

Special Education State Complaint Form Instructions

A special education state complaint is a formal request to the Minnesota Department of Education (MDE)'s dispute resolution team to investigate alleged violations of Part B or Part C of the Individuals with Disabilities Education Act (IDEA) and/or Minnesota special education law. An organization or individual may file a signed written complaint. The alleged violations must have occurred within one year of the date MDE receives the complaint.

MDE's dispute resolution team does not have the authority to investigate issues about children who do not have a disability or a suspected disability. If the child does not have a disability or a suspected disability, please rely on the corresponding resources below.

Type of Issue	Resources
Section 504 eligibility and Section 504 plans	US Department of Education's Office for Civil Rights (OCR) ocr@ed.gov or 303-844-5695
Discrimination or harassment	Minnesota Department of Human Rights info.mdhr@state.mn.us or 651-539-1100 US Department of Education's Office for Civil Rights (OCR) ocr@ed.gov or 303-844-5695
Allegations of student maltreatment, abuse, or neglect	MDE's Student Maltreatment Program MDE.student-maltreatment@state.mn.us or 651-582-8546
Professional conduct of educators	Professional Educator Licensing and Standards Board (PELSB) pelsb@state.mn.us or 651-539-4200
Professional conduct of school administrators	Minnesota Board of School Administrators (BOSA) info.bosa@state.mn.us or 651-582-8888
Bullying and school climate concerns	MDE's School Safety Technical Assistance Center (SSTAC) SSTAC.MDE@state.mn.us or 651-582-8364
Family Educational Rights and Privacy Act (FERPA) and/or the Minnesota Government Data Practices Act	MINNESOTA Department of Administration's Data Practices Office info.dpo@state.mn.us or 651-296-6733 MDE's data practices team MDE.datapractices@state.mn.us US Department of Education's Student Privacy Policy Office (SPPO) FERPA.Complaints@ed.gov or 1-855-249-3072
Charter school and/or authorizer concerns (not related to a student's receipt of special education and related services)	MDE's Charter Center MDE.charterschools@state.mn.us or 651-582-8297
Fraud, waste, and abuse of public funds administered by MDE	MDE's Office of the Inspector General MDE.OIG.Tipline@state.mn.us or 833-819-8090

Steps to consider before filing a special education state complaint

Before filing a special education state complaint, MDE encourages parents and school districts or other public agencies to continue to work together directly to resolve their differences. [Find your special education director.](#)

If the dispute cannot be resolved by working together directly, consider alternative dispute resolution options. MDE supports the use of mediation or facilitated team meetings to resolve disputes and build cooperative, collaborative relationships. MDE provides neutral, trained professionals for these processes at no cost to parents and school districts or other public agencies. Alternative dispute resolution processes are voluntary. Please contact

redacted for more information or [visit MDE's Conflicts in Special Education web page.](#)

Special education state complaint requirements

An organization or individual may file a signed written special education state complaint. The complaint must include:

1. A statement that a school district or public agency has violated Part B or Part C of the IDEA, or state special education law;
2. The facts on which the statement is based;
3. The signature and contact information for the complainant; and
4. If alleging violations with respect to a specific child—(i) the name and address of the residence of the child; (ii) the name of the school the child is attending; (iii) in the case of a homeless child or youth, available contact information for the child, and the name of the school the child is attending; (iv) a description of the nature of the problem of the child, including facts relating to the problem; and (v) a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.
5. The complaint must allege a violation that occurred within one year of the date MDE receives the complaint.
6. The party filing the complaint must forward this complaint to the school district or other public agency at the same time the complaint is submitted to MDE. MDE will also provide the school district or other public agency with a copy upon receiving the complaint.

Special Education State Complaint Form

If you believe that a school district or other public agency has violated a requirement of Part B or Part C of the Individuals with Disabilities Education Act (IDEA) and/or Minnesota special education law, you may file a signed written complaint with the Minnesota Department of Education (MDE)'s dispute resolution team. **You are not required to use this form**; however, MDE has designed this form to include the information required to begin the investigation. Once you submit your complaint to MDE, a member of the dispute resolution team will contact you.

Please check this box if you need a language interpreter. Please specify language _____.

Please check this box if you need a reasonable accommodation under the Americans with Disabilities Act (ADA) for this process or contact MDE at redacted or redacted.

1. Child Information

Name redacted redacted Grade 7th Birthdate redacted

Address redacted redacted

City Prior Lake State redacted Zip Code redacted

Name of the school or public agency the child attends redacted Middle School

Name of the school district or public agency this complaint is against ISD 719, redacted

(Optional) Does the child have an individualized education program (IEP) or individualized family service plan (IFSP)?

Yes (While not required, it is helpful if you submit a copy of the most recent IEP or IFSP along with this form.)

No

2. Complainant Information

Name redacted redacted Phone Number(s) redacted redacted

Address (if different from the child's) _____

City _____ State _____ Zip Code _____ Email _____

(Optional) Your relationship to the child Father

3. Complaint Information

a. Statement of alleged violation including facts supporting your allegation:

Did the alleged violation occur within the past year? Yes No

Describe the allegation (e.g., “The teachers are not following my child’s IEP.”). **Include a description of the event(s), date(s), and document(s) that support your allegation** (e.g., “My child’s IEP states my child will be seated in the front of class; my child was seated in the back when I visited my child’s class yesterday.”)

