



QUICK REFERENCE GUIDE:

Public School Academies and Special Education Support



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Preface



In the state of Michigan, charter schools are referred to as Public School Academies (PSAs). **A PSA is considered a school district under Michigan law and has the same responsibilities regarding special education as Local Educational Agencies (LEA) in the state.** Wayne County Regional Educational Service Agency (Wayne RESA) is dedicated in providing the needed educational and technical supports to all PSAs located within the region of Wayne County. This quick reference guide was created as a means to reach out and provide continuous supports to our special education staff in PSAs. These supports range from consultation on the development of special education programs and service models to supporting the expansion of an existing program. The concept of this document was established from Wayne RESA's quarterly PSA Special Education meetings where teachers and administrators completed needs assessment surveys. As a result, this tool was developed. Many of our PSAs suggested supports were needed in three primary areas:

- **the Delivery of Special Education Programs/Services**
- **Compliance Monitoring**
- **and Instructional Supports for Students with Disabilities in the Least Restrictive Environment (LRE).**

This reference guide is a demonstration of Wayne RESA's commitment to provide hands-on guidance to our PSAs in all areas of special education. Commonly asked questions are addressed and illustrated in an easy to read and understandable question and answer format. **The intent of this document IS NOT to replace any state mandates, recommendations, procedural and guidance documents, and/or district policies and procedures. The intent of this document IS to provide additional resources and supports.**

Wayne RESA Overview



Wayne County encompasses approximately 623 square miles. It is made up of 34 cities, including the city of Detroit, and 9 townships. Its population of approximately 2.1 million makes it the most populous county in the State of Michigan and the eighth most populous county in the nation. Wayne

County contains a school age population which is approximately one third of all the school children in the State of Michigan. The Wayne County Regional Educational Service Agency (Wayne RESA) is presently the largest of the fifty-seven (57) Regional Educational Service Agency/Intermediate School Districts in Michigan. It is a legally constituted regional educational service agency established to provide coordination and supple-

mentary services to local school districts and acts as a link between these basic educational units and the state education authority. It is comprised of thirty-four (34) local educational agencies (LEAs) which vary greatly in population size and socio-economic composition. Also located within Wayne County are approximately ninety (90) Public School Academies (PSAs). These academies have the same rights and responsibilities as the local educational agencies. The Wayne RESA service area includes the school districts of suburban and rural communities as well as that of a major, urban metropolis, the City of Detroit. It also encompasses within its boundaries one of the largest and most varied ethnic populations in the country. Wayne RESA also contains within its jurisdiction a large population of special education students, approximately 41,766 in number (December 2010). Wayne RESA coordinates the provision of educational services for all students with disabilities and serves as a regional monitor for the state department of education as a means of guaranteeing all students access to a free and appropriate public education regardless of their disability.

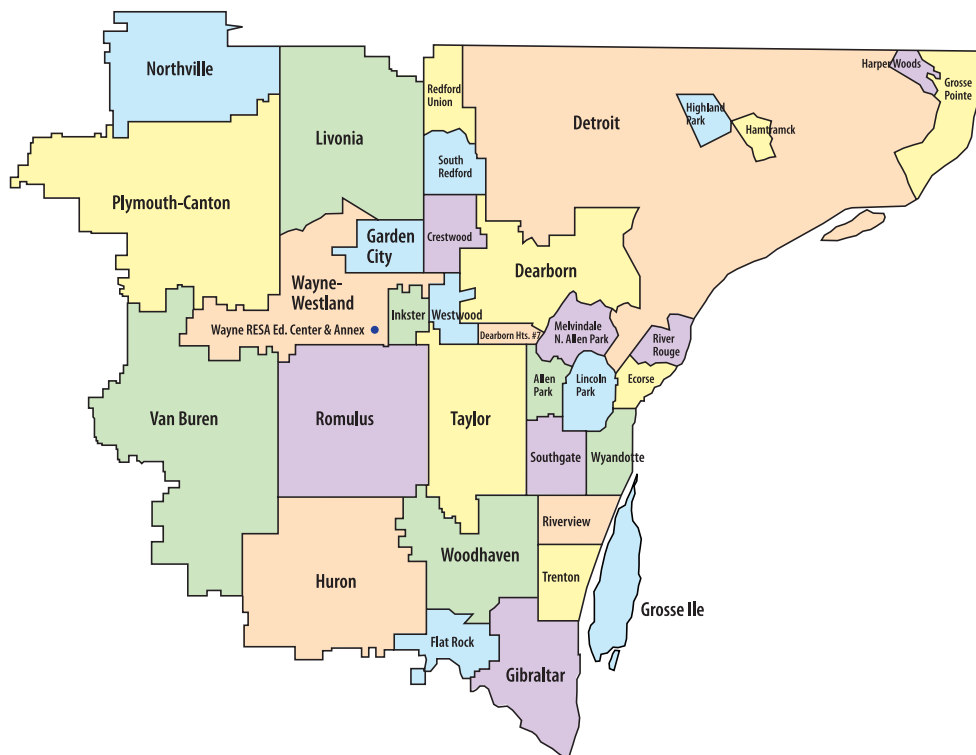




Photo: Kate de Fuccio, 2007

Procedures to Provide Special Education Services

Special Education Required Under Law

Wayne RESA informs all Wayne RESA personnel, constituent LEAs/PSAs, parents, and the community-at-large of the special education opportunities within Wayne County. The *Wayne County Plan, Parent Advisory Committee (Wayne County PAC) Parent Handbook*, the Procedural Safeguards notice, Child Find/Early On activities, and the Wayne RESA website (www.resa.net) are utilized as primary means for communicating information about the special education process, programs/services, parental rights, organizations and special education representatives to parents of children suspected and/or identified as having a disability. The *Parent Handbook*, forms, guidelines, as well as, the complete County Plan are also available on the Wayne RESA website.

