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To: Rex Van de Kamp and Bree Van de Camp (Hodge)

Date: June 20, 2025

RE: School District Choice for Andrew and Danielle

Children Included in Decision: Andrew, currently age 5; Danielle, currently age 3.

Other Individuals Referenced in Decision: Maisy, Rex's partner; William (9 at the time of intake) and Sandy (11 at the time of intake), Maisy's children.

Background:

Rex and Bree were married on January 1, 2020 in Fairview, Eagle State, and divorced via Joint Petition, Agreement, and Judgment and Decree for Marriage Dissolution with Children ("Judgment and Decree") on January 1, 2025. The parties are parents of two children: Andrew, currently age 5, who will be entering Kindergarten in Fall of 2025, and Danielle, currently age 3, who will be entering Kindergarten in 2027. The parties enjoy an equal schedule with the children, following the below parenting time schedule, which is a typical 2/2/3 schedule:

F = Father; M= Mother

Week	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1&3	F	F	M	M	F	F	F
2&4	M	M	F	F	M	M	M

Conclusion of Law 4(J) states the following in reference to school choice: “The children shall continue to attend ISD 123, Fairview Schools. Neither parent may enroll a/the child in a different school or district without the express written consent of the other parent.”

Bree initially reached out to me on March 1, 2025, to seek a parenting consultant to help with a school choice issue. At that time, I collected basic information and confirmed my availability for a limited-scope engagement. On March 3, 2025, I provided information to both parties via email outlining my rates and procedures. On April 3, 2025, Rex provided me with his intake forms. I then contacted Bree to determine if there was an agreement to move forward, but she informed me she could not move forward at that point. Then, on May 13, 2025, Rex contacted me and stated the parties were in agreement to engage my services. I provided the parties with my fee agreement and scheduled a joint video call with both parents.

On April 20, 2025, I met with both parents via Zoom. I did an initial screening for domestic violence concerns, and finding none, spoke to both parents for approximately 30 minutes. We went over the background of their case and discussed what a parenting consultant does and their agreement to hire me for the sole purpose of making a decision on school choice. Both parents indicated agreement that although neither are currently represented by attorneys and I am unable to provide legal counsel, to include preparing a Model PC Appointment Order, my decision on this matter would be binding on both parties. After the initial meeting, I sent the parents a questionnaire seeking each parent’s detailed proposal on school choice. The parties returned their completed responses on May 10th, and I thoroughly reviewed their responses prior to scheduling individual meetings with each parent to address any follow-up questions I may have. I met with Bree on May 1st, 2025 via Zoom, and with Rex on May 8, 2025.

Information Sources: For the purposes of this decision, the following sources were consulted:

1. **Interviews:** Joint interview with both parents (April 20); individual interview with Bree (May 1); individual interview with Rex (May 8).
2. **Documents:** Questionnaires provided to each parent on April 20;
3. **Collateral Information:** Fairview Schools website; Eagleton website.

Summary of Each Parent’s Position:

1. **Bree** believes Andrew and Danielle should attend Fairview Schools as stated in the Judgment and Decree. Key aspects of her position include the following:
 - a. **Distance from home.** *Bree states that Eagleton schools would affect her work day to get the children to and from school on time, and the children would have to travel more and potentially wake up earlier to get to school on time. On Bree's days, she states that both children would need to be in the car by 5:20 AM to facilitate driving Andrew to Eagleton and then return to Fairview by 6:15 for Danielle and Bree to begin their days at Barcliff Academy. Bree further states she would need to either leave work early one night to pick Andrew up from school, or else pick him up from Rex's home after 6:30 PM which would impact her routine and time with both children.*
 - b. **Consistency with Pre-Kindergarten routine.** *Bree states that transportation would be taken care of should the children attend Fairview schools, as transportation is provided by Barcliff Academy, Bree's employer and the current and historic provider of childcare for both Andrew and Danielle. Before- and After-school care is available from Barcliff Academy at no cost to the children as part of Bree's benefit package, and if the children remain in the Fairview district, the children would continue with the routine, whereas if the children attend Eagleton Schools, Andrew and Danielle would no longer share their before- and after-school routine, as Andrew and Danielle would no longer begin and end their days at Barcliff Academy.*
2. **Rex** would prefer that the children attend Eagleton Schools instead. Key aspects of his position include the following:
 - a. **Quality and Stability of Education.** *Rex states that he believes Eagleton offers the best education environment for Andrew and Danielle. He is additionally concerned about long-term stability once the children begin elementary, as he states that Oakridge Elementary, the school Andrew would attend in Fairview-Savage Area Schools, is slated to close. (PC Note: The school board voted on June 1, 2025 to close Oakridge Elementary in Fall of 2026.¹)*