Details are in attached special education complaint packet

(Attach separate page with additional information if needed.)

b. Proposed resolution of the problem:

Describe your proposal or suggestion to resolve the alleged violation to the extent known and available to you (e.g., “I want my child’s teachers to receive training.”)

Details are in attached special education complaint packet

4. Notice of Complaint

You are required to forward this complaint to the school district or other public agency at the same time the complaint is submitted to MDE. MDE will also provide the school district or other public agency with a copy upon receiving the complaint.

Date you sent the complaint to the school district or other public agency (mm/dd/yyyy). 05/18/2026

Name of person/title to whom you sent the complaint (e.g., Superintendent, Special Education Director).

Superintendent, School Board

5. Mediation and Facilitated Team Meetings

Mediation and facilitated team meetings are available to resolve disagreements about a child’s special education program with the assistance of an impartial third party. A trained mediator or facilitator helps parents and public agencies work toward a mutual solution to their differences while keeping the focus on the child’s needs. These processes are voluntary, available at no cost to parents and public agencies, and provide a less adversarial process for resolution. More information about mediations may be found on [MDE’s Mediation page](#), and more information about facilitated team meetings may be found on [MDE’s Facilitated Team Meetings page](#).

6. Signature (Type your name here or print out and sign. Electronic signatures are accepted.)

redacted redacted

05/18/2026

Signature of Person Filing Complaint

Date (mm/dd/yyyy)

If you have any questions about the special education state complaint process or this form, please contact:

Minnesota Department of Education
Special Education Dispute Resolution Supervisor
Office of General Counsel
400 NE Stinson Blvd., Minneapolis, MN 55413

redacted redacted (TTY) redacted (Fax)

To Submit your Complaint:

Please **email** your complaint to redacted or **mail** your complaint to the above address.

Special Education State Complaint

Prepared for filing: May 18, 2026

Complainant: [redacted] parent/legal guardian

Student: [redacted] / [redacted]

District/Public Agency: Prior Lake-Savage Area Schools, ISD 719

School: [redacted]

Nonpublic placement at issue: [redacted] Prior Lake, Minnesota

Prior MDE matter: Complaint #26-226C, dismissed May 15, 2026

Complaint Summary

I am filing this as a special education state complaint alleging violations of Child Find, evaluation, prior written notice, and disability-related school access obligations under IDEA and Minnesota special education law.

This complaint does not ask MDE to decide Title IX, bullying, student discipline, FERPA, Minnesota Government Data Practices Act, criminal-law, or maltreatment claims as standalone issues. Those facts are included only where they show that PLSAS had notice of suspected disability-related educational need, school-access impairment, treatment-related absence, participation barriers, and continuing refusal to coordinate safe educational access.

MDE dismissed Complaint #26-226C on May 15, 2026 because MDE concluded the earlier filing did not allege a violation of federal or state special education law. The dismissal did not identify timeliness as the basis for closure and stated that I may file a new special education state complaint if I have additional or new information regarding the student's special education services. This complaint is that newly framed Child Find, evaluation, and access complaint.

Timeliness and Jurisdiction

I recognize MDE's one-calendar-year state complaint rule. Some source facts showing District notice began in November 2024. To the extent MDE concludes that some events are outside the one-year window, I ask MDE to consider those facts as background and as necessary context for timely issues, including:

1. delayed discovery caused by the District's control of source records and disputed summaries;
2. District-caused delay through prolonged investigation processes, [redacted]/incomplete data productions, disputed appeal-rights positions, record-correction disputes, and shifting explanations;
3. parentally placed private-school Child Find responsibility during the January-June 2025 [redacted] in Prior Lake;
4. timely clinical corroboration from the July 2025 neuropsychological evaluation; and
5. the District's continuing refusal through at least May 18, 2026 to coordinate safety/reentry/access planning or provide the records and notice needed to use the District's appeal process.

I am not asking MDE to decide FERPA or MGDPA record-correction claims. I ask MDE to consider the record-correction history only for timing and reliability. The disputed statements went directly to core Child Find/access facts: whether the student was withdrawn or still receiving District-coordinated services, whether PLSAS had early notice of health/safety-based nonattendance, and whether the parent refused to cooperate or requested trauma-informed participation accommodations.

The record dispute is material to this special education complaint because PLSAS continued to maintain and rely on a disputed narrative after receiving specific contrary evidence. PLSAS denied correction of that narrative, failed to carry forward my disagreement in the records located to date, and still has not produced the original source email/audit trail needed to test its no-notice and late-notice position. I do not ask MDE to decide whether that was intentional spoliation. I ask MDE not to permit PLSAS to use its missing or incomplete records as proof that it lacked notice of suspected disability, safety-based nonattendance, treatment-related absence, or reentry/access needs.

If MDE concludes that it lacks state complaint jurisdiction due to timeliness, I request that the dismissal clearly identify that the reason is timeliness, not absence of a suspected disability or absence of special education allegations.

Legal Basis

IDEA Child Find requires public agencies to identify, locate, and evaluate children suspected of having disabilities and needing special education and related services, including children advancing from grade to grade. See 34 C.F.R. § 300.111.

Either a parent or public agency may initiate an initial evaluation to determine whether the child is a child with a disability and to determine the child's educational needs. See 34 C.F.R. § 300.301.

