kit must be contained in a removable, moisture- and dust-proof containers mounted in an accessible place within the driver’s compartment and must be marked to indicate ~~their~~ the kit’s identity ~~and location.~~
 - c. First aid kit. A first aid kit meeting the requirements as defined in the current version of the National School Transportation Specifications and Procedures (NSTSP) must be provided in vehicles model year 2027 and newer. All other vehicles may contain a minimum of a ten-unit first aid kit, as specified in Minnesota Rules 1993, part 3520.5120, or a first aid kit meeting the requirements of the NSTSP. After January 1, 2030, all type III

vehicles must be equipped with a first aid kit meeting the requirements of the NSTSP.

- d. Passenger cars and station wagons may carry a fire extinguisher, a first aid kit, and warning triangles in the trunk or trunk area of the vehicle if a label in the driver and front passenger area clearly indicates the location of these items.
- 11. Students will not be regularly transported in private vehicles that are not state inspected as Type III vehicles. Only emergency, unscheduled transportation may be conducted in vehicles with a seating capacity of 10 or fewer without meeting the requirements for a Type III vehicle. Also, parents/guardians may use a private vehicle to transport their own children under a contract with the district. The school district has no system of inspection for private vehicles.
- 12. All drivers of Type III vehicles will be licensed drivers and will be familiar with the use of required emergency equipment. The school district will not knowingly allow a person to operate a Type III vehicle if the person has been convicted of an offense that disqualifies the person from operating a school bus.
- 13. Type III vehicles will be equipped with child passenger restraints, and child passenger restraints will be utilized to the extent required by law.

C. Type A-I “Activity” Buses Driven by Employees with Driver’s License Without a School Bus Endorsement

- 1. The holder of a Class A, B, C, or D driver’s license, without a school bus endorsement, may operate a Type III vehicle, described above, under the following conditions:
 - a. The operator is an employee of the entity that owns, leases, or contracts for the school bus, which may include the school district.
 - b. The operator’s employer, which may include the school district has adopted and implemented a policy that provides for annual training and certification of the operator in.
 - 1) Safe operation of a type III vehicle.
 - 2) Understanding student behavior, including issues relating to students with disabilities.
 - 3) Encouraging orderly conduct of students on the bus and handling incidents of misconduct appropriately.
 - 4) Knowing and understanding relevant laws, rules of the road, and local school bus safety policies.
 - 5) Handling emergency situations.
 - 6) Proper use of seat belts and child safety restraints.
 - 7) Performance of pretrip vehicle inspections.

- 8) Safe loading and unloading of students, including, but not limited to:
 - a) Utilizing a safe location for loading and unloading students at the curb, on the nontraffic side of the roadway, or at off-street loading areas, driveways, yards, and other areas to enable the student to avoid hazardous conditions.
 - b) Refraining from loading and unloading students in a vehicular traffic lane, on the shoulder, in a designated turn lane, or a lane adjacent to a designated turn lane.
 - c) Avoiding a loading or unloading location that would require a student to cross a road, or ensuring that the driver or an aide personally escort the student across the road if it is not reasonably feasible to avoid such a location.
 - d) Placing the type III vehicle in “park” during loading and unloading.
 - e) Escorting a student across the road under clause (c) only after the motor is stopped, the ignition key is removed, the brakes are set, and the vehicle is otherwise rendered immobile., and
- 9) Compliance with paragraph V.F. concerning reporting convictions to the employer within 10 days of the date of conviction.

- c. A background check or background investigation of the operator has been conducted that meets the requirements under [Minnesota Statutes section 122A.18](#), subdivision 8, or [Minnesota Statutes section 123B.03](#) for school district employees; [Minnesota Statutes section 144.057](#) or [Minnesota Statutes chapter 245C](#) for day care employees; or [Minnesota Statutes section 171.321](#), subdivision 3, for all other persons operating a type III vehicle under this section.
- d. Operators shall submit to a physical examination as required by [Minnesota Statutes section 171.321](#), subdivision 2.
- e. The operator’s employer requires preemployment drug testing of applicants for operator positions. Current operators must comply with the employer’s policy under [Minnesota Statutes section 181.951](#), subdivisions 2, 4, and 5. Notwithstanding any law to the contrary, the operator’s employer may use a breathalyzer or similar device to fulfill random alcohol testing requirements.
- f. The operator’s driver’s license is verified annually by the entity that owns, leases, or contracts for the type III vehicle as required by [Minnesota Statutes section 171.321](#), subdivision 5.
- g. A person who sustains a conviction, as defined under [Minnesota Statutes 609.02](#), of violating [Minnesota Statutes section 169A.25](#),