¹ <https://www.Fairview Schools.org/site-consolidation>

- b. **Comfort/Familiarity of School Environment.** *Rex states that he believes the children would be most comfortable at Eagleton, and specifically Pheasant Ridge elementary, as William, the son of his significant other, attends Pheasant Ridge, so Andrew and Danielle have frequently visited Pheasant Ridge events and gone sledding/played at the playground there. He further states that his significant other, Maisy, can readily provide transportation as needed.*

Analysis

Because school choice is a decision that will impact Andrew and Danielle for twelve years, and in the interest of providing full rationale for my decision, which the parents have agreed should be treated as binding, I have examined this issue in the context of Minn. Stat. §518.17 which provides twelve “best interests of the child” factors that must be considered when determining issues of custody and parenting time. School choice is typically considered a legal custody issue.

It is important to note that Rex’s proposal includes modifying the parenting time schedule so that rather than the typical 2/2/3 schedule outlined in their divorce decree, one parent would consistently have Mondays and Tuesdays, and the other would consistently have Wednesdays and Thursdays. However, because there is no agreement to modify the parenting time schedule and I have not been tasked with making decisions involving the schedule, for the purposes of this decision, school choice has been decided based on the current parenting time schedule.

I have prepared the following table to summarize key aspects of each school district. Because Oakridge Elementary in Fairview will close at the end of the 2025-2026 school year, I have included information for each elementary school in the Fairview district. Bree states that Andrew and Danielle would ultimately end up at either Emerson Elementary or Lowell Elementary once Oakridge closes, though it is not yet clear which one the children would transfer to. I note that because Oakridge Elementary will close, the student to teacher ratio, gender and ethnicity statistics, and school sizes will change for the other schools in Fairview; however, I must base my decision on the information currently available, and Andrew would be attending Oakridge for the 2025-2026 school year. Thus, it is not appropriate to attempt to speculate on how the closure of Oakridge may shape the future makeup of the other schools in Fairview.

School System	Eagleton	Fairview
Student-teacher ratio	Pheasant Ridge Elementary: 12:1 North Middle School: 16:1 Eagleton High School: 19:1	Oakridge Elementary: 16:1 Emerson Elementary: 15:1 Lowell Elementary: 15:1 Red Herring Elementary: 15:1 Grassy Creek Elementary: 15:1 Peacock Lane Elementary: 16:1 Big Forest Middle School: 19:1 Eight Elms Middle School: 13:1 Fairview High School: 21:1
School Size	Pheasant Ridge Elementary: 544 North Middle School: 1,891 Eagleton High School: 2,799	Oakridge Elementary: 492 Emerson Elementary: 504 Lowell Elementary: 596 Red Herring Elementary: 477 Grassy Creek Elementary: 534 Peacock Lane Elementary: 560 Big Forest Middle School: 1,996 Eight Elms Middle School: 1,066 Fairview High School: 2,854
Percentage of Students That Scored At or Above Proficiency Levels on State Language/Reading Arts Testing	Pheasant Ridge Elementary: 63% North Middle School: 65% Eagleton High School: 73%	Oakridge Elementary: 72% Emerson Elementary: 76% Lowell Elementary: 59% Red Herring Elementary: 56% Grassy Creek Elementary: 68% Peacock Lane Elementary: 62% Big Forest Middle School: 57% Eight Elms Middle School: 58% Fairview High School: 62%
Percentage of Students that Scored At or Above Proficiency Levels on State Math Testing	Pheasant Ridge Elementary: 60% North Middle School: 52%	Oakridge Elementary: 71% Emerson Elementary: 74% Lowell Elementary: 63% Red Herring Elementary: 60% Grassy Creek Elementary: 67% Peacock Lane Elementary: 66% Big Forest Middle School: 56% Eight Elms Middle School: 52%