Before conducting an initial evaluation, a public agency must provide notice and obtain informed parent consent. See 34 C.F.R. § 300.300. Federal prior-written-notice rules also require written notice when a public agency proposes or refuses to initiate or change identification, evaluation, educational placement, or provision of FAPE. See 34 C.F.R. § 300.503.

IDEA disability categories include emotional disturbance, traumatic brain injury, and other health impairment. See 34 C.F.R. § 300.8. Minnesota's corresponding eligibility framework includes emotional or behavioral disorders, other health disabilities, and traumatic brain injury. See Minn. R. 3525.1329, 3525.1335, and 3525.1348. I do not ask MDE to determine eligibility in this complaint; I identify these categories to explain why concussion/TBI symptoms, [redacted] and [redacted] crisis, PHP-level treatment, attention/concentration impairment, and school-access avoidance created suspected-disability notice requiring Child Find and evaluation consideration.

Minnesota Rule 3525.2710 requires a full individual initial evaluation before initial special education services and requires evaluation in all areas of suspected disability, including health, social/emotional status, academic performance, communication, and motor abilities where appropriate.

Minnesota Rule 3525.3600 requires prior written notice when a district proposes or refuses to initiate or change identification, evaluation, educational placement, or provision of FAPE. When the notice only refuses a request, it must be served within 14 calendar days of the request.

Minnesota Statute § 125A.56 may not be used to deny a pupil's right to a special education evaluation.

For parentally placed private-school students, 34 C.F.R. § 300.131 requires the LEA where the private school is located to locate, identify, and evaluate children with disabilities enrolled by their parents in private, including religious, elementary and secondary schools located in the district served by the LEA.

MDE's care-and-treatment guidance describes children's day treatment as a site-based [redacted] program for children whose emotional and behavioral challenges make it difficult to succeed in school, and states that part of each school day is devoted to academic instruction by licensed teachers. Minnesota Rule 3525.2325 also requires screening and consideration of prereferral interventions or special education evaluation for regular education students placed in care-and-treatment education programs when disability status cannot be determined. I cite these authorities to show why PLSAS's notice of PHP-level treatment, care/treatment transportation, and multiweek absence required documented educational planning and evaluation consideration; I do not claim PHP automatically created IDEA

eligibility.

Relevant Source Facts

On October 29, 2024, District Incident Detail ID 73528 documented physical aggression/contact in a classroom, including that another student picked up a stool and hit [redacted] on the side of the head twice. See Exhibit 3, MDE-EX1-0012 through MDE-EX1-0044.

Medical records corroborated significant health and educational-access concerns. The October 29, 2024 St. Francis after-visit summary listed head injury and post-concussion syndrome, CT head imaging, Zofran for nausea/vomiting, and PT evaluation/treatment for concussion. The November 4, 2024 ED follow-up again listed head injury/vomiting and diagnosed post-concussive syndrome and nausea/vomiting. The November 5, 2024 PT evaluation documented concussion, reported chair strikes at school, difficulty attending school after the injury, nurse-office involvement, partial-day attendance, parent safety concerns about returning, cognitive rest/limited screen time/no vigorous or contact activity, and symptoms affecting concentration, memory, balance, vision, sleep, nausea, fatigue, and school participation. See Exhibit 4, MDE-EX1-0045 through MDE-EX1-0050.

On November 1, 2024, parents gave PLSAS written notice of concussion/head injury, [redacted] and [redacted] crisis, PHP referral, fear-based inability to attend safely, ongoing physical and peer-abuse concerns, educational-impact concerns, and a need for concrete safety steps and reintegration support. See Exhibit 2, MDE-EX1-0002 through MDE-EX1-0011. On November 4, 2024, parents stated that [redacted] had already missed four days due to injury and/or lack of safety assurances.

On November 5, 2024, the family notified HOMS attendance that [redacted] was absent due to health, wellbeing, and safety. On November 6, 2024, a District counselor notified teachers that [redacted] would be absent for four weeks and exempted assignments beginning October 30. PLSAS also processed a Special Transportation Request Form connected to PrairieCare/PHP, using a District form whose reason categories include IEP, 504, and Care and Treatment. See Exhibit 3, MDE-EX1-0012 through MDE-EX1-0044.

PrairieCare testing during PHP documented post-concussive syndrome, [redacted] [redacted] poor concentration, school bullying/assault context, [redacted] [redacted] [redacted] [redacted] and recommended school accommodations for reintegration accounting for cognitive profile, [redacted] and social needs. See Exhibit 5, MDE-EX1-0051 through MDE-EX1-0057.

PLSAS did not propose an initial special education evaluation, seek parent consent for evaluation, issue prior written notice refusing evaluation, document a child-study/special education referral, document a homebound/alternative instruction plan, or implement a documented reentry/safety/access plan.

The family did not notify PLSAS of transfer/non-reenrollment until January 4, 2025. That notice followed more than two months of unresolved safety/access concerns, PHP-level treatment, District transportation coordination, assignment exemptions, and parent reentry requests. On January 7, 2025, parents stated that the District's failure caused missed school and forced private enrollment at family expense.