[169A.26](#), [169A.27](#) (driving while impaired offenses), or [169A.31](#) (alcohol-related school bus driver offenses), or whose driver's license is revoked under [Minnesota Statutes sections 169A.50 to 169A.53](#) of the implied consent law, or who is convicted of violating or whose driver's license is revoked under a similar statute or ordinance of another state, is precluded from operating a type III vehicle for 5 years from the date of conviction.

- h. A person who has ever been convicted of a disqualifying offense as defined in [Minnesota Statutes section 171.3215](#), subdivision 1(c), (i.e., felony, controlled substance, criminal sexual conduct offenses, or offenses for surreptitious observation, indecent exposure, use of minor in a sexual performance, or possession of child pornography or display of pornography to a minor) may not operate a type III vehicle.
- i. A person who sustains a conviction, as defined under [Minnesota Statutes section 609.02](#), of a moving offense in violation of [Minnesota Statutes chapter 169](#) within 3 years of the first of 3 other moving offenses is precluded from operating a type III vehicle for 1 year from the date of the last conviction.
- j. Students riding the type III vehicle must have training required under [Minnesota Statutes section 123B.90](#), Subd. 2 (See Section II.B., above).
- k. Documentation of meeting the requirements listed in this section must be maintained under a separate file at the business location for each type III vehicle operator. The school district or any other entity that owns, leases, or contracts for the type III vehicle operating under this section is responsible for maintaining these files for inspection.

- 2. The type III vehicle must bear a current certificate of inspection issued under [Minnesota Statutes section 169.451](#).
- 3. An employee of the school district who is not employed for the sole purpose of operating a type III vehicle may, in the discretion of the school district, be exempt from paragraphs VII.C.1.d. (physical examination) and VII.C.1.e. (drug testing), above.

D. Type A-I “Activity” Buses Driven by Employees with a Driver’s License Without a School Bus Endorsement

- 1. The holder of a Class D driver's license, without a school bus endorsement, may operate a type A-I school bus or a Multifunction School Activity Bus (MFSAB) under the following conditions:
 - a. The operator is an employee of the school district or an independent contractor with whom the school district contracts

for the school bus and is not solely hired to provide transportation services under this paragraph.

- b. The operator drives the school bus only from points of origin to points of destination, not including home-to-school trips to pick up or drop off students.
 - c. The operator is prohibited from using the 8-light system if the vehicle is so equipped.
 - d. The operator has submitted to a background check and physical examination as required by [Minnesota Statutes section 171.321](#), subdivision 2.
 - e. The operator has a valid driver's license and has not sustained a conviction of a disqualifying offense as set forth in [Minnesota Statutes section 171.02](#), subdivisions 2a(h) - 2a(j).
 - f. The operator has been trained in the proper use of child safety restraints as set forth in the National Highway Traffic Safety Administration's "Guideline for the Safe Transportation of Pre-school Age Children in School Buses," if child safety restraints are used by passengers, in addition to the training required in Section VI., above.
 - g. The bus has a gross vehicle weight rating of 14,500 pounds or less and is designed to transport 15 or fewer passengers, including the driver.
- 2. The school district shall maintain annual certification of the requirements listed in this section for each Class D license operator.
 - 3. A school bus operated under this section must bear a current certificate of inspection.
 - 4. The word "School" on the front and rear of the bus must be covered by a sign that reads "Activities" when the bus is being operated under authority of this section.

VIII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible, school bus drivers or their supervisors shall call "911" or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III "Crash & Emergency Preparedness" of the Minnesota Model School Bus Driver Training Program. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of a disability shall be trained in basic first aid procedures, shall within one (1) month after the effective date of assignment

participate in a program of in-service training on the proper methods for dealing with the specific needs and problems of pupils with disabilities, assist pupils with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.

- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of a disability. The information shall state:
 - 1. The student's name and address.
 - 2. The nature of the student's disabilities.
 - 3. Emergency health care information.
 - 4. The names and telephone numbers of the student's physician, parents, guardians, or custodians, and some person other than the pupil's parents or custodians who can be contacted in case of an emergency.