	Eagleton High School: 53%	Fairview High School: 45%
Gender Ratio	Pheasant Ridge Elementary: 49% Female, 51% Male North Middle School: 48% Female, 52% Male Eagleton High School: 50% Female, 50% Male	Oakridge Elementary: 50% Female, 50% Male Emerson Elementary: 46% Female, 54% Male Lowell Elementary: 44% Female, 56% Male Red Herring Elementary: 47% Female, 53% Male Grassy Creek Elementary: 47% Female, 53% Male Peacock Lane Elementary: 48% Female, 52% Male Big Forest Middle School: 51% Female, 49% Male Eight Elms Middle School: 51% Female, 49% Male Fairview High School: 49% Female, 51% Male
Student Diversity	Pheasant Ridge Elementary: 45.4% White, 11.6% Multiracial, 9.4% Hispanic, 11.9% Asian, 21.3% African American	Oakridge Elementary: 72.4% White, 7.5% Multiracial, 6.9% Hispanic, 6.5% Asian, 6.3% African American Emerson Elementary: 79% White, 7.7% Multiracial, 3.4% Hispanic, 6.7% Asian, 0.8% African American Lowell Elementary: 73.3% White, 6.5% Multiracial, 6.5% Hispanic, 5.5% Asian, 6.5% African American. Red Herring Elementary: 83.4% White, 6.1% Multiracial, 4.6% Hispanic, 1.9% Asian, 2.9% African American Grassy Creek Elementary: 61.8% White, 8.4% Multiracial, 7.3% Hispanic, 8.8% Asian, 13.5% African American Peacock Lane Elementary: 82.3% White, 7.1% Multiracial, 2.1% Hispanic, 3.8% Asian, 4.1% African American

	North Middle School: 49.4% White, 8.6% Multiracial, 9.6% Hispanic, 14.1% Asian, 18% African American Eagleton High School: 48.7% White, 6% Multicultural, 11.3% Hispanic, 15% Asian, 18.8% African American	Big Forest Middle School: 74.3% White, 6.6% Multiracial, 6.1% Hispanic, 5.4% Asian, 6.3% African American Eight Elms Middle School: 75% White, 7% Multiracial, 7% Hispanic, 6% Asian, 5% African American Fairview High School: 74% White, 5.4% Multiracial, 6.2% Hispanic, 6.7% Asian, 6.8% African American
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**Statistics taken from Niche.com (all schools except Eight Elms Middle School, which was not available),*

Greatschools.org (Eight Elms Middle School), Eagleton Schools.org, and Fairview Schools.org.

1. A child's physical, emotional, cultural, spiritual, and other needs, and the effect of the proposed arrangements on the child's needs and development;

Both parties acknowledged during our initial joint meeting that the quality of education offered by Fairview Schools and Eagleton are similar. A review of the class sizes, pass rates on standardized testing, and diversity of both school district reveals few major significant differences. Eagleton does generally have a more racially diverse student body, while the gender ratios between the districts are similar. Fairview students tend to have more students at or above proficiency level on standardized tests scores in both reading/language arts and math throughout elementary school. By middle school, the proficiency scores tend to average out for both districts. Eagleton has slightly higher scores by high school, though the differences in scores throughout elementary, middle, and high school are typically within less than ten percentage points.

Rex raised the issue that he believed there had been significant mental health crises within the Fairview district. Bree did not have any knowledge of such concerns. When asked during my individual interview with Rex, he stated that Maisy works at St. Grace's, a mental health provider in the area, and had anecdotally noticed that there seemed to be a large number of children from Fairview requiring mental health supports. However, Rex acknowledged this could simply be observation bias and that a similar number of Eagleton students may also require mental health supports. I have found no evidence of an unusual or epidemic-like spike in mental health crises within Fairview, and therefore, do not believe

that there is a significant concern that either school district would be unable to provide a supportive environment for its students.

Both school districts have robust academic and arts-oriented programs. Pheasant Ridge Elementary has an art specialist who meets with all students on a 21 day rotation for 45 minute art lessons, a beginning band and beginning orchestra program, a classroom music program wherein a music specialist meets with the students on a 21 day rotation for 45 minute lessons, and physical education, which includes a specialist coming in for 45 minute lessons every 21 days.² Oakridge Elementary has a 4th and 5th grade choir and all students receive instruction in art, music, media, and physical education.³ Both districts have the typical athletic opportunities of Minnesota schools, such as soccer, football, and cheer. Rex and Bree both identify soccer as a particular interest for the children. Both districts have soccer programs; Fairview has “Little Lakers” for children under 5 years of age, which is \$140 per season. There is a soccer program for children in kindergarten through eighth grade as well, though the cost for that was not known to the parents. However, Eagleton also has soccer opportunities, and I am unaware of any restriction that would prevent Andrew and Danielle from potentially continuing to participate in soccer in Fairview even if they were to go to school in Eagleton. That information alone, however, would not be dispositive, as it is clear to me that both districts have ample opportunity for each girl to find activities that suit her unique personality.

Fairview is the first school district to implement district-wide E-STEM (Environmental Education, Science, Technology, Engineering and Math) schools in the state of Minnesota. E-STEM is “an interdisciplinary approach to instruction and learning focused on inquiry and real world problem-solving in the 21st Century, applying hands-on science, technology, engineering, and mathematical practices with projects and field experiences related to the environment.”⁴ E-STEM is available to all students within the district. Eagleton does not appear to have implemented a district-wide E-STEM program as of July 20, 2025.