On January 8, 2025, PLSAS stated that [redacted] was no longer enrolled and that if she re-enrolled, the District would work with the family to determine necessary safety measures. See Exhibit 7, MDE-EX1-0064 through MDE-EX1-0066. The HOMS summary likewise used conditional language that safety measures and accommodations would be implemented "should [redacted] have returned to school." See Exhibit 8, MDE-EX1-0067 through MDE-EX1-0068. That conditional language confirms no concrete reentry/safety/access plan was implemented during the period when PLSAS knew the student was still enrolled, absent for health/safety/PHP reasons, and expected to return from PHP.

PLSAS had reason to know the family placed [redacted] at [redacted] in Prior Lake. District-produced records show [redacted] staff stating on November 11, 2024 that [redacted] had recently enrolled elsewhere and that school records had been sent, and a December 3, 2024 internal records-request chain stating that records were

requested for [redacted] because she was looking to enroll at [redacted] this year." [redacted] show [redacted] was participating in [redacted] by mid-January 2025, including a January 21 teacher email providing a Google Classroom code and stating [redacted] could take an end-of-quarter test but would not be expected to know everything from the beginning of the quarter.

MDE's Organization Reference page for [redacted] lists the school as a nonpublic school in Prior Lake, gives the physical address as [redacted] [redacted] Prior Lake, Minnesota, and identifies the public representative of the nonpublic school as Prior Lake-Savage Area Schools. See Exhibit 17, MDE-EX1-0100 through MDE-EX1-0101. During the [redacted] school records showed continuing functioning concerns, including April 2025 school-observed [redacted] indicators, [redacted] schedule concerns, a class-period change, a school request asking what else could support and care for [redacted] during the school day, and May 2025 grade/support emails showing F/D-/F grades, missing assignments, incomplete work, and teacher offers of support. [redacted] communications identify June 3, 2025 as the K-7 last day of school.

The July 2025 neuropsychological evaluation diagnosed [redacted] and [redacted] and recommended school accommodations and evaluation for IEP or 504. It reported that, after PHP, [redacted] transitioned to [redacted] completed the last weeks of school at home with school approval, had low grades, struggled to stay on top of schoolwork, and felt too overwhelmed to start assignments. The report found [redacted] and [redacted] and day-to-day executive-function impairment affecting school. See Exhibit 18, MDE-EX1-0102 through MDE-EX1-0115. This report was not provided to PLSAS as notice at the time; it is offered as timely clinical corroboration that the disability-related school-access and cognitive concerns were real, persisted through July 2025, and were the kinds of issues a timely PLSAS [redacted] Child Find evaluation would have examined.

[redacted] later implemented a formal 504 plan for [redacted] [redacted] [redacted] and [redacted] substantially limiting concentration/learning. See Exhibit 19, MDE-EX1-0116 through MDE-EX1-0117. This is not offered as retroactive proof of IDEA eligibility. It corroborates disability-related school-functioning limits and accommodations. Later stronger grades occurred in a different school setting after treatment, supports, family effort, and [redacted] substantial work; they do not erase the earlier acute PLSAS-period impact on attendance, access, participation, concentration, assignments, and reentry.

On May 6, 2025, I requested correction of PLSAS records that characterized me as declining the student interview and suggested safety concerns arose only after withdrawal. The request cited the student's [redacted] [redacted] context, requested trauma-informed participation, cited the November 5 safety/wellbeing absence notice, the November 6 four-week absence and assignment exemption, and District transportation to PrairieCare. On May 27, 2025, PLSAS denied the correction request and determined the data to be correct, complete, not inaccurate, and not misleading. On May 28, 2025, I asked whether PLSAS would include the request/statement of disagreement and requested records generated by the investigation validating the disputed facts. On June 12, 2025, PLSAS stated that FERPA's statement-of-disagreement provision did not apply absent a FERPA hearing and asserted that it had provided all records generated by the validation investigation. The April 22, 2026 production still did not identify a standalone statement of disagreement attached to the disputed HOMS or Title IX summaries.

The May 6 correction request was not a generalized disagreement. It specifically targeted PLSAS's HOMS/Title IX dismissal narrative, including the statements that the parent declined participation and that safety concerns were raised only after withdrawal. I identified the contrary timeline and supporting evidence, asked PLSAS to correct the records or explain its refusal, and asked that my disagreement be maintained with the education record if correction was denied. PLSAS denied the correction request and maintained the disputed record as correct, complete, not inaccurate, and not misleading.

The original Nov. 1/4 source email and related audit trail remain central. PLSAS later acknowledged that the original email chain was filtered/quarantined or not delivered to [redacted] inboxes, while still maintaining a record narrative that depended on late notice, noncooperation, and withdrawal. I repeatedly requested the original email, message logs, filtering/quarantine records, and audit records. On June 1, 2025, I again requested the content of the original email containing the Title IX complaint and the audit confirming quarantine, and I stated that the records had been requested while Google retention records should still have existed. PLSAS has not produced a complete source

record/audit trail sufficient to test its explanation. This makes the District-controlled record materially unreliable for determining notice, access, withdrawal, and delayed discovery.

In April 2026, I submitted targeted data-subject requests for the Incident ID 73528 records, the Title IX Summary Report records, and the HOMS Investigation Summary records, including all records where [REDACTED] or I were data subjects. PLSAS confirmed receipt and later stated that its April 22, 2026 production "concludes all of the responsive data the District holds" for those requests. That production did not include any standalone record showing Child Find review, special education evaluation consideration, prior written notice, homebound/alternative instruction planning, or an implemented safety/reentry/access plan. See Exhibit 14, MDE-EX1-0089 through MDE-EX1-0092.

