

FROM THE MN DEPARTMENT OF EDUCATION

Notice of Potential Disclosure of Student Records

On May 14, 2024, Chief Judge Schiltz preliminarily approved a class action settlement between the Minnesota Department of Education (MDE) and a group of students and/or their guardians represented by Minnesota Disability Law Center regarding compensatory education services for a group of Minnesota students described below:

All children (a) who are receiving or received special instruction and services pursuant to the Individuals with Disabilities Education Act and Minnesota Special Instruction laws from a local educational agency in Minnesota, (b) who became 21 years old after July 1, 2019, or will become 21 during the pendency of this action, (c) whose special instruction and services ended, or will end, on July 1 after their 21st birthday pursuant to Minn. Stat. § 125A.03(b), (d) whose special instruction and services ended, or will end, before they complete the graduation requirements to receive a regular high school diploma as defined in 34 C.F.R. 300.102(a)(3)(iv).

In accordance with that court order, MDE must disclose certain information about some former students in Minnesota whose birthdates are between July 1, 1998, through June 30, 2001, and who received special education services between July 1, 2019, and July 1, 2022, to the Claims Administrator: Continental DataLogix LLC. The Claims Administrator will use that information to identify former students who may fit the description above, and allow those former students to apply for compensatory education services. MDE plans to provide the Claims Administrator with the following information:

- Names of former students: (i) whose birthdates are between July 1, 1998, to June 30, 2001, (ii) who received special education services from a Minnesota school district or local education agency sometime between July 1, 2019, and July 1, 2022, and (iii) whose special education instructions or services were ended before the student turned 22 years old
- Birthdates of those same former students
- The name of the school district last attended by those same former students
- The last date of those same former students' status at the school

Those former students will be notified by the Claims Administrator of their eligibility and provided with a claims form. Any former student who fits the description in the first bullet point above and who does not want MDE to share the information described above with the Claims Administrator, must inform MDE that they object to MDE's disclosure. Please email kosettlement.MDE@state.mn.us for instructions on how to object and to let MDE know that it should not provide that information. All objections should be received by MDE before Monday, July 15, 2024.

Additional information about this settlement is available at <https://education.mn.gov>.

Additional inquiries can be made to MDE's Data Practices Compliance Official, Adam Heuett, at the email above, or at 651-582-8267.