Both districts offer Spanish-language immersion. Both districts have Gifted and Talented programs. Similarly, both districts have special education programs and access to counselors within their schools.

² Source: my.eagleton.org/pheasantridge

³ Source: FairviewSchools.org/academics/elementary; www.FairviewSchools.org/student-life/4th-5th-grade-choir

⁴ Source: FairviewSchools.org/academics/district-programs/e-stem

Of note, Fairview Schools have recently ended their diversity and inclusion programs. When asked whether this was seen as a detriment, the parties had slightly different responses. Bree endorsed less concern, as she felt both Andrew and Danielle would do well even in the absence of such programs. She also noted that there were several parent groups working to get a similar program back in place. Rex endorsed more concern, identifying that while he was not concerned the lack of such programming would be directly detrimental to the children, he did feel it was important for them to be exposed to other cultures and communities. Overall, the community of each school was a significant factor for both parents, though for differing reasons.

Rex was primarily focused on the children growing up in a diverse, inclusive environment in which they would be exposed to and be tolerant and supportive of people from different backgrounds. While he did identify having other children with which he was familiar (namely, the children of his partner, William and Sandy) as a benefit for Andrew, Rex states that he has done research on several school systems other than Eagleton; specifically, he identified that prior to arriving at Eagleton as his choice, he looked into public schools in Redridge, Chamberlain, and Ogden before arriving at the conclusion that Eagleton was the district best suited for the children, though he identified Ogden as a close second. Rex spoke at length about his experiences growing up in a small town, and related what he believed to be Bree's perspective on the same; Rex stated that while the quality of education was similar, Eagleton had more community events. He also noted that he felt Eagleton had more proactive communication than Fairview; specifically, he pointed out that Eagleton began informing parents about events to help the students settle in during the next academic year before the current academic year was even over.

Bree was primarily focused on allowing Andrew to stay with his friends from Barcliff Academy as he transitions to elementary as well as the continued bond between Danielle and Andrew. When asked whether Andrew would be with his best friends when Oakridge Elementary does close after the 2025-2026 school year, Bree stated that she was not sure, as if the district does close the school, the boundaries for the other schools would be redrawn, so it is not yet possible to know if Andrew would remain with his friends.

A major concern for Bree was the shift in routine that the children going to Eagleton would necessitate. Bree stated that on days where she must be at work at 6:15 AM, she would need to leave her house with both children by 5:20 AM

in order to get Andrew to Eagleton and return to work on time. Bree's schedule varies; some days, she begins work at 6:15 and other days she works "mids" or closes. For the purposes of this decision, I will focus on the mornings that she works at 6:15, as the other days would not include as much of a schedule shift. Currently, when Bree has to work at 6:15, she wakes both children up by 5:50 AM. She gives them a small snack, and then all three leave for Barcliff Academy.

On days when Bree does not have to work early, the children sleep until 6:30 before having breakfast. Bree states the distance between her home and Pheasant Ridge is approximately 20 minutes, and transporting Andrew to Eagleton would necessitate an extra car ride for Danielle each morning. Both parents state that the children do alright in the car, and currently, Rex drives approximately 20 minutes to exchange the children. Thus, while on some days, the children would wake up approximately 30 minutes earlier than they currently do, their overall travel time would be similar, just in a different direction. Both Rex and Bree acknowledge that they have discussed modifying the parenting time schedule so that Bree would not need to transport the children on the days she works so early. Bree did not wish to address the issue until after a decision was made on school time. Rex expressed that he was willing to do what he could to make things easier for both Bree and the children.

Rex expressed a concern that if the children go to Fairview, Andrew would need to wait at Barcliff Academy for the kindergarten bus to Oakridge which would result in a longer morning for Andrew. Currently, he drops Andrew off at Barcliff Academy on Bree's days at 7:30 AM. If Andrew were to take the Barcliff Academy bus to kindergarten, he would leave Barcliff Academy at 8:05 AM, resulting in a 35-minute stay at Barcliff Academy before school. On Bree's days, when Bree must be at work at 6:15 AM, Andrew and Danielle go to Barcliff Academy at 6:15 AM with Bree. On days when Bree does not open, the children sleep until 6:30 AM before going to Barcliff Academy. When asked, Bree states that Andrew's morning would only be longer on days that Bree opens; on those days, Andrew would be at Barcliff Academy for an additional 45 minutes. However, on days when Bree works the "mid" shift, Andrew's schedule would remain the same as it is now, and on days when Bree closes, Andrew would not have to be at Barcliff Academy at all prior to going to elementary school. While I agree that needing to leave home at 5:20 AM might be challenging for the children, Bree states that even without going to Eagleton, the children must wake up by 5:50 AM on days that Bree works the opening shift. While 30 minutes can certainly be a large amount of sleep for children of Danielle's age, I believe Rex's offer to

work with Bree to modify the schedule to negate that early morning car-ride is genuine. While I am not ordering a schedule change, my education and professional experience provides that, in any family, as the children grow older it is important and reasonable to consider shifting from a nesting or rotating 3/2/2/3 schedule to one that offers more consistency, and would urge the parents to consider what schedule would not only work best for both children, but also allow both parents to have as stress-free of a morning routine as possible.