The record located to date includes at least 22 parent-sent messages seeking updates, coordination, safety information, reentry planning, status, investigation progress, or an explanation of the District's plan. Despite those repeated requests, PLSAS's responsive production and completeness statements do not identify a single email, meeting note, phone log, meeting invitation, or internal coordination record showing that the key District actors meaningfully discussed those reentry/safety/access requests with me, with [REDACTED] or internally among themselves. I offer this as a record-production and reliability fact: if such meetings, calls, or internal discussions occurred, PLSAS has not produced or identified records showing them in response to the targeted requests.

On May 13, 2026, I again placed the District on written notice that its ongoing refusal to provide a documented safety plan as of May 12, 2026 continued to deny access to public education. I stated that the District's position required [REDACTED] to return to the same environment before safety measures would even be discussed. Robert Cothorn responded the same day that, per legal guidance, because I had filed MDE and OCR complaints, the District would respond in those proceedings when appropriate, and that the appeal was untimely and denied. He did not address or offer to coordinate a safety/reentry/access plan. I followed up on May 13, May 15, May 16, and May 18, 2026 requesting the records and notice supporting the appeal-timeliness position. The located record contains no substantive safety-plan coordination after the May 13 refusal/deferral and May 13-18 follow-ups. See Exhibits 15 and 16, MDE-EX1-0093 through MDE-EX1-0099.

The absence of a formal prior written notice should not be treated as proof that no special education refusal occurred. The family was repeatedly seeking the precursor steps necessary to identify, evaluate, and resolve the suspected disability-related access problem: coordination, safety/reentry planning, usable participation procedures, source records, appeal/right-to-notice information, and the District's actual plan. PLSAS responded by maintaining the disputed record, denying correction, asserting completeness of productions, limiting or redirecting process, and later stating that it would respond in MDE/OCR proceedings when appropriate. A public agency should not avoid prior-written-notice obligations by refusing to treat repeated disability-related access and reentry requests as requests requiring special education evaluation consideration.

Alleged Violations

Count 1: Child Find / Failure to Evaluate After Actual Notice of Suspected Disability

PLSAS had reason to suspect disability and educational need by early November 2024. The District had notice of concussion/post-concussive symptoms, [REDACTED] crisis, PHP-level treatment, school-related fear/safety barriers, prolonged absence, cognitive and academic impact, assignment exemptions, and need for reintegration support. These facts were enough to trigger documented Child Find review and consideration of an initial special education evaluation in areas including health/TBI, social-emotional status, [REDACTED] attention/concentration, attendance/access, and academic impact.

The evidence supporting this count includes the Nov. 1 parent notice, Nov. 5/6 absence and assignment records, medical/PHP records, the [REDACTED] nonpublic-school record, the July 2025 neuropsychological evaluation, and the later 504 plan corroborating concentration/learning limits. See Exhibits 2, 3, 4, 5, 17, 18, and 19, MDE-EX1-0002 through MDE-EX1-0057 and MDE-EX1-0100 through MDE-EX1-0117.

PLSAS did not propose evaluation, seek consent, issue prior written notice refusing evaluation, or document a special education referral process, despite Child Find, initial-evaluation, parent-consent, and prior-written-notice duties under 34 C.F.R. §§ 300.111, 300.300, 300.301, and 300.503 and Minn. R. 3525.2710 and 3525.3600.

To be clear, this count does not depend on proving that I used the exact words "special education evaluation" in November 2024. Child Find is triggered by suspected disability and educational need. Alternatively, once PLSAS received repeated disability-related safety, reentry, treatment-absence, and participation-access requests, it should have documented evaluation consideration and issued prior written notice if it refused to initiate or change identification, evaluation, placement, or FAPE-related access planning.

Requested finding: PLSAS violated Child Find and evaluation obligations by failing to identify, refer, evaluate, or issue prior written notice after actual notice of suspected disability-related educational impact.

Count 2: Failure to Consider Educational Services During Treatment-Related Absence

PLSAS knew by November 6, 2024 that [REDACTED] would not attend [REDACTED] for four weeks. It addressed the disruption by exempting assignments, but the produced record does not identify homebound instruction, alternative instruction, care-and-treatment education coordination, special education evaluation, 504 referral, or reentry instruction planning.

The issue is not that PHP automatically required an IEP. The issue is that PLSAS knew the absence was connected to concussion symptoms, [REDACTED] treatment, safety-based inability to attend, and parent concerns about educational loss. Assignment exemptions were not a substitute for documented evaluation consideration, instruction planning, care/treatment education coordination, or school reintegration supports. See Exhibits 3, 4, and 5, MDE-EX1-0012 through MDE-EX1-0057.

Requested finding: PLSAS violated special education obligations by failing to consider whether the suspected disability-related treatment absence required evaluation, services, instruction planning, or other educational access supports.

Count 3: Failure to Coordinate Safe Reentry / Disability-Related Access Plan

Parents requested reintegration planning on November 1, 2024. PLSAS later stated on January 8, 2025 that [REDACTED] was no longer enrolled and that if she re-enrolled, the District would work with the family to determine necessary safety measures. The HOMS summary similarly stated that safety measures and accommodations would be implemented should [REDACTED] return. That conditional wording shows the District did not implement a concrete reentry/safety/access plan when the student was enrolled, absent for health/safety/PHP reasons, and expected to return from PHP.

