

EDUCATION PROGRAMS

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601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Graduation Standards and the federal No Child Left Behind Act and are aligned with creating the world's best workforce.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to establish the "world's best workforce" in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- C. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- D. "Instruction" means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements.
- E. "Performance measures" are measures to determine school district and school site progress in striving to create the world's best workforce and must include at least the following:
 - 1. student performance on the National Assessment of Educational Progress where applicable;
 - 2. the size of the academic achievement gap and rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options including concurrent enrollment, other statutorily recognized courses of study or industry certification courses or programs and enrichment experiences by student subgroup;
 - 3. student performance on the Minnesota Comprehensive Assessments;
 - 4. high school graduation rates; and
 - 5. career and college readiness under Minn. Stat. § 120B.30, Subd. 1.
- F. "World's best workforce" means striving to: meet school readiness goals; have all third-grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.
- G. "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, shall adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes the following:
 - 1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all nine student categories identified under the federal 2001 No Child Left Behind Act and two student gender categories of male and female;
 - 2. a process for assessing and evaluating each student's progress toward meeting state and local academic standards and identifying the strengths and weaknesses of instruction in

- pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;
3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5;
 4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;
 5. education effectiveness practices that integrate high-quality instruction, rigorous curriculum, technology, and a collaborative professional culture that develops and supports teacher quality, performance, and effectiveness; and;
 6. an annual budget for continuing to implement the school district plan.
- B. School district site and school site goals shall include the following:
1. All students will be required to demonstrate essential skills to effectively participate in lifelong learning.* These skills include the following:
 - a. reading, writing, speaking, listening, and viewing in the English language;
 - b. mathematical and scientific concepts;
 - c. locating, organizing, communicating, and evaluating information and developing methods of inquiry (i.e., problem solving);
 - d. creative and critical thinking, decision making, and study skills;
 - e. work readiness skills;
 - f. global and cultural understanding.
 2. Each student will have the opportunity and will be expected to develop and apply essential knowledge that enables that student to:
 - a. live as a responsible, productive citizen and consumer within local, state, national, and global political, social, and economic systems;
 - b. bring many perspectives, including historical, to contemporary issues;
 - c. develop an appreciation and respect for democratic institutions;
 - d. communicate and relate effectively in languages and with cultures other than the student's own;
 - e. practice stewardship of the land, natural resources, and environment;
 - f. use a variety of tools and technology to gather and use information, enhance learning, solve problems, and increase human productivity.
 3. Students will have the opportunity to develop creativity and self-expression through visual and verbal images, music, literature, world languages, movement, and the performing arts.
 4. School practices and instruction will be directed toward developing within each student a positive self-image and a sense of personal responsibility for:
 - a. establishing and achieving personal and career goals;
 - b. adapting to change;
 - c. leading a healthy and fulfilling life, both physically and mentally;
 - d. living a life that will contribute to the well-being of society;
 - e. becoming a self-directed learner;
 - f. exercising ethical behavior.
 5. Students will be given the opportunity to acquire human relations skills necessary to:
 - a. appreciate, understand, and accept human diversity and interdependence;
 - b. address human problems through team effort;
 - c. resolve conflicts with and among others;
 - d. function constructively within a family unit;
 - e. promote a multicultural, gender-fair, disability-sensitive society.

Legal References:

Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
20 U.S.C. § 5801, *et seq.* (National Education Goals 2000)
20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

Cross References:

Policy 104 (School District Mission Statement)
Policy 613 (Graduation Requirements)
Policy 614 (School District Testing Plan and Procedure)
Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
Policy 616 (School District System Accountability)
Policy 618 (Assessment of Student Achievement)

602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the 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, 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. Days devoted to teacher's workshops may be held before Labor Day.
 - 1. The school 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 school district may begin the school year on any day before Labor Day if the school district has agreement under Minn. Stat. § 123A.30, § 123A.32, or § 123A.35 with a school district that qualifies under Section III.B.1.
 - 3. The school 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.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent 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 factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

Legal References:

- Minn. Stat. § 120A.40 (School Calendar)
- Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
- Minn. Stat. § 120A.415 (Extended School Calendar)
- Minn. Stat. § 120A.42 (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.11, Subd. 9 (Revenue for Results-Oriented Charter School)
- Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)

Cross References: Policy 425 (Staff Development)

603 CURRICULUM DEVELOPMENT

I. PURPOSE

The purpose of this policy is to provide direction for continuous review and improvement of the school curriculum.

II. GENERAL STATEMENT OF POLICY

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

III. RESPONSIBILITY

- A. The superintendent shall be responsible for curriculum development and for determining the most effective way of conducting research on the school district's curriculum needs and establishing a long range curriculum development program. Timelines shall be determined by the superintendent that will provide for periodic reviews of each curriculum area.
- B. A district advisory committee shall provide assistance at the request of the superintendent. The advisory committee membership shall be a reflection of the community and, to the extent possible, shall reflect the diversity of the district and its learning sites, and shall include parent, teacher, support staff, student, community residents, and administration representation.
- C. 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 school 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 requirements of the Minnesota Department of Education and the No Child Left Behind Act.
- D. The superintendent shall be responsible for keeping the school board informed of all state-mandated curriculum changes, as well as recommended discretionary changes and for periodically presenting recommended modifications for school board review and approval.
- E. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to curriculum development.

Legal References:

Minn. Stat. § 120B.10 (Findings; Improving Instruction and Curriculum)
Minn. Stat. § 120B.11 (School District Process)
Minn. Rules Part 3500.0550 (Inclusive Educational Program)
Minn. Rules Parts 3501.0010-3501.0180 (Graduation Standards – Mathematics and Reading)
Minn. Rules Parts 3501.0200-3501.0290 (Graduation Standards – Written Composition)
Minn. Rules Parts 3501.0505-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1000-3501.1190 (Graduation-Required Assessment for Diploma)
20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

Cross References:

Policy 604 (Instructional Curriculum)
Policy 605 (Alternative Programs)
Policy 613 (Graduation Requirements)
Policy 614 (School District Testing Plan and Procedure)
Policy 615 (Basic Standards Testing, Accommodations, Modifications, and Exemptions
for IEP, Section 504 Accommodation, and LEP Students)
Policy 616 (School District System Accountability)
Policy 617 (School District Ensurance of Preparatory and High School Standards)
Policy 618 (Assessment of Standard Achievement)
Policy 619 (Staff Development for Standards)
Policy 620 (Credit for Learning)
Policy 623 (Mandatory Summer School Instruction)

604 INSTRUCTIONAL CURRICULUM

I. PURPOSE

The purpose of this policy is to provide for the development of course offerings for students.

II. GENERAL STATEMENT OF POLICY

- A. Instruction must be provided in at least the following subject areas:
1. Language arts and basic communication skills including reading and writing, literature, and fine arts;
 2. Mathematics and science;
 3. Social studies, including history, geography, economics, government, and citizenship;
 4. Health and physical education;
 5. The arts;
 6. Career and technical education; and
 7. World languages.
- B. The basic instructional program shall include all courses required for each grade level by the Minnesota Department of Education and all courses required in all elective subject areas. The instructional approach will be nonsexist and multicultural.
- C. The curriculum must include opportunities for all students to learn the Graduation-Required Assessments for Diploma (GRAD) requirements and subject matter. The school district must develop a plan for remediation for a student who, after two retests, has not passed a specific GRAD.
- D. Elementary and middle schools shall offer at least three, and require at least two, of the following four art areas: dance, music, theater, and visual arts. High schools shall offer at least three, and require at least one, of the following five art areas: media arts, dance, music, theater, and visual arts.
- E. The school board, at its discretion, may offer additional courses in the instructional program at any grade level.
- F. Each instructional program shall be planned for optimal benefit taking into consideration the financial condition of the school district and other relevant factors. Each program plan should contain goals and objectives, materials, minimum student competency levels, and methods for student evaluation.
- G. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to instructional curriculum.