Finally, an additional concern raised by Bree were the additional costs that may result from before or after-school care at Eagleton. Currently, both children attend Barcliff Academy for free as a benefit of Bree's employment package. Breakfast is included. Bree states that in addition to offering before and after-school care during the academic year, Barcliff Academy also offers care on days when school is not in session, including in summer. Barcliff Academy also offers a handful of field trips for the children attending during the summer, and at least one field trip during winter break. There is no additional cost for any of these services.

Rex endorses that Eagleton has both before and after-school care available through their "Eagle Zone" program. The cost is \$21/day for each day that a child attends, and the fee is only charged when the service is utilized. Rex states that there is summer care available as well, though he was less certain about days when the schools were closed due to holidays or district events. Rex states that he would be willing to help Bree by taking the children one day a week rather than utilizing Eagle Zone care, but acknowledges that if the children do eventually end up needing care three to four days a week, the cost could be significant. Rex questioned whether Bree may be able to ask her employer to shift her compensation package if she is no longer utilizing the before and after-school care offered through Barcliff Academy; Bree states that she might but nothing is guaranteed.

Based on the foregoing information, both school districts are equally suited to provide for Andrew and Danielle's physical, emotional⁵, cultural, spiritual, and other needs, and this factor does not weigh more heavily for one district than the other.

2. Any special medical, mental health, developmental disability, or educational needs that the child may have that may require special parenting arrangements or access to recommended services;

⁵ Emotional needs are addressed in more depth in the following section.

Both Rex and Bree state that currently, they are not aware of any special medical needs, nor developmental disabilities. While Rex stated that he felt Andrew was bright and may someday be eligible for a gifted and talented program, he acknowledged that he is not aware of any such need right now and that both districts offered advanced programming. Bree stated that while of course all parents believe that their children are exceptional, she was less certain that Andrew would require an advanced program to meet her educational needs. Thus, there is not currently an educational need that would be unmet by either district.

Both parents identify that Andrew can be anxious about change. This was a primary reason for Bree's preference that the children attend Fairview. She states that if Andrew were to go to Fairview, both children would continue to have pre-school and after-school care through Barcliff Academy. She states that both children are dropped off to the same room, and enjoy doing things together. Further, she states that Andrew would have the same bus driver he has now, and that Andrew's best friend would be at Oakridge with him. However, Bree acknowledges that when Oakridge closes, there is no guarantee that Andrew and his best friend would remain in the same classroom. Though not specifically addressed, it is unclear that when Oakridge closes, Andrew would remain on the same bus with the same driver he has now.

Finally, as the children continue to grow older, it is to be expected that they will grow a small amount of distance between them as they each start to befriend more children of their own age. It is inevitable that while the children could remain in the same room at Barcliff Academy during their elementary years, by the time middle school begins, that will no longer be a practical solution. While I have focused largely on the elementary years given the current ages of Andrew and Danielle, I have been tasked with determining which district each should be in from *kindergarten through twelfth grade*; therefore, it would be improper to focus so much on the transition to elementary that I neglect to acknowledge that future transitions to middle school and high school will also impact the routine of each child. While I believe the initial transition to elementary will be emotionally challenging for both children as well as both parents, I believe subsequent transitions to middle and high school will be easier.

Both school districts offer some type of pre-kindergarten introduction for incoming children to familiarize themselves with the schools. Fairview's "kindergarten bootcamp" starts two weeks before school, and is a 4 day program during

which incoming kindergarteners go to school for half days. While Pheasant Ridge doesn't have a "bootcamp", they offer a two-day camp, four hours each day, for incoming kindergarteners. Additionally, at Pheasant Ridge, the school year starts with a day during which the fifth graders show the kindergarteners around the school.