IX. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

X. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for pupil transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The school transportation safety director shall certify annually to the school board that each school bus driver meets the school bus driver training competencies required by [Minnesota Statute section 171.321](#), subdivision 4. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a Type A, B, C, or D

school bus, Type III vehicle, or MFSAB with the National Driver's Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director also shall certify to the superintendent that students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

XI. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the district's school transportation safety director. The board shall appoint the other members of the student transportation safety committee. Membership may include parents/guardians/caregivers, school bus drivers, representatives of school bus companies, local law enforcement officials, other district staff, and representatives from other units of local government.

Policy 709 Student Transportation Safety

Adopted: Unknown; Updated: 05.2013, 07.2013, 12.2014; Substantive Updates: 10.24.2022, 07.10.2023, 08.12.2024, INSERT DATE HERE; Statutory Update: 09.08.2025; Non-Substantive Update: 12.08.2025

Board of Education

INDEPENDENT SCHOOL DISTRICT NO. 659

Northfield, Minnesota

Legal References: Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Material; Standard Tests)
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
Minn. Stat. § 123B.90 (School Bus Safety Training)
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
Minn. Stat. § 123B.935 (Active Transportation Safety Training)
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
Minn. Stat. Ch. 169 (Traffic Regulations)
Minn. Stat. § 169.011, Subds. 15, 16 and 71 (Definitions)
Minn. Stat. § 169.02 (Scope)
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
Minn. Stat. § 169.446, Subd. 2 (Safety of School Children; Training and Education Rules)
Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
Minn. Stat. § 169.454 (Type III Vehicle Standards)
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
Minn. Stat. § 171.02, Subd 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
Minn. Stat. § 171.168 (Notice of Violation by Commercial Driver)
Minn. Stat. § 171.169 (Notice of Commercial License Suspension)
Minn. Stat. § 171.321 (Qualifications of a School Bus and Type III Vehicle Drivers)
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 245C (Human Services Background Studies)
Minn. Stat. § 609.02 (Definitions)

Minnesota Rules 1993, part 3520.5120

Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)

49 C.F.R. Part 383 (Commercial Driver's License Standards; Requirements and Penalties)

49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)

49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)

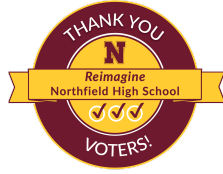
49 C.F.R. § 383.5 (Transportation Definitions)

49 C.F.R. § 383.51 (Disqualification of Drivers)

49 C.F.R. Part 571 (Federal Motor Vehicle Safety Standards)

Cross References: MSBA/MASA Model Policy 416 (Drug, Alcohol, and Cannabis Testing)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 707 (Transportation of Public Students)
MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
MSBA/MASA Model Policy 710 (Extracurricular Transportation)

Resources: Minnesota Department of Public Safety: [School Bus Resources](#) (accessed 10/12/25)
National Highway Traffic Safety Administration: [Guideline for the Safe Transportation of Pre-school Age Children in School Buses](#) (Feb. 1999) (accessed 10/12/25)



Reimagine Northfield High School Bond Referendum Projects | Construction Update No. 34 | October 26, 2026

Recent highlights

- Knutson Construction sends weekly project updates. These updates are being posted to the [Reimagine Northfield High School website](#).
- Wold Architects has been meeting with user groups as part of the value engineering process. They continue to review and track the costs of the project as it moves forward.
- Construction is moving forward with concrete work on the classroom addition side and will continue for several weeks. Storm drainage is being rerouted for the music addition. Precast concrete panels will begin to be installed on the classroom addition in late November and early December. Concrete work for the music addition will start later this week, and the precast concrete panels will start to be installed in late November.
- A fire hydrant was installed in the northeast parking lot, and a light has been installed near Door 10 to help better illuminate the walkway.
- All five geothermal wells have been drilled. The lateral piping will be connected next. Well development is ongoing: the process of well development involves flushing out each well until the water runs clear.
- Tours were given to the project oversight and core planning teams of the geothermal well system on October 20, and to the Rotary Club on October 21. The Darcy team and Ryan Mechanical were there to provide explanation of the well system.

Upcoming meetings and discussions

- District leadership and budget meetings are held twice a month between the district, Wold, and Knutson to keep the project on track.
- Project oversight committee meetings are held twice a month, as needed.

Community Information

- Community members can view information about the project on the [district website](#).