The refusal continued. On May 13, 2026, I expressly identified the District's current refusal to provide a documented safety plan, the continuing denial of access to public education, and the District's position that [REDACTED] must return to the same environment before safety measures would be discussed. The District did not offer to meet, route the issue to special education, initiate evaluation consideration, or coordinate a reentry/access plan. It denied the appeal as untimely and deferred to MDE/OCR proceedings. See Exhibits 2, 6, 7, 8, 15, and 16, MDE-EX1-0002 through MDE-EX1-0011, MDE-EX1-0058 through MDE-EX1-0068, and MDE-EX1-0093 through MDE-EX1-0099.

The repeated-request record matters to this count. The family did not merely make one vague request and then withdraw. The located record includes at least 22 parent-sent messages seeking coordination, updates, safety information, reentry planning, or the District's plan, while the District's own responsive production and completeness statements do not identify any corresponding internal or parent-facing reentry/safety/access planning process.

Requested finding: PLSAS violated special education Child Find/evaluation/access obligations by failing to develop or even consider a documented disability-related reentry and school-access plan after repeated notice of suspected disability-related barriers.

Count 4: Constructive Exclusion / Withdrawal Cannot Defeat Child Find

The family did not notify PLSAS of transfer/non-reenrollment until January 4, 2025, after more than two months of unresolved safety/access concerns, PHP-level treatment, transportation coordination, assignment exemptions, and reentry requests. A district should not be allowed to avoid Child Find by waiting until a family removes a student because access barriers remain unresolved.

The parentally placed private-school rule further weakens any withdrawal defense. The family placed [redacted] at [redacted] [redacted] in Prior Lake, and MDE identifies Prior Lake-Savage Area Schools as the public representative of that nonpublic school. The relevant question continued after January 2025: did PLSAS locate, identify, and evaluate a parentally placed private-school student at [redacted] whom it already knew had suspected disability-related school-access needs? The current source record does not identify any such evaluation coordination during the [redacted]

I am not claiming that parentally placed private-school status automatically entitled [redacted] to a full PLSAS IEP or all services she would have received if enrolled in public school. I am claiming the narrower Child Find duty to locate, identify, and evaluate. Nor do I claim the family made a separate formal evaluation request to PLSAS after [redacted] [redacted]. The point is that PLSAS already had actual notice of suspected disability-related school-access needs before the transfer, knew or had reason to know the family placed [redacted] at [redacted] in Prior Lake, and its own production does not show any comparable child-find outreach, referral, consultation, or evaluation coordination during that parentally placed private-school period.

Requested finding: PLSAS violated Child Find and access obligations before withdrawal and cannot use the January 2025 transfer as a defense to the earlier failure to evaluate, plan, or provide appropriate educational-access consideration. To the extent MDE treats the [redacted] separately, PLSAS also had parentally placed private-school Child Find duties under 34 C.F.R. § 300.131. See Exhibits 2, 3, 7, 17, and 18, MDE-EX1-0002 through MDE-EX1-0044, MDE-EX1-0064 through MDE-EX1-0066, and MDE-EX1-0100 through MDE-EX1-0115.

Supporting Context: Failure to Treat Participation Barriers as Child Find/Reentry Notice

PLSAS treated student nonparticipation in internal interviews as noncooperation even though parents had explained the student's age, [redacted redacted] status, trauma concerns, and need for a trauma-informed process. The District denied a CornerHouse/neutral trauma-informed interview path and offered internal interview, virtual meeting, or written responses that the District directed toward hard-copy delivery because of email quarantine issues.

This is not presented as a Title IX interview-procedure claim. It is included because the same disability-related barriers that affected interview participation also affected safety planning, school access, and reentry. When PLSAS received notice that the student could not safely participate in the District's ordinary process because of [redacted redacted] status, trauma concerns, and fear-based access barriers, that notice should have been treated as part of the Child Find and reentry/access picture, not simply as noncooperation. See Exhibits 6, 8, 9, 10, 11, 12, and 13, MDE-EX1-0058 through MDE-EX1-0063 and MDE-EX1-0067 through MDE-EX1-0088.

Requested consideration: PLSAS failed to recognize and address disability-related participation barriers as notice of suspected disability-related access and reentry needs, supporting the Child Find, evaluation, and reentry findings requested in Counts 1 through 3.

Jurisdiction and Corrective-Action Context: Procedural Trap / Effective Pathway to Resolve Access Barriers

This section is not presented as a standalone Title IX, FERPA, MGDPA, or local appeal-procedure violation. It is relevant to MDE's timeliness, record-reliability, and corrective-action analysis because the District's failure to provide an effective procedural pathway, followed by its assertion that the appeal was untimely, left the safety/access issues

unresolved and prevented the family from using the District's process to obtain corrective action or safe reentry planning.

For MDE purposes, the point is that the District used a procedural/timeliness position to keep the underlying safety and access issues unresolved, while declining to coordinate a safety plan or reentry/access process and while continuing to rely on disputed records. See Exhibits 12, 13, 14, 15, and 16, MDE-EX1-0085 through MDE-EX1-0099.

Requested consideration: PLSAS's procedural/timeliness posture contributed to continuing unresolved school-access barriers and should be considered as context for the Child Find/reentry/access violation, delayed discovery, District-caused delay, and corrective-action analysis.