Given Andrew's discomfort with change, there are benefits to each proposed arrangement. At Fairview, he would be with his best friend and ride a familiar bus. However, a major drawback is that with Oakridge Elementary now definitively closing at the end of the 2025-2026 school year, Andrew would need to start at a new school again for first grade, and there is no guarantee that he would remain with the peers he bonds with in kindergarten, nor on the same bus route. I find this to be concerning, as it would be similar to starting kindergarten all over again; a new environment, new friends, and potentially a new bus route. While I have acknowledged that transitioning to middle school and then high school will also be a change, at that point, Andrew will have been with a substantially similar group of peers for five or eight academic years, respectively, so while the environment and teachers will be new, the group of children will remain largely the same, so that transition is likely to be less emotionally fraught. However, I find that starting at a new school twice within a little less than one calendar year would be extremely challenging for any child, let alone one who shows a proclivity to resisting change, to undertake.

At Pheasant Ridge, Andrew would be with William, who will be starting fourth grade in the fall of 2025 and would therefore be at the same school as Andrew for at least two years. I view this as a slight benefit to Pheasant Ridge, but acknowledge that the attendance of his father's partner's child is not enough of a reason alone to send Andrew to Pheasant Ridge. While they would be together in the mornings, they are in different grades and would realistically not see each other much during the day. However, they would be able to participate in school events together, as long as they continue to be good friends, which is not a guarantee with such young children. Whether at Pheasant Ridge or a Fairview elementary school, Andrew would still be in elementary when Danielle starts, and would thus be able to provide that comfort and familiarity for Danielle.

I asked Rex what he would do if he and Maisy were to separate, and he stated that he would remain in Eagleton and continue sending the children to Pheasant Ridge and subsequent schools. While I believe it could potentially be awkward

if Rex and Maisy were to separate, it stands to reason that with Sandy seven academic years ahead of Andrew, and William four, there would realistically be ample opportunity for the children to avoid each other should that ever be their choice.

Rex expressed concern that Bree might move, which would potentially also require a school change. When asked, Bree stated that while she hopes to move out of her current home, which she shares with her parents, she would not be leaving the Fairview district. Thus, whether at Eagleton or Fairview, once the children begin in a district both parents endorse that they intend to remain within that district for the duration of both children' education.

Based on the foregoing, I find that this factor weighs substantially in favor of the children attending Eagleton. My concern with Fairview is that while at the beginning of my work with this family, Oakridge was not guaranteed to close, it is now undeniably slated to be closed at the end of the 2025-2026 school year. Therefore, Andrew would begin at Oakridge, adjust to his schedule, peers, and routine, and then need to essentially start over again for the 2026-2027 school year.

3. The reasonable preference of the child, if the court deems the child to be of sufficient ability, age, and maturity to express an independent, reliable preference;

Rex states that Andrew has expressed a preference to attend Pheasant Ridge, while Bree states that Andrew would like to attend Oakridge. At just five years old, I have informed the parents that in my opinion, based upon my education and experience, no court would consider the preference of Andrew to be dispositive. In my experience, children tend to endorse different ideas with each parent, depending on the context of the situation. Thus, this factor does not weigh in to my decision. I would be remiss, however, if I did not caution both Rex and Bree to avoid asking the children for input on such decisions in the future. While teenagers may reliably be able to express some preference, it is undeniably harmful for children of any age to be placed in a situation in which they are asked to choose between parents, even if their choice is not dispositive. While I do not believe that in this case, either parent has spent significant amounts of time attempting to ask Andrew or Danielle about what they want, my personal ethics require that I advise Rex and Bree to not

seek input from the children about future decisions. The children may spontaneously express opinions which should be considered by the parents, but should not be asked to do so.

4. Whether domestic abuse, as defined in section 518B.01, has occurred in the parents' or either parent's household or relationship; the nature and context of the domestic abuse; and the implications of the domestic abuse for parenting and the child's safety, well-being, and developmental needs;

Neither parent identifies any concerns about domestic abuse in either their own homes or that of the other parent. My own intake process and interviews with each parent have not raised domestic abuse concerns. While Bree seems to feel somewhat pressured into this process by Rex, I informed her during both the initial meeting with both parents (while in a separate breakout room) and my individual meeting with her that this is a voluntary process and she could walk away at any time. I further advised both parents during my individual meetings that while I cannot provide legal advice, given that the parties' decree states that the children will go to Fairview unless otherwise mutually agreed, Bree likely would be able to veto Rex's desire to change the district to Eagleton, and Rex would be required to bring a motion to change districts.

My informed opinion on the situation is that while Bree is understandably upset at Rex's perceived push to make this change, and likely feels that his desire to send the children to Eagleton is based on his new relationship, Bree ultimately wants what is best for the children and is not opposed to modifying schedules to make things operate more smoothly for Danielle and Andrew. I do not believe that either parent is experiencing coercive control (which I note is not currently quantified in Minnesota law), nor is there any form of domestic abuse consistent with the definitions in Minn. Stat. §518B.01 in either household. Therefore, this factor does not weigh in favor of either school district.