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120B.021 (Required Academic Standards)
Minn. Stat. § 120B.022 (Elective Standards)
Minn. Stat. § 120B.236 (Cardiopulmonary Resuscitation and Automatic External Defibrillator Instruction)
Minn. Rules Part 3501.1110 (Opportunities to Learn and Remediation)

Cross References: Policy 603 (Curriculum Development)
Policy 605 (Alternative Programs)

605 ALTERNATIVE PROGRAMS

I. PURPOSE

The purpose of this policy is to recognize the need for alternative education programs for some school district students.

II. GENERAL STATEMENT OF POLICY

The school board recognizes the importance of alternative program options 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 board 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. It shall be the responsibility of the superintendent to identify alternative program 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 programs. The superintendent shall, through cooperative efforts with other schools, agencies, and organizations, periodically recommend additional or modified alternative educational programs to the school board.
- B. The superintendent shall have discretionary authority to develop guidelines and directives to implement school board policy relating to alternative programs.

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 (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: Policy 603 (Curriculum Development)
Policy 604 (Instructional Curriculum)

606 TEXTBOOKS AND INSTRUCTIONAL MATERIALS

I. PURPOSE

The purpose of this policy is to provide direction for selection of textbooks and instructional materials.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that selection of textbooks and instructional materials is a vital component of the school district's curriculum. The school board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials.

III. RESPONSIBILITY OF SELECTION

- A. While the school board retains its authority to make final decisions on the selection of textbooks and instructional materials, the school board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of textbooks and instructional materials. Accordingly, the school board delegates to the superintendent the responsibility to direct the professional staff in formulating recommendations to the school board on textbooks and other instructional materials.
- B. In reviewing textbooks and instructional materials during the selection process, the professional staff shall select materials which:
1. support the goals and objectives of the education programs;
 2. consider the needs, age, and maturity of students;
 3. foster respect and appreciation for cultural diversity and varied opinion;
 4. fit within the constraints of the school district budget;
 5. are in the English language. Another language may be used, pursuant to Minn. Stat. § 124D.61;
 6. permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
 7. do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The superintendent shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents, and other interested members of the school district community. This procedure shall be coordinated with the school district's curriculum development effort and may utilize advisory committees.

IV. SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS

- A. The superintendent shall be responsible for keeping the school board informed of progress on the part of staff and others involved in the textbook and other instructional materials review and selection process.
- B. The superintendent shall present a recommendation to the school board on the selection of textbooks and other instructional materials after completion of the review process as outlined in this policy.

V. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS

- A. The school board recognizes differences of opinion on the part of some members of the school district community relating to certain areas of the instruction program. Interested persons may

request an opportunity to review materials and submit a request for reconsideration of the use of certain textbooks or instructional materials.

- B. The superintendent shall be responsible for the development of guidelines and procedures to identify the steps to be followed to seek reconsideration of textbooks or other instructional materials.
- C. The superintendent shall present a procedure to the school board for review and approval regarding reconsideration of textbooks or other instructional materials. When approved by the school board, such procedure shall be an addendum to this policy.

Legal References:

Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction – Curriculum)
Minn. Stat. § 120B.235 (American Heritage Education)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)
Minn. Stat. § 124D.59-124D.61 (Limited English Proficiency)
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Pratt v. Independent Sch. Dist. No. 831, 670 F.2d 771 (8th Cir. 1982)

Cross References:

Policy 603 (Curriculum Development)
Policy 604 (Instructional Curriculum)

Adopted: January 25, 2011
Revised: _____

607 ORGANIZATION OF GRADE LEVELS

I. PURPOSE

The purpose of this policy is to address the grade level organization of schools within the school district.

II. GENERAL STATEMENT OF POLICY

A. It is the policy of the school district to address the groupings of grade levels as recognized in Minn. Stat. § 120A.05, as follows:

[Note: Each school district should identify within the groupings as defined in Minn. Stat. § 120A.05, how grade levels shall be organized within the school district from the options listed below:

Elementary: Grades prekindergarten through 6

Middle: Minimum of two consecutive grades above 4th but below 10th

Secondary: (Grades 7 through 12)

Junior High Grades ___ through ___

Senior High Grades ___ through ___

Vocational Grades 7 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.

III. DEFINITIONS

A. "Kindergarten" means a program designed for students 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.

Legal References: Minn. Stat. § 120A.05, Subds. 9, 11, 13, 17 (Public Schools)
 Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)

Cross References:

Revised: _____

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 to some students in the school district.

II. GENERAL STATEMENT OF POLICY

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. RESPONSIBILITIES

- A. The school board accepts its responsibility to identify, evaluate, and provide special education and related services for disabled children 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 school district shall ensure that all qualified disabled children are provided special education and related services which are appropriate to their educational needs.
- C. When such services require or result from interagency cooperation, the school district shall participate in such interagency activities in compliance with applicable federal and state law.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 125A.02 (Definition of Child with a Disability)
Minn. Stat. §§ 125A.027, 125A.03, 125A.08, 125A.15, and 125A.29 (District Obligations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)

Cross References:

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

609 RELIGION

I. PURPOSE

The purpose of this policy is to identify the status of religion as it pertains to the programs of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall neither promote nor disparage any religious belief or nonbelief. Instead, the school district encourages all students and employees to have appreciation for and tolerance of each other's views.
- B. The school district also recognizes that religion has had and is having a significant role in the social, cultural, political, and historical development of civilization.
- C. The school 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 had a religious basis or origin as well as a secular importance.
- D. The school 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 may be explained in an unbiased and nonsectarian manner.

III. RESPONSIBILITY

- A. The superintendent shall be responsible for ensuring that the study of religious materials, customs, beliefs, and holidays in the school district is in keeping with the following guidelines:
 - 1. The proposed activity must have a secular purpose.
 - 2. The primary objective of the activity must be one that neither advances nor inhibits religion.
 - 3. The activity must not foster excessive governmental relationships with religion.
 - 4. Notwithstanding the foregoing guidelines, reasonable efforts will be made to accommodate any student who wishes to be excused from attendance at school for the purpose of religious instruction or observance of religious holidays.
- B. The superintendent 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.

Legal References:

U. S. Const., amend. I
Minn. Stat. § 120A.22, Subd. 12(3) (Compulsory Instruction)
Minn. Stat. § 120A.35 (Absence From School for Religious Observance)
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)
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)
Floreys v. Sioux Falls Sch. Dist. 49-5, 619 F.2d 1311 (8th Cir. 1980)

Roark v. South Iron R-1 Sch. Dist., 573 F.3d 556 (8th Cir. 2009)
Child Evangelism Fellowship v. Minneapolis Special Sch. Dist. No. 1, F.Supp.2d (D. Minn. 2011)
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. 63 (1940)
Minn. Op. Atty. Gen. 120 (1924)
Minn. Op. Atty. Gen. 121 (1924)

Cross References: Policy 801 (Equal Access to School Facilities)

610 FIELD TRIPS

I. PURPOSE

The purpose of this policy is to provide guidelines for student trips and to identify the general process to be followed for review and approval of trip requests.