Requested Corrective Action

I request that MDE:

1. find that PLSAS violated Child Find/evaluation obligations by failing to initiate or consider a special education evaluation after actual notice of suspected disability-related educational impact;
2. find that PLSAS failed to provide prior written notice if it implicitly refused to evaluate or consider special education identification;
3. determine whether PLSAS had parentally placed private-school Child Find responsibility for [redacted] while she attended [redacted] in Prior Lake, and if so, whether PLSAS failed to identify, locate, evaluate, or coordinate evaluation after actual prior notice of suspected disability-related educational need;
4. require PLSAS to provide staff training on Child Find for students with [redacted] crisis, [redacted] concussion/TBI indicators, PHP/care-and-treatment absence, school avoidance/refusal, and safety-based inability to attend;
5. require PLSAS to adopt or revise procedures requiring documented special education referral consideration when a student is absent for multiple weeks due to PHP/day treatment, when the District arranges care/treatment transportation, or when parents report health/safety-based inability to attend;
6. require PLSAS to adopt a reentry-planning protocol after PHP/day treatment or [redacted] [redacted] absence, including evaluation consideration, instruction planning, and documented school-access supports;
7. find that the District's continuing refusal through at least May 18, 2026 to coordinate a safety/reentry/access plan after renewed notice supports treating the access violation as continuing or, at minimum, supports corrective action;
8. require PLSAS to provide the records and written explanation supporting its assertion that the parent's appeal was untimely, to the extent those records bear on unresolved school-access/safety planning and special education corrective action;
9. order child-specific corrective action, including compensatory education review and reimbursement consideration to the extent MDE's state complaint authority allows; and
10. require PLSAS to identify and produce any records showing it considered special education evaluation, homebound/alternative instruction, reentry planning, parentally placed private-school Child Find, or disability accommodations between November 1, 2024 and June 3, 2025; if no such records exist, require a written acknowledgment.

Exhibit Package

This consolidated filing includes an Exhibit Table of Contents followed by Bates-stamped exhibits. Complaint pages are Bates-stamped with the prefix MDE-COMP, the Exhibit Table of Contents is Bates-stamped with the prefix MDE-TOC, and exhibit pages are Bates-stamped with the prefix MDE-EX1.

The exhibit package is offered to show notice of suspected disability, school-access impairment, treatment-related absence, reentry/support needs, delayed discovery, District-caused delay, and continuing refusal to coordinate special education evaluation/access planning. The exhibits are not offered to ask MDE to decide Title IX, FERPA, MGDPA, discipline, criminal-law, or record-correction claims as standalone issues.

Signature

I certify that this complaint is true and correct to the best of my knowledge and belief.

redacted redacted

Parent/legal guardian

Date: May 18, 2026

Exhibit Table of Contents

MDE Special Education State Complaint - [redacted] parent/legal guardian

Primary filing: Special Education State Complaint (MDE-COMP-0001 - MDE-COMP-0009)

Index of Allegations and Supporting Evidence

The table below maps the complaint counts to the corresponding evidentiary exhibits and Bates-stamped page ranges.

Count & Allegation	Supporting Exhibit(s)	Key evidence / Bates range
Count 1: Child Find / failure to evaluate after actual notice	Exhibits 2, 3, 4, 5, 17, 18, 19	Initial disability notice, health/safety absence, concussion/PHP records, clinical corroboration, and later formal accommodations. MDE-EX1-0002 - MDE-EX1-0011; MDE-EX1-0012 - MDE-EX1-0044; MDE-EX1-0045 - MDE-EX1-0050; MDE-EX1-0051 - MDE-EX1-0057; MDE-EX1-0100 - MDE-EX1-0101; MDE-EX1-0102 - MDE-EX1-0115; MDE-EX1-0116 - MDE-EX1-0117
Count 2: Failure to consider educational services during treatment-related absence	Exhibits 3, 4, 5	District-produced absence/assignment exemption plus medical/PHP records showing suspected disability-related school disruption. MDE-EX1-0012 - MDE-EX1-0044; MDE-EX1-0045 - MDE-EX1-0050; MDE-EX1-0051 - MDE-EX1-0057
Count 3: Failure to coordinate safe reentry / disability-related access plan	Exhibits 2, 6, 7, 8, 15, 16	Parent reentry request, repeated coordination requests, quarantine/source-record barriers, District conditional safety-planning response, and live May 2026 refusal/deferral. MDE-EX1-0002 - MDE-EX1-0011; MDE-EX1-0058 - MDE-EX1-0063; MDE-EX1-0064 - MDE-EX1-0066; MDE-EX1-0067 - MDE-EX1-0068; MDE-EX1-0093 - MDE-EX1-0095; MDE-EX1-0096 - MDE-EX1-0099
Count 4: Constructive exclusion / withdrawal cannot defeat Child Find	Exhibits 2, 3, 7, 17, 18	Shows unresolved access barriers before withdrawal and PLSAS nonpublic-school child-find responsibility during [redacted] MDE-EX1-0002 - MDE-EX1-0011; MDE-EX1-0012 - MDE-EX1-0044; MDE-EX1-0064 - MDE-EX1-0066; MDE-EX1-0100 - MDE-EX1-0101; MDE-EX1-0102 - MDE-EX1-0115
Supporting context: participation barriers as Child Find/reentry notice	Exhibits 6, 8, 9, 10, 11, 12, 13	Records showing trauma-informed participation request, disputed noncooperation narrative, and refusal to correct or substantiate that narrative. MDE-EX1-0058 - MDE-EX1-0063; MDE-EX1-0067 - MDE-EX1-0068; MDE-EX1-0069 - MDE-EX1-0075; MDE-EX1-0076 - MDE-EX1-0079; MDE-EX1-0080 - MDE-EX1-0084; MDE-EX1-0085 - MDE-EX1-0086; MDE-EX1-0087 - MDE-EX1-0088
Jurisdiction/corrective-action context: procedural trap / effective pathway to resolve access barriers	Exhibits 12, 13, 14, 15, 16	Within-window correction denial, validation/source-record response, April 2026 production, and May 2026 appeal-timeliness/access dispute. MDE-EX1-0085 - MDE-EX1-0086; MDE-EX1-0087 - MDE-EX1-0088; MDE-EX1-0089 - MDE-EX1-0092; MDE-EX1-0093 - MDE-EX1-0095; MDE-EX1-0096 - MDE-EX1-0099

