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 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 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: 10.26.2026; 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)
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)