II. GENERAL STATEMENT OF POLICY

It is the general expectation of the school board that all student trips will be well planned, conducted in an orderly manner and safe environment, and will relate directly to the objectives of the class or activity for which the trip is requested. Student trips will be categorized within three general areas:

A. Instructional Trips

Trips that take place during the school day, relate directly to a course of study, and require student participation shall fall in this category. These trips shall be subject to review and approval of the building principal, and shall be financed by school district funds within the constraints of the school building budget. Fees may not be assessed against students to defray direct costs of instructional trips. (Minn. Stat. § 123B.37, Prohibited Fees)

B. Supplementary Trips

This category pertains to those trips in which students voluntarily participate and which usually take place outside the regular school day. Examples of trips in this category involve student activities, clubs, and other special interest groups. These trips are subject to review and approval of the activities director and/or the building principal. Financial contributions by students may be requested. (Minn. Stat. § 123B.36, Authorized Fees)

C. Extended Trips

1. Trips that involve one or more overnight stops fall into this category. Extended trips may be instructional or supplementary, and must be requested well in advance of the planned activity. An extended trip request form must be completed and approved at each level: student, principal, superintendent, and school board. Exceptions to the approval policy may be granted or expedited to accommodate emergencies or contingencies (e.g. tournament competition).
2. The school board acknowledges and supports the efforts of booster clubs and similar organizations in providing extended trip opportunities for students.

III. REGULATIONS

- A. Rules of conduct and discipline for students and employees shall apply to all student trip activity.
- B. The school administration shall be responsible for providing more detailed procedures, including parental involvement, supervision, and such other factors deemed important and in the best interest of students.
- C. Transportation shall be furnished through a commercial carrier or school-owned vehicle. In the event a private vehicle is approved for use, a certificate of insurance must be on file in the school district office.

IV. SCHOOL BOARD REVIEW

The superintendent shall at least annually report to the school board upon the utilization of trips under this policy.

Legal References:

Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities; Insurance)
Sonkowsky v. Board of Educ. for Indep. Sch. Dist. No. 721, 327 F.3d 675 (8th Cir. 2003)
Lee v. Pine Bluff Sch. Dist., 472 F.3d 1026 (8th Cir. 2007)

Cross References:

Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

Policy 423 (Employee – Student Relationships)

Policy 506 (Student Discipline)

Policy 707 (Transportation of Public School Students)

Policy 709 (Student Transportation Safety Policy)

Policy 710 (Extracurricular Transportation)

611 HOME SCHOOLING

I. PURPOSE

The purpose of this policy is to recognize and provide guidelines in accordance with state law for parents who wish to have their children receive education in a home school that is an alternative to an accredited public or private school.

II. GENERAL STATEMENT OF POLICY

The Compulsory Attendance Law (Minn. Stat. § 120A.22) provides that the parent or guardian of a child is primarily responsible for assuring that the child acquires knowledge and skills that are essential for effective citizenship. (Minn. Stat. § 120A.22, Subd. 1)

III. CONDITIONS FOR HOME SCHOOLING

The person in charge of a home school and the school district must provide instruction and meet the requirements specified in Minn. Stat. § 120A.22.

IV. IMMUNIZATION

The parent of a home-schooled child shall submit statements as required by Minn. Stat. § 121A.15, Subds. 1, 2, 3 and 4, and 4 12, on the appropriate Minnesota Department of Education form, to the superintendent of the school district in which the child resides by October 1 of the first year of home schooling in Minnesota and the grade 7 year. (Minn. Stat. § 121A.15, Subd.8)

V. TEXTBOOKS, INSTRUCTIONAL MATERIAL, STANDARD TESTS

Upon formal request as required by law, the school district will provide textbooks, individualized instructional materials and standardized tests and loan or provide them for use by a home-schooled child as provided in Minn. Stat. § 123B.42 and Minn. Rules Ch. 3540. The school district is not required to expend any amount for this purpose that exceeds the amount it receives pursuant to Minn. Stat. §§ 123B.40-123B.48 for this purpose. If curriculum has both physical and electronic components, the school district will, at the request of the student or the student's parent or guardian, make the electronic component accessible to a resident student provided that the school district does not incur more than an incidental cost as a result of providing access electronically.

VI. PUPIL SUPPORT SERVICES

Upon formal request as required by law, the school district will provide pupil support services in the form of health services and counseling and guidance services to a home-schooled child as provided by Minn. Stat. § 123B.44 and Minn. Rules Ch. 3540. The school district is not required to expend an amount for any of these purposes that exceeds the amount it receives pursuant to Minn. Stat. §§ 123B.40-123B.48 for any of these purposes.

VII. EXTRACURRICULAR ACTIVITIES

Resident pupils who receive instruction in a home school (where five or fewer students receive instruction) may fully participate in extracurricular activities of the school district on the same basis as other public school students. (Minn. Stat. §§ 123B.36, Subd. 1, and 123B.49, Subd. 4)

VIII. SHARED TIME PROGRAMS

Enrollment in class offerings of the school district.

- A. A home-schooled child who is a resident of the school district may enroll in classes in the school district as a shared time pupil on the same basis as other nonpublic school students. The provisions of this policy shall not be determinative of whether the school district allows the

- enrollment of any pupils on a shared-time basis.
- B. The school district may limit enrollment of shared-time pupils in such classes based on the capacity of a program, class, grade level, or school building. The school board and administration retain sole discretion and control over scheduling of all classes and assignment of shared time pupils to classes.

[Note: The provisions of Article VIII. - Shared Time Programs do not make a determination as to whether Shared Time Programs should be offered to any pupil. However, it is required that home-schooled children be treated the same as all other nonpublic school children.]

IX. OPTIONAL COOPERATIVE ARRANGEMENTS

A. Activities

1. Minnesota State High School League sponsored activities (where six or more students receive instruction in the home school or the home school students are not residents of the school district).

A home school which is a member of the Minnesota State High School League may request that the school district enter into a cooperative sponsorship arrangement as provided in Minnesota State High School League Bylaw 403.00. The approval of such an arrangement shall be at the discretion of the school board.

- a. The home school must become a member of the Minnesota State High School League in accordance with the rules of the Minnesota State High School League.
- b. The home school is solely responsible for any costs or fees associated with its application for and/or subsequent membership in the Minnesota State High School League.
- c. The home school is responsible for any and all costs associated with its participation in a cooperative sponsorship arrangement as well as any school district activity fees associated with the Minnesota State High School League activity.
2. Non-Minnesota State High School League activities where six or more students receive instruction in the home school.

A home-schooled child may participate in non-Minnesota State High School League activities offered by the school district upon application and approval from the school board to participate in the activity and the payment of any activity fees associated with the activity. However home school students may not be charged higher activity fees than other public school students. An approval shall be granted at the discretion of the school board.