Master Exhibit List

All exhibits are included behind this table and use the Bates prefix MDE-EX1.

Exhibit #	Title and investigator relevance	Bates range
1	MDE dismissal of prior complaint. Why an investigator cares: Shows MDE dismissed on special-education framing and invited a new IDEA/Minnesota special-education complaint.	MDE-EX1-0001
2	Nov. 1, 2024 parent notice. Why an investigator cares: Direct notice of concussion, treatment/PHP context, educational impact, safety concerns, and reintegration needs.	MDE-EX1-0002 - MDE-EX1-0011
3	District-produced Nov. 5/6 absence and assignment records. Why an investigator cares: Shows the District knew the absence was tied to health, wellbeing, and safety, and exempted assignments while the student remained out.	MDE-EX1-0012 - MDE-EX1-0044
4	Concussion/PHP/school-access medical record. Why an investigator cares: Corroborates concussion symptoms, treatment schedule, school access limits, and accommodation/reentry concerns.	MDE-EX1-0045 - MDE-EX1-0050
5	PrairieCare testing and reintegration accommodations. Why an investigator cares: Documents cognitive symptoms, redacted context, and recommended school reintegration supports.	MDE-EX1-0051 - MDE-EX1-0057
6	Dec. 13 quarantine and participation-barrier thread. Why an investigator cares: Shows the missing source-email/audit issue and the District's hard-copy/mail direction for participation.	MDE-EX1-0058 - MDE-EX1-0063
7	Jan. 8 District response. Why an investigator cares: District acknowledges medical concussion accommodations and safety/reentry planning, but ties planning to reenrollment.	MDE-EX1-0064 - MDE-EX1-0066
8	Jan. 24 HOMS summary report. Why an investigator cares: Contains the disputed narrative later relied on by the District about participation, withdrawal, and timing of safety concerns.	MDE-EX1-0067 - MDE-EX1-0068
9	May 6 data-correction request. Why an investigator cares: Shows formal efforts to correct the HOMS/Title IX narrative and preserve disagreement with disputed records.	MDE-EX1-0069 - MDE-EX1-0075
10	May 6 Policy 506.1 due-diligence request. Why an investigator cares: Shows the parent asked the District to investigate its own decision basis and record support.	MDE-EX1-0076 - MDE-EX1-0079
11	May 6 weapons-policy source-record request. Why an investigator cares: Shows targeted request for the rationale and source records behind District safety/weapon-policy conclusions.	MDE-EX1-0080 - MDE-EX1-0084
12	May 27 District correction denial. Why an investigator cares: Within-window refusal maintaining the disputed record as accurate, complete, and not misleading.	MDE-EX1-0085 - MDE-EX1-0086
13	June 12 District validation/source-record response. Why an investigator cares: Shows the District's position on disagreement statements, validation records, withheld categories, and missing disclosure logs.	MDE-EX1-0087 - MDE-EX1-0088
14	April 2026 targeted data-request response thread. Why an investigator cares: Shows renewed request/production activity; the record set still does not show child find, evaluation, PWN, or reentry planning.	MDE-EX1-0089 - MDE-EX1-0092
15	May 13, 2026 renewed access/timeliness notice. Why an investigator cares: Shows current appeal-rights and timeliness dispute, and that the District's record position remained live within one year.	MDE-EX1-0093 - MDE-EX1-0095
16	May 15-18, 2026 follow-up on records and appeal timing. Why an investigator cares: Shows ongoing efforts to obtain a fair record and challenge delay before filing the MDE complaint.	MDE-EX1-0096 - MDE-EX1-0099
17	MDE OrgView: redacted Why an investigator cares: Shows redacted is within PLSAS for parentally placed nonpublic child-find context.	MDE-EX1-0100 - MDE-EX1-0101
18	July 2025 neuropsychological evaluation. Why an investigator cares: Within-window clinical corroboration of disability-related school functioning and IEP/504 evaluation recommendation.	MDE-EX1-0102 - MDE-EX1-0115
19	Nov. 2025 redacted 504 plan. Why an investigator cares: Corroborates later formal accommodations for concentration and learning limits.	MDE-EX1-0116 - MDE-EX1-0117