5. Any physical, mental, or chemical health issue of a parent that affects the child's safety or developmental needs;

Neither parent identifies any physical, mental, or chemical health issue of the other, nor have my own procedures and interviews with the parents raised any concerns regarding either parent. Therefore, this factor does not weigh in favor of either school district.

6. The history and nature of each parent's participation in providing care for the child;

Both parents have shared a largely equal schedule with the children since their divorce. While I do not have significant information on how the labor of caring for the children was divided prior to the divorce, both parents seem equally competent in caring for Andrew and Danielle and have worked cooperatively since the divorce to ensure both children are safe and happy. Neither parent alleges that the other is incapable of caring for the children, nor do I see any evidence of such concerns independently. Additionally, while my decision on school choice may require minor modifications to the parenting time schedule, neither school is so far away from the other parent as to necessitate a shift away from an equal parenting time schedule. Therefore, this factor does not weigh in favor of either school district.

7. The willingness and ability of each parent to provide ongoing care for the child; to meet the child's ongoing developmental, emotional, spiritual, and cultural needs; and to maintain consistency and follow through with parenting time;

Both Rex and Bree are remarkable, engaged parents. While the parties are divorced and there is undoubtedly some amount of lost trust in one another and each party has experienced a painful end to their marriage, both parents are focused on their children and want what is best for their futures. I have no reason to believe that either parent will become unwilling to provide ongoing care, meet Andrew and Danielle's ongoing developmental, emotional, spiritual, and cultural needs, or fail to maintain consistency and follow through with parenting time. Should one of the parents become disabled or otherwise unable to provide ongoing care for Andrew and Danielle, I have no doubt that the other parent would work to ensure that the children still had all of their needs met. Therefore, this factor does not weigh in favor of either school district.

8. The effect on the child's well-being and development of changes to home, school, and community;

I have discussed at length in factors (1) and (2) above how I believe changes to school would impact both Andrew and Danielle. While my analysis largely centers on Andrew's transition to kindergarten, I believe that is appropriate given that he will be experiencing the shift to elementary first. Danielle will have the benefit of attending the same school as Andrew, which should ease her own matriculation to elementary. Ultimately, the school choice will not require

substantial changes to the children's homes, as the schools are not so far apart as to necessitate a shift in parenting time outside of any mutually agreed upon modifications that allow for mornings to run more smoothly for both children and both parents.

I have also addressed changes to community at length in factors (1) and (2) above; from my interviews and interactions with Rex and Bree, as well as my own research into each district, I find that Pheasant Ridge/Eagleton schools offer a slightly more robust community for school-aged children than Fairview. Therefore, this factor weighs slightly in favor of Eagleton schools.

9. The effect of the proposed arrangements on the ongoing relationship between the child and each parent, siblings, and other significant persons in the child's life;

The choice of school is unlikely, based on my experience and education, to significantly impact the relationship between either child and Rex and Bree. While Bree may have slightly less "quality" time with the children as a result of needing to leave early on her mornings to take Andrew to Pheasant Ridge, I do not anticipate that the substitution of a car ride at the cost of that same amount of time at home or at Barcliff Academy will have an impact on Bree's relationships with the children. As it is, the children routinely have the same car ride, but with Rex instead. The parents have both endorsed that a potential schedule change would be not only feasible, but could negate any potential loss of "quality" time, as if Bree no longer had to drive to Pheasant Ridge on the days she opens, then she would regain that time during her parenting time on the other days of the week.

While I anticipate that the transition of Andrew to kindergarten will be challenging for both Andrew and Danielle, that challenge exists whether the school chosen is Pheasant Ridge or Oakridge. Although attending Oakridge would allow Andrew to retain slightly more time with Danielle (approximately one hour on the mornings that Bree opens), I do not believe that it will have a long-term lasting impact on the relationship between Danielle and Andrew. They share the same parenting time schedule and so will still be around each other every evening, and once Danielle starts school, they will attend together until Andrew moves on to middle school.

Finally, I do not believe that the choice of school will impact the relationship between Andrew and Danielle and other important individuals in their lives. While attending Pheasant Ridge would likely allow the bond between Andrew and William to grow, by the time Danielle starts school William will no longer be at Pheasant Ridge. Both Bree and Rex state that Andrew and Danielle have strong relationships with their maternal grandparents, which is unlikely to be impacted by the school choice. Similarly, while attending Pheasant Ridge may temporarily involve Andrew spending slightly more time with Maisy as a result of William also being at Pheasant Ridge, both Rex and Bree endorse Maisy as having a good relationship with both children and no concerns about how they relate. Therefore, this factor does not weigh in favor of either district.