B. Transportation Services

1. The school district may provide nonpublic nonregular transportation services to a home-schooled child.
2. The school board of the school district retains sole discretion and control and management of scheduling routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

Legal References:

Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 123B.36 (School Boards May Require Fees)
Minn. Stat. § 123B.41 (Definitions)
Minn. Stat. § 123B.42 (Textbooks, Individual Instruction Material, Standard Tests)
Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
Minn. Stat. § 123B.49 (Cocurricular and Extracurricular Activities)

Minn. Stat. § 123B.86 (Equal Treatment - Transportation)
Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Rules Ch. 3540 (Textbooks, Individualized Instruction Materials, Standardized Tests)

Cross References: Policy 509 (Enrollment of Nonresident Students)
Policy 510 (School Activities)

612.1 DEVELOPMENT OF PARENTAL INVOLVEMENT POLICIES FOR TITLE I PROGRAMS

I. PURPOSE

The purpose of this policy is to encourage and facilitate involvement by parents of students participating in Title I in the educational programs and experiences of students. The policy shall provide the framework for organized, systematic, ongoing, informed and timely parental involvement in relation to decisions about the Title I services within the school district. The involvement of parents by the school district shall be directed toward both public or private school children whose parents are school district residents or whose children attend school within the boundaries of the school district.

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school district to plan and implement, with meaningful consultation with parents of participating children, programs, activities and procedures for the involvement of those parents in its Title I programs.
- B. It is the policy of the school district to fully comply with 20 U.S.C. § 6318 which requires the school district to develop jointly with, agree upon with, and distribute to parents of children participating in Title I programs written parental involvement policies.

III. DEVELOPMENT OF DISTRICT LEVEL POLICY

The school board will direct the administration to develop jointly with, agree upon with, and distribute to, parents of participating children a written parental involvement policy that will be incorporated into the school district's Title I plan. The policy will establish the expectations for parental involvement and describe how the school district will:

- A. Involve parents in the joint development of the school district's Title I plan and the process of school review and improvement;
- B. Provide the coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parental involvement activities to improve student academic achievement and school performance;
- C. Build the schools' and parents' capacity for strong parental involvement;
- D. Coordinate and integrate parental involvement strategies with similar strategies under other programs, such as Head Start, Early Reading First, Even Start, the Parents as Teachers Program, the Home Instruction Program for Preschool Youngsters, and state-administered preschool programs;
- E. Conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy in improving the academic quality of the schools served, including identifying barriers to greater participation by parents, and, particularly, with parents who are economically disadvantaged, disabled, have limited literacy or English proficiency, or who are of a racial or ethnic minority;
- F. Use the findings of such evaluations to design strategies for more effective parental involvement and to revise, if necessary, the district-level and school-level parental involvement policies; and
- G. Involve parents in the activities of the schools.

IV. DEVELOPMENT OF SCHOOL LEVEL POLICY

The school board will direct the administration of each school to develop (or amend an existing parental involvement policy) jointly with, and distribute to, parents of participating children a written parental involvement policy, agreed upon by such parents, that shall describe the means for carrying out the federal requirements of parental involvement.

- A. The policy will describe the means by which each school with a Title I program will:
 - 1. Convene an annual meeting, at a convenient time, to which all parents of participating

- children shall be invited and encouraged to attend, to inform parents of their school's participation in Title I programs, and to explain to parents of participating children the program, its requirements, and their right to be involved;
2. Offer a flexible number of meetings, transportation, child care, or home visits, as such services relate to parental involvement;
 3. Involve parents in an organized, ongoing, and timely way, in the planning, review, and improvement of the parental involvement programs, including the school parental involvement policy and the joint development of the school-wide program plan, unless the school already has a program for involving parents in the planning and design of its programs that would adequately involve parents of participating children;
 4. Provide parents of participating children with: timely information about Title I programs; if requested by parents, opportunities for regular meetings to formulate suggestions, share experiences with other parents and to participate, as appropriate, in decisions relating to their child's education; and to respond to any such suggestions as soon as practicably possible; and
 5. If the school-wide program plan is not satisfactory to the parents of participating children, submit any parent's comments on the plan when it is submitted to the school district.
- B. As a component of this policy, each school shall jointly develop with parents a school/parent compact which outlines how parents, staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the state's high standards. The compact shall:
1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to meet state student academic achievement standards;
 2. Describe the ways each parent will be responsible for supporting his or her child's learning by monitoring school attendance and homework completion, monitoring television watching, volunteering in his or her child's classroom, and participating, as appropriate, in decisions relating to his or her child's education and use of extracurricular time.
 3. Address the importance of communication between teachers and parents on an on-going basis through the use of:
 - a. Annual parent-teacher conferences to discuss the compact and the child's achievement;
 - b. Frequent progress reports to the parents; and
 - c. Reasonable access to staff, opportunities to volunteer, participate in the child's class, and observe in the child's classroom.
- C. To ensure effective involvement of parents and to support a partnership among the school, parents, and community to improve student academic achievement, the policy will describe how each school and the school district will:
1. Provide assistance to participating parents in understanding such topics as the state's academic content standards and state academic achievement standards, state and local academic assessments, Title I requirements, and how to monitor a child's progress and work with educators to improve the achievement of their children;
 2. Provide materials and training to assist parents in working with their children to improve their children's achievement, including coordinating necessary literacy training and using technology, as appropriate, to foster parental involvement;
 3. Educate school staff, with the assistance of parents, in the value and utility of contributions of parents and in how to reach out to, communicate with, and work with parents as equal partners, implement and coordinate parent programs, and build ties between parents and school;
 4. Coordinate and integrate parental involvement programs and activities with Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program, public preschool programs, and other programs, to the extent feasible and appropriate;

5. Ensure, to the extent practicable, that information about school and parent meetings, programs, and activities is sent home in a format and in a language the parents can understand; and
 6. Provide such other reasonable support for parental involvement activities as requested by parents.
- D. The policy will also describe the process to be taken if the school district and school choose to:
1. Involve parents in the development of training for school staff to improve the effectiveness of such training;
 2. Provide necessary literacy training with funds received under Title I programs if all other funding has been exhausted;
 3. Pay reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in meetings and training sessions;
 4. Train and support parents to enhance the involvement of other parents;
 5. Arrange meetings at a variety of times or have in-home conferences between teachers or other educators, who work directly with participating children, and parents who are unable to attend such conferences at school in order to maximize parental opportunities for involvement and participation in school-related activities;
 6. Adopt and implement model approaches to improving parental involvement;
 7. Develop appropriate roles for community-based organizations and business in parental involvement activities; and
 8. Establish a district-wide parent advisory council to provide advice on all matters related to parental involvement in Title I programs.
- E. To carry out the requirements of parental involvement, the school district and schools will provide full opportunities for the participation of parents with limited English proficiency or with disabilities, including providing information and school profiles in a language and form that is understandable by the parents.
- F. The school district and each school shall assist parents and parent organizations by informing such parents and parent organizations of the existence and purpose of such centers.

The policies will be updated periodically to meet the changing needs of parents and the school.

Legal References: 20 U.S.C. § 6318 (Parental Involvement)

Cross References:

616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY

I. PURPOSE

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and the No Child Left Behind Act.

II. GENERAL STATEMENT OF POLICY

Implementation of the Minnesota Academic Standards and No Child Left Behind Act will require a new level of accountability for the school district. The school district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The school district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

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. "Graduation Standards" means the credit requirements and locally adopted content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. "World's best workforce" means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING

- A. School District Goals
 - 1. The school board has established school district-wide goals which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and the No Child Left Behind Act. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement (Advisory Committee).
 - 2. The improvement goals should address recommendations identified through the Advisory Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.
- B. System for Reviewing All Instruction and Curriculum. Incorporated in the process will be analysis of the school district's progress toward implementation of the Minnesota Academic Standards. Instruction and curriculum shall be reviewed and evaluated by taking into account strategies and best practices, student outcomes, principal evaluations under Minn. Stat. § 123B.147, Subd. 3, and teacher evaluations under Minn. Stat. § 122A.40, Subd. 8, or 122A.41, Subd. 5.

C. Implementation of Graduation Requirements

1. The school board shall appoint a Graduation Standards Implementation Committee which shall advise the school board on implementation of the state and local graduation requirements, including K-12 curriculum, assessment, student learning opportunities, and other related issues. Recommendations of this committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually. The Graduation Standards Implementation Committee [will/will not] be comprised of the Advisory Committee for Comprehensive Continuous Improvement of Student Achievement.
2. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations. If the school board determines that student achievement levels at a school site do not meet federal expectations and the site has not made adequate yearly progress for two consecutive school years, the Graduation Standards Implementation Committee shall work with the school site to adopt a plan to raise student achievement levels to meet federal expectations. The Graduation Standards Implementation Committee may seek assistance from the Commissioner of the Minnesota Department of Education (MDE) (Commissioner) in developing a plan which must include parental involvement components.
3. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement. Indicators of achievement and prior achievement must be based on highly reliable statewide or districtwide assessments. The school board will utilize models developed by the Commissioner for measuring individual student progress. The school board must coordinate with MDE in evaluating school sites and continuous improvement plans, consistent with best practices.

D. Advisory Committee for Comprehensive Continuous Improvement of Student Achievement

1. By [date] of each year, the Advisory Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The Advisory Committee, working in cooperation with other committees of the school district [*such as the Technology, Educational Effectiveness, Grade Level, Site Instruction, Curriculum and Assessment Committees, etc.*], will provide active community participation in:
 - a. Reviewing the school district instructional and curriculum plan, with emphasis on implementing the Minnesota Graduation Standards;
 - b. Identifying annual instruction and curriculum improvement goals for recommendation to the school board;
 - c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
 - d. Advising the school board about development of the annual budget.
3. The Advisory Committee shall meet the following criteria:
 - a. The Advisory Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
 - b. The Advisory Committee shall make recommendations to the school board on school district-wide standards, assessments, and program evaluation.
 - c. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
 - d. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory

- Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.
4. The Advisory Committee shall, when possible, be comprised of two-thirds community representatives and shall reflect the diversity of the community. Included in its membership should be:
 - a. The Director of Curriculum (or similar educational leader)
 - b. Principal
 - c. School Board Member
 - d. Student Representative
 - e. One teacher from each building or instructional level
 - f. Two parents from each building or instructional level
 - g. Two residents without school-aged children, non-representative of local business or industry
 - h. Two residents representative of local business or industry
 - i. District Assessment Coordinator (if different from "a." above)
 5. Translation services should be provided to the extent appropriate and practicable.
 6. The Advisory Committee shall meet the following timeline each year:
 - Month: Organizational meeting of the Committee to review the authorizing legislation and the roles and responsibilities of the Committee as determined by the school board.
 - Month(s): Agree on the process to be used. Become familiar with the instruction and curriculum of the cycle content area.
 - Month(s): Review evaluation results and prepare recommendations.
 - Month: Present recommendations to the school board for its input and approval.
- E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the Advisory Committee to review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site. This plan shall annually be approved by the school board.
- F. Reporting. Consistent with Minn. Stat. § 120B.36, Subd. 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and instruction and cultural competency, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published reports and in its summary report to the Commissioner.

Legal References:

Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)
 Minn. Stat. § 120B.018 (Definitions)
 Minn. Stat. § 120B.11 (School District Process)
 Minn. Stat. § 120B.35 (Student Achievement Levels)
 Minn. Stat. § 120B.36 (School Accountability; Appeals Process)
 Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
 Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
 Minn. Stat. § 123B.04 (Site Decision Making Agreement)
 Minn. Stat. § 123B.147, Subd. 3 (Principals)

Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
20 U.S.C. § 6301, *et seq.* (No Child Left Behind Act)

Cross References:

Policy 104 (School District Mission Statement)
Policy 601 (School District Curriculum and Instruction Goals)
Policy 613 (Graduation Requirements)
Policy 614 (School District Testing Plan and Procedure)
Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
Policy 617 (School District Ensurance of Preparatory and High School Standards)
Policy 618 (Assessment of Student Achievement)
Policy 619 (Staff Development for Standards)
Policy 620 (Credit for Learning)

Adopted: February 8, 2010

Revised: _____

650 Caseload Policy for Special Education Services

Minn. R. 3535.2341, subp. 4(A)(1) defines the maximum number of school age pupils that may be assigned to teachers who serve children ages birth through six(6) and teachers of pupils receiving special education services more than 50% of the school day.

Minn. R. 3525.2340, subp. 4(B) requires districts to develop a caseload policy pertaining to pupils who receive direct special education services less than 50% of the school day.

The district will ensure that special education caseloads allow special education service providers necessary time to meet due process requirements. These requirements include:

- a. Timely implementation of Individualized Education Plans (IEPs)
- b. Timely completion of the evaluation/re-evaluation process
- c. Timely provision of notices
- d. Regular status reports to parents of student progress toward yearly IEP goals
- e. Regular communication with general education teachers related to student goals and modifications to be made in the general education curriculum
- f. Sufficient time for IEP managers to coordinate the direct and indirect services set forth in student's IEPs

Under some conditions, the Area Special Education Cooperative (ASEC) Director and Assistant Directors may use the tools provided in the MDE *Workload Considerations for Effective Special Education Manual* or other comparable tools to assist in determining reasonable teacher workload if a district administrator and the special education director determine that the above special education requirements (a-f) are not being met for a student(s), possibly due to a high teacher workload.

Process for Referral K-12 including Private or Home Schools

1. The teacher, parent, private school staff or others identify a concern regarding a student.^{1*}
 - a. If the referral is initiated by the parent, the SST referral form is completed and returned to the SST chair person.
 - b. If the referral is initiated by the classroom teacher the SST referral and any documentation of interventions attempted^{2*} is returned to the SST chair person. Prior to the referral the parent must first be informed of the concern and attempts to intervene.
2. The SST referral form is returned to the chair person of the SST.
 - a. Private or Home School Referral: When a child is educated in a private school, the building SST responsible for that age range of children responds to the referral and follows the same process as a public school referral.
 - b. Referrals must be responded to within 10 days of receiving them.
3. The SST reviews the referral information and any previous teacher interventions.^{3*} If the referral is from a private school, the classroom teacher or representative is invited to the SST meeting at which the student will be discussed. The SST, which includes the classroom teacher, determines if additional interventions are appropriate or more data is needed. A "case manager" is assigned to oversee the option recommended by the team.^{4*}
 - a. If pre-referral interventions are implemented the SST will monitor effectiveness of the interventions and systematically review the student's progress.
 - b. If the decision is for an evaluation for special education a special education teacher is assigned as case manager and an evaluation determination is made and additional evaluation team members identified.
 - If the student is evaluated for special education and found eligible for services an IEP is developed and services initiated.^{5*}
 - If the student is found ineligible for special education services, the team considers other options or recommendations.^{6*} Some possible recommendations or options include the suggestions in "c." below.
 - c. If the team determines not to conduct a special education evaluation, a summary form indicating recommendations is completed and kept on file with the chair of the SST.^{7*} A "case manager" should be assigned to follow up on any recommendations made by the team. Some possible recommendations or options include:
 - Continue with further EIS interventions;
 - Consider a 504 Plan;
 - Consider referral to outside agencies;
 - No further action, concern resolved.