10. The benefit to the child in maximizing parenting time with both parents and the detriment to the child in limiting parenting time with either parent;

As discussed in factor (9) above, school choice will not substantially change the parenting time schedule of either parent. While a slight shift to a static rather than a revolving calendar may occur in order to meet the logical needs of both parents and children, the parents should continue to each enjoy equal time with both children. Therefore, this factor does not weigh in favor of either district.

11. Except in cases in which domestic abuse as described in clause (4) has occurred, the disposition of each parent to support the child's relationship with the other parent and to encourage and permit frequent and continuing contact between the child and the other parent; and

I find that no domestic abuse has occurred and therefore it is appropriate to examine the disposition of each parent to support the child's relationship with the other parent and to encourage and permit frequent and continuing contact between the child and the other parent. While I have observed that the circumstances of the divorce itself are still quite raw and painful for Bree, I believe that she fully supports Rex's relationship with Andrew and Danielle and encourages their relationship. Similarly, while I have observed that Rex has a serious relationship with a new partner, he recognizes that Bree is an outstanding mother and is not attempting to have his Maisy usurp Bree's position in the children's lives. Upon information and belief, both parents allow free contact between the children and the off-duty parent, and have not

expressed any sentiments that have led me to believe this will change in the future. Therefore, this factor does not weigh in favor of either district.

12. The willingness and ability of parents to cooperate in the rearing of their child; to maximize sharing information and minimize exposure of the child to parental conflict; and to utilize methods for resolving disputes regarding any major decision concerning the life of the child.

Though these parties have been divorced for less than a calendar year, I am impressed at how well they work together for the benefit of Andrew and Danielle. Remaining unbiased when making a decision does not require that I ignore the circumstances under which these parents came in front of me. Bree is frustrated at what she views as Rex's push to make this change, and on the surface, it would be impossible not to wonder whether Rex is motivated solely by a desire for Andrew and Danielle to attend the same school as the children of his new partner. While it is not my place to probe at sore spots or offer therapeutic advice to parents, it is plainly evident that the circumstances of the end of the marriage have caused lingering pain for Bree, which was perhaps intensified as a result of my initial meeting with both parents, in which it appeared that Rex acknowledged his relationship with Maisy likely began very close in time with the end of his marriage to Bree. Therefore, I made a conscious effort to ask both parents what had changed between the entry of the decree and now.

Bree identified that the only thing that has changed is Rex's relationship status. While Rex frankly admitted that his relationship with Maisy, as well as the relationship between Andrew and Danielle and Maisy's children, did have some influence on his preference of district, I am satisfied that his relationship is not the deciding, nor even a significant, factor in his push for the children to go to Eagleton schools. Rather, from my interactions with each parent and my review of the file, I believe Rex is genuine in wanting Andrew and Danielle to attend a more diverse school system with a robust community.

While I anticipate that as a result of my decision, there may be some temporary conflict between the parents, I have no doubt that after the initial reaction fades, these parents will continue to work together to support Andrew and Danielle. Both will remain intensively involved with their children, and will freely share information regarding Andrew and Danielle. I have no concerns that the parents will be unable to utilize productive methods to resolve disputes about

major decisions for the children in the future; prior to engaging my services as a PC, these parents had already jointly petitioned the court for their divorce, worked out an equal schedule with their children, and then attended mediation in an attempt to resolve the disagreement on school systems. Therefore, this factor does not weigh in favor of either school district, and while I am aware that as a result of making such a decision, one parent will undeniably be disappointed and perhaps not have fond feelings for me, I commend the parents on working so hard to make an informed decision for their children and for setting a terrific example on how to resolve conflict.

Parenting Consultant's Decision:

For the foregoing reasons, it is my decision that the children should attend Eagleton schools. I believe both school districts provide a similar educational experience, but Eagleton has a slightly more robust community and more inclusive practices. I do not believe it would be in Andrew's best interests to begin school at Oakridge, only to need to transfer to a new school next year, especially when there is no way of knowing whether the friends he makes in kindergarten would transition to the same elementary in Fairview as he. Danielle will have the added benefit of her big brother attending the same school she will start at, which should ease her own transition.

Non-Binding Recommendations:

While the following is not a decision, and the parents are therefore not bound by these suggestions, I recommend that Rex and Bree modify their schedule so that Bree does not have to drive Andrew and Danielle to Eagleton on the days that she works early, if at all possible. I further recommend that Rex work with Bree to still utilize Barcliff Academy when possible for Andrew's care so as to not incur fees for utilizing Eagleton's before and after-school care.

Date

Alyssa Duncan, Esq., Parenting Consultant