See attached ASEC Referral Process Flow Chart for clarification of referral steps.

Child Study Procedures for the Identification and Evaluation of Students with Disabilities

Legal Reference

School districts shall develop systems designed to identify pupils with disabilities beginning at birth, pupils with disabilities attending public and nonpublic school, and pupils with disabilities who are of school age and are not attending any school. The district's identification system shall be developed according to the requirement of nondiscrimination and included in the district's total special education system plan.

MN R. 3525.0750

The fourteen districts that make up the Area Special Education Cooperative (hereafter referred to as the districts) have adopted a cooperative procedure for the identification and evaluation of students with disabilities.

Interagency Early Intervention Committee (IEIC) Birth to 5 years

The districts within the Area Special Education Cooperative, in cooperation with the health and human service agencies located in each county in which the ASEC district's are located, have established an interagency early intervention committee, called Help Me Grow, for referral children with disabilities under age five and their families.

The Help Me Grow team in each county includes representatives of public health, school, Head Start, mental health and county human service agencies as well as other public agencies, as determined appropriate by the IEIC.

The interagency early intervention committee in each County has developed and implemented interagency policies and procedures to coordinate referral and services at the district level for children with disabilities. Each IEIC has identified a central point of intake for referrals of children birth to age 5. These referrals may come from a variety of sources such as doctors, parents, daycare providers, and preschool teachers.

Birth to Age Three: If the child is under the age of three, the referral is given to the ASEC Early Evaluation team within two day of the referral being made. The Early Intervention teacher on this team is assigned as the facilitator for the referral and supports the family during the evaluation process. The evaluation by the Early Evaluation team is completed within 45 calendar days from the referral date.

Age Three to Five: If the child is over age three, the referral is given to the Early Childhood Special Education (ECSE) teacher assigned to the district of the child's residence. The ECSE teacher is responsible for obtaining consent for evaluation, assisting in developing an evaluation plan and participating along with others in the evaluation.

Process for Referral K-12 including Private or Home Schools

1. The teacher, parent, private school staff or others identify a concern regarding a student.^{1*}
 - a. If the referral is initiated by the parent, the SST referral form is completed and returned to the SST chair person.
 - b. If the referral is initiated by the classroom teacher the SST referral and any documentation of interventions attempted^{2*} is returned to the SST chair person. Prior to the referral the parent must first be informed of the concern and attempts to intervene.
2. The SST referral form is returned to the chair person of the SST.
 - a. Private or Home School Referral: When a child is educated in a private school, the building SST responsible for that age range of children responds to the referral and follows the same process as a public school referral.
 - b. Referrals must be responded to within 10 days of receiving them.
3. The SST reviews the referral information and any previous teacher interventions.^{3*} If the referral is from a private school, the classroom teacher or representative is invited to the SST meeting at which the student will be discussed. The SST, which includes the classroom teacher, determines if additional interventions are appropriate or more data is needed. A "case manger" is assigned to oversee the option recommended by the team.^{4*}
 - a. If pre-referral interventions are implemented the SST will monitor effectiveness of the interventions and systematically review the student's progress.
 - b. If the decision is for an evaluation for special education a special education teacher is assigned as case manager and an evaluation determination is made and additional evaluation team members identified.
 - If the student is evaluated for special education and found eligible for services an IEP is developed and services initiated.^{5*}
 - If the student is found ineligible for special education services, the team considers other options or recommendations.^{6*} Some possible recommendations or options include the suggestions in "c." below.
 - c. If the team determines not to conduct a special education evaluation, a summary form indicating recommendations is completed and kept on file with the chair of the SST.^{7*} A "case manager" should be assigned to follow up on any recommendations made by the team. Some possible recommendations or options include:
 - Continue with further EIS interventions;
 - Consider a 504 Plan;
 - Consider referral to outside agencies;
 - No further action, concern resolved.

See attached ASEC Referral Process Flow Chart for clarification of referral steps.

The Fisher Public School District #600 promotes the use of positive approaches for behavioral interventions for all students. School environments that are positive, predictable, relevant, and effective are safer, healthier and more caring, have enhanced learning and teaching outcomes and provide a continuum of support for all students.

Fisher Public School District #600 uses restrictive procedures only in emergency situations. "Emergency" means a situation where immediate intervention is needed to protect the child or other individuals from physical injury or to prevent serious property damage. When restrictive procedures are employed in an emergency situation with any student, the district will adhere to the standards and requirements of Minnesota Statutes 125A.094

Restrictive Procedures Used in Fisher Public School District #600

1. Seclusion rooms: Seclusion means confining a child alone in a room from which egress is barred. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion. The district does not have seclusion rooms in any district building. The district however, retains the option of developing seclusion rooms based on individual needs of students. Should the district determine that the use of seclusion is required the district will follow all requirements as outlined in Minnesota Statute 125A.094.
2. The district encourages and supports the use of positive behavioral interventions and supports. Positive behavior intervention and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. Physical holding will only be used in an emergency.

Physical holding: Physical holding means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint. The term physical holding does not mean physical contact that:

- a. Helps a child respond or complete a task;
 - b. Assists a child without restricting the child's movement;
 - c. Is needed to administer an authorized health-related service or procedure;
 - d. Is needed to physically escort a child when the child does not resist or the resistance is minimal.
3. Guidance on the required data elements for compliance with special education restrictive procedure requirements will be taken from the MDE Restrictive Procedures Checklist (see attached).

Personnel Development Activities

Personnel development activities will be provided which align with Minnesota Statute 125A.0942 Standards for Restrictive Procedures to identified district staff and contracted personnel who have routine contact with students and who may use restrictive procedures.

Those Authorized to Use Restrictive Procedures

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the specific individuals trained and the organization or professional that conducted the training. The following employee job classifications are authorized and certified to use restrictive procedures and a list of specific individuals authorized will be maintained in the district offices:

- Licensed special education teachers
- Licensed school social workers
- Licensed school psychologists
- Special Education paraprofessionals

- Autism Specialists
- Other licensed education professional

Notification and Documentation Requirements

The district will make reasonable efforts to notify parents on the same day a restrictive procedure is used. If this is not possible, there should be written or electronic notification within 2 days.

Prohibited Procedures

- Engaging in conduct prohibited under section 121A.58 (corporal punishment);
- Requiring a child to assume and maintain a specified physical position, Activity, or posture that induces physical pain'
- Totally or partially restricting a child's senses as punishment;
- Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
- Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
- Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 6226.556 (reporting of maltreatment of minors);
- Withholding regularly scheduled meals or water;
- Denying access to bathroom facilities; and
- Physical holding that restricts or impairs a child's ability to breathe.

Legal Authority

Minn. Stat. 125A.094

Minn. Stat. 125A.0941

Minn. Stat. 125A.0942

Minn. Stat. 121A.067, subd. 2

Minn. R 3525.0210, subp. 2

Minn. R 3525.0850

Minn. R 3525.2710, subp. 4(F)

Minn R 3525.2810, subp. 2(B)(1)

Minnesota State Fire Code, Minn. R 7511.1008, subp. 3

Minnesota State Building Code, Minn. R 1305.1008, subp. 8

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Education for Children and Youth Who are Homeless

Purpose: Fisher Public School District # 600 recognizes that children and youth in families that are highly mobile or homeless have significant barriers to educational achievement and completion of high school. Each time a student moves from one school to another may delay a student's educational progress by 4 to 6 months. Therefore, children and youth who are homeless, including youth on their own, will immediately be enrolled in their school-of-origin or the school of the attendance area in which they reside. Education and supportive services will be provided so that students regularly attend school and are successful students.

Definitions:

- a) Child or youth who is homeless: One who lacks a fixed, regular and adequate nighttime residence; and includes children and youth who: 1) are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; 2) are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; 3) are living in emergency or transitional shelters; abandoned in hospitals; or awaiting foster care placement; 4) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; 5) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and 6) are migratory children who qualify as homeless because the children are living in circumstances described in 1) through 5).

McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431, Chapter 19 Title VII Subtitle B; Education for Homeless Children and Youth) Amended with the reauthorization of NCLB as Title X, Part C.)

- b) Unaccompanied youth: a student who is not in the physical custody of a parent or guardian.
- c) School-of-origin: the school that the student attended when permanently housed or the school where the child or youth was last enrolled prior to becoming homeless.
- d) Enroll and enrollment: attending school and participating fully in school activities.
- e) Immediate: without delay.
- f) Parent: parent or guardian of a student.
- g) Homeless Education Liaison: school employee designated as responsible for the school district carrying out the duties assigned by the McKinney-Vento Act. Certain tasks may be delegated to school point persons, a member of a school student support services team.

Policy:

Minnesota law requires that all children have access to a free appropriate public education. Under federal law (McKinney-Vento Homeless Education Assistance Improvements Act of 2001), children and youth who are homeless must have access to appropriate public education, including preschool and needed support services to meet state and local academic achievement standards all other students and to fully participate in school activities. The homeless students must be included in state- and district-wide assessments and accountability systems.

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Education for Children and Youth Who are Homeless

The school district will follow the requirements of the McKinney-Vento Homeless Assistance Act and relevant state law and will:

- 1) provide for children and youth who are homeless, a free, appropriate public education; provide comparable education and services receive by students in Title I, Part A schools; supports needed to remove barriers to the students' regular attendance such as transportation services and school nutrition programs (free meals); before- and after-school programs offered to other children and youth; meaningful opportunities for achieving success in school and other services for which the student is eligible (ex., special education and related services, programs for English language learners; vocational and technical education programs; and gifted programs;)
- 2) increase the awareness of school personnel to recognize homeless students, post information that the school will teach homeless students and work with community agencies to identify homeless students and preschoolers based on the McKinney-Vento Act definition above.
- 3) provide access of homeless preschool-aged children and their families to educational services for which they are eligible such as Head Start and preschool programs administered by the school district.
- 4) provide immediately enrollment of children and youth who are homeless, allowing exemptions as needed for enrollment and retention such as guardianship, transportation, immunization, residency, birth certificates, school records and other documentation.
- 5) ensure that children and youth who are homeless are not stigmatized, segregated, or separated in another educational program, on the basis of their status as homeless.
- 6) ensure the rights of homeless students to remain in their school-of-origin and their right to dispute school selection, if other than school-of-origin or the parent's choice of school and communicate these rights and the dispute process to the homeless parents or guardians or unaccompanied youth.

Workload Analysis for Special Education Teachers

Fisher Public School District #600 will use two separate models when analyzing a special education teacher's caseload/workload. Please also note that individual IEP needs may play a factor in veering from this analysis. If this is the case, the administrative staff will make the final decision and document the alterations to this analysis.

The two models:

Caseload Model:

This model will be used when determining the caseload of a special education teacher, when they serve students who receive special education support 50% or more of their educational day (Federal settings 3 and 4) per Minn. R. 3525.2340, subp.4(A)(1).

A. The maximum number of school-age pupils that may be assigned to a teacher:

- (1) for pupils who receive direct special instruction from a teacher 50 percent or more of the instructional day, but less than a full school day:
 - (a) deaf-blind, autism, developmental cognitive disabilities: severe-profound range, or severely multiple impaired, three pupils;
 - (b) deaf-blind, autism, developmental cognitive disability: severe-profound range or severely multiple impaired with one program support assistant, six pupils;
 - (c) developmental cognitive disability: mild-moderate range or specific learning disabled, 12 pupils;
 - (d) developmental cognitive disability: mild-moderate range or specific learning disabled with one program support assistant, 15 pupils;
 - (e) all other disabilities with one program support assistant, ten pupils; and
 - (f) all other disabilities with two program support assistants, 12 pupils.

Workload Model:

This model will be used when analyzing the workload of a special education teacher when they serve students who receive special education support 49% or less of their educational day (Federal settings 1 and 2).

Areas to determine the workload will consist of:

- direct and indirect minutes on the student IEPs
- evaluations and re-evaluations that need to be completed in the school year
- preparation time as established by agreement/contract
- other due process requirements

Direct and Indirect Minutes on Student IEPs

Direct Service as defined by Minnesota Rule 3525.0200, subp.2b

...special education services provided by a teacher or a related service professional when the services are related to instruction, including cooperative teaching.

Indirect Service as defined by Minnesota Rule 3525.0200, subp.8c

...on-going progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the student to monitor and observe. Indirect services may be provided by a teacher or related service professional to another general education teacher, special education teacher, related service professional, paraprofessional, support staff, parents, and public and non-public agencies to the extent that the services are written in a student's IEP...

To calculate this area, add up the direct and indirect minutes provided by the special education teacher as described on each student's IEP and turn into hours per year.

For example:

Student	Total direct and indirect minutes per week from IEP	Hours per week (min/60)	Hours per year (hours per wk x wks per year)
John S	150 min.	2.5 hours	80 hours
Susie K	200 min.	3.3 hours	105.6 hours
Kelly K	150 min.	2.5 hours	80 hours
Sam L	150 min.	2.5 hours	80 hours
Peter J	200 min.	3.3 hours	105.6 hours
Sue W	175 min.	2.9 hours	93.3 hours
John M	150 min.	2.5 hours	80 hours
Jennifer H	200 min.	3.3 hours	105.6 hours
Ashley T	150 min.	2.5 hours	80 hours
Colin T	150 min.	2.5 hours	80 hours
Seth R	200 min.	3.3 hours	105.6 hours
Adam N	175 min.	2.9 hours	93.3 hours
		Total	1089 hours

Evaluations and Re-Evaluations

A special education evaluation and re-evaluation typically averages approximately eight hours per student. The eight hours consist of evaluations planning/meeting, testing, observations, gathering of student records, managing the outside agencies testing, report writing, and evaluation results meeting.

To calculate this area, multiply the total number of evaluations and re-evaluations by eight hours. For example: 5 evaluations and re-evaluations x 8 hours = 40 hours

Preparation Time

Preparation time (prep) is the allotted time agreed upon during hiring. This time may consist of, but not limited to, curriculum modification, grading, data collection, preparing materials for teachers or paraprofessionals, developing methods of instruction, and researching assistive technology, adaptations, and interventions.

To calculate this area, multiply the amount of prep time by the contract days. For example: one hour of prep for 180 contracted days = 180 hours.

Other Due Process Requirements

This time may consist of, but not limited to, meetings for IEPs and periodic reviews, development and writing of the IEP, and the overall "paperwork" requirements. This time typically averages to about two hours per student.

To calculate this area, multiply the number of students on the teacher's caseload by two hours. For example: 12 students x 2 hours = 24 hours.

Determining a Workload

First, you must determine the total hours in a school year by looking at the teacher contracted days (180 days) and multiply that by the contracted hours per day (7.5 hours).

For example: 180 hours x 7.5 hours per day = 1350 hours contracted per year.

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DISTRICT SPECIAL EDUCATION WORKLOAD ANALYSIS PROCEDURE

Then, add up "Areas to Determine Workload" as described above. For example:

Direct/Indirect Total	Evaluation/Re-evaluation Total	Preparation Time	Other Due Process Totals	Workload Total
1089 hours	40 hours	180 hours	24 hours	1333 hours

Finally, divide the workload total by the total contracted hours per year. A percentage at or above 96% would be considered an appropriate workload.

Note:

If the IEP team determines that a student is in need of a one-to-one paraprofessional, the direct and indirect minutes that the paraprofessional provides would not be included in this formula. If the student receives related services (OT, speech, PT, etc.), the direct and indirect minutes that the paraprofessional provides would not be included in this formula.

Fisher Public School District #600 may have a combination of Federal settings from level I to IV. In such a case, the administration team may use a combination of both models to determine the appropriate case/workload for a special education teacher. Such exceptions will be documented.

Program Paraprofessional

If the IEP team determines that a special education program paraprofessional is needed to support a student in the general education setting, you would subtract 400 hours for a full-time paraprofessional and 200 hours for a part-time paraprofessional from the final total. For example: If the total is 2000 hours and a full-time paraprofessional is hired, then you subtract 400 from 2000, then your new total is 1600 hours for the special education teacher. Keep in mind the 96% workload is needed for the special education teacher to have an appropriate workload.

RESPONSIBILITIES

- A. 1. Beginning July 1, 2000, districts shall seek reimbursement from insurers and similar third parties for the cost of services provided by the district whenever the services provided by the district are otherwise covered by the child's health coverage. Fisher Public School District #600 shall request, but may not require, the child's family to provide information about the child's health coverage when a child with a disability begins to receive services from the district of a type that may be reimbursable, and shall request, but may not require, updated information after that is needed.
2. For children enrolled in medical assistance or Minnesota Care who have no other health coverage, Fisher Public School District #600 shall provide an initial written notice to the enrolled child's parent or legal representative of its intent to seek reimbursement from medical assistance or Minnesota Care for the individual education plan health-related services provided by the district.
3. Fisher Public School District #600 shall give the parent or legal representative annual written notice of:
 - a. Fisher Public School District #600 intent to seek reimbursement from medical assistance or Minnesota Care for individual education plan health-related services by the district;
 - b. The right of the parent or legal representative to request a copy of all records concerning individual education plan health-related services disclosed by the district to any third party; and
 - c. The right of the parent or legal representative to withdraw consent for disclosure of a child's records at any time without consequence.

The written notice shall be provided as part of the written notice required by Code of Federal Regulations, title 34, section 300.504.

4. In order to access the private health care coverage of a child who is covered by private health care coverage in whole or in part, a district must:
 - a. Obtain annual written informed consent from the parent or legal representative
 - b. Inform the parent or legal representative that a refusal to permit the district or State Medicaid agency to access their private health care coverage does not relieve the district of its responsibility to provide all services necessary to provide free and appropriate public education at no cost to the parent or legal representative.
5. If the commissioner of human services obtains Federal approval to exempt covered individual education plan health-related services from the requirement that private health care coverage refuse payment before medical assistance may be billed, paragraphs B, C, and D shall also apply to students with a combination of private health care coverage and health care coverage through medical assistance or Minnesota Care.
6. In the event that Congress or and Federal agency or the Minnesota legislature or any State agency establishes lifetime limits, limits for any health care services, cost-sharing provisions, or otherwise provides that individual education plan health-related services impact benefits for persons enrolled in medical assistance or Minnesota Care, the amendments to this subdivision adopted in 2002 are repealed on the effective date of any Federal or State law or regulation that imposes the limits. In that event, districts must obtain informed consent consistent with this subdivision as it existed prior to the 2002 amendments and subdivision 5, before seeking reimbursement for children enrolled in

medical assistance under Chapter 256B or Minnesota Care under Chapter 256L who have no other health care coverage.

- B. Of the reimbursements received, districts may:
- a. Retain an amount sufficient to compensate the district for its administrative costs of obtaining reimbursements;
 - b. Regularly obtain from education and health-related entities training and other appropriate technical assistance designed to improve the district's ability to determine which services are reimbursable and to seek timely reimbursement in a cost-effective manner; or
 - c. Reallocate reimbursements for the benefit of students with special needs in the district.
- C. To the extent required by Federal law, a school district may not require parents of children with disabilities, if they would incur a financial cost, to use private or public health coverage to pay for the services that must be provided under an individual education plan.
- D. When obtaining informed consent to bill health plans for covered services, the school district must notify the legal representative 1) that the cost of the person's private health insurance premium may increase due to providing the covered service in a school setting, 2) that the school district may pay certain enrollee health plan costs, including but not limited to, co-payments, coinsurance, deductibles, individual service plan, or individual family service plan, and 3) that the school's billing for each type of covered service may affect service limits and prior authorization thresholds. The informed consent may be revoked in writing at any time by the person authorizing the billing of the health plan.
- E. To the extent required by Federal law, no school district may deny, withhold, or delay any service that must be provided under an individual education plan because a family has refused to provide informed consent to bill a health plan for services or a health plan company has refused to pay any, all, or a portion of the cost of services billed.
- F. A school district may disclose information contained in a student's individual education plan consistent with paragraph A1., including records of the student's diagnosis and treatment, to a health plan company only with the signed and dated consent of the student's parent, or other legally authorized individual. The school district shall disclose only that information necessary for the health plan company to decide matters of coverage and payment. A health plan company may use the information only for making decisions regarding coverage and payment, and for any other use permitted by law.
- G. Nothing in this section relieves an insurer or similar third party from an otherwise valid obligation to pay, or changes the validity of an obligation to pay, for services rendered to a child with a disability and the child's family.
- H. A county human services agency and county board must continue to provide services set forth in their county social service agency plan. The county human services agency or county board must serve children with disabilities under age five and their families, or as specified in the Individual Family Service Plan for children with disabilities, birth through age two, or the individual service plan of each child. Special instruction and related services for which a child with a disability is eligible under this section are the responsibility of the local school board to coordinate, provide, and pay for all appropriate services required in Minn.Stat.1256A.29 and to facilitate payment for services from public and private sources.