Obligations of Wayne RESA and the LEAs/PSAs

Wayne RESA and all of the LEAs/PSAs are obligated to comply with the provisions of federal regulations and state rules with respect to the delivery of special education programs and/or related services to students with disabilities. As a result, **Wayne County public schools are expected to provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE) for students with disabilities as determined by an Individualized Educational Program Team (IEPT).**

—Wayne RESA, County Plan 2010

Special Education and PSAs' Responsibility

Q: **Must ALL PSAs provide special education programming and supports?**

A: **Yes.** In Michigan, PSAs must either operate or contract for special education programs and services within the context of the Wayne RESA county plan. All services must be provided in accordance with students' Individualized Education Programs (IEPs).

Since PSAs may not discriminate on the basis of a disability in determining eligibility for admission, your considerations for students with disabilities are to be the same as for students without disabilities. Under federal law, you may not categorically deny admission to students on the basis of disability. For example, **you may not deny admission to a student with a disability solely because of that student's need for special education or related aids and services.** Students with disabilities must have the opportunity to meet any appropriate minimum eligibility criteria for admission, consistent with the mission of the PSA and civil rights requirements.

It is also important for PSAs to understand their obligation to The Individuals with Disabilities Education Act's Child Find mandate. **Child Find requires all school districts/PSAs to identify, locate and evaluate all children with disabilities, regardless of the severity of their disabilities.** This obligation to identify all children whom may need special education services exists even if the school is not providing special education services to the child.

During your enrollment process, it is critical that your PSA receives the records for a child who applies for admission from their previous school to ensure the IEP requirements are implemented. **You may not deny a student entrance or fail to initiate special education services while awaiting records.** Initiate a request to the previous school for the release of all student records. Contacting the special education office of the previous school district (LEA) may also be helpful in securing the records.

—MDE Office of School Improvement Operator Primer:
Special Education in PSAs



What Every Special Education Provider MUST Know!



What are some of the ABCs of special education that all staff assigned to PSAs should know?



Each PSA will employ or contract certified and/or licensed special education professionals that will support the evaluation process and educational programs and services of students with disabilities. The duties and responsibilities of these employed/contracted special education individuals are extensive. Responsibilities include the understanding of:

Federal and State Mandates:

- Individual with Disabilities Education Improvement Act 2004 (IDEA)
- Michigan Revised Administrative Rules for Special Education (MARSE)
- No Child Left Behind (NCLB)
- American's with Disabilities Act (ADA)
- Rehabilitation Act of 1975
- Family Educational Rights and Privacy Act (FERPA)

Individualized Education Program (IEP) Development and Implementation:

- An annual individualized education program must be convened at least every 12 months.
- Eligibility must be re-determined with an IEP at least every 36 months (also see Reviewing of Existing Evaluation Data or the REED process on page 11).
- **IEPs must be implemented as written. If you write it; you provide it!**
- Students must receive programs and services as stated on their IEPs.
- Services that are not delivered per IEP requirements/recommendations **MUST** be delivered at a later date.
- Progress reporting must occur as indicated in the IEP.

Certified Special Education Teacher/Provider

Every child who has qualified for special education programs and services must be assigned to a Certified Special Education Teacher/Provider (TSLI, SSW, etc). The special education provider's responsibilities include, but are not limited to:

- **Monitoring the student's entire educational program**, both within and outside of special education.
- **Initiating and maintaining regular contact with each of the student's general education teachers and ancillary staff.**
- **Arranging/scheduling meetings such as IEPT and REEDs.**

Continued on next page



- **Inviting relevant and required personnel** including, but not limited to parent, general education teachers, principal (or designee), and related service staff who are assigned to the student's IEP.
- **Assisting the IEP team in developing an appropriate program, including transition services.**
- **Continuously collect data documenting progress toward IEP goals.** This data must be kept in the provider's working file and must be available at the IEP and at the request of administrators for monitoring purposes.
- **Completing monthly Medicaid billing if appropriate.**
- **Serving as a liaison between the parent(s) and the school.**
- **Contacting the parent of each student on his/her caseload** at the beginning of the school year to identify them, and provide information on how s/he can be reached when questions arise.
- **Distributing progress reports to parents** as stated in the IEP and beyond if needed.
- **Monitoring confidential special education files** and official district files to assure all appropriate paperwork is accurate, current, and in compliance.
- **Informing appropriate personnel of all medical related information** for students who have medical conditions.

—Pierangelo, R. & Giuliani, G. 2001

Providing Appropriate Services and Supports for Students with Disabilities



How can a PSA prepare for students with disabilities and ensure that appropriate services are being provided?



It is important that all PSAs staff understand that each child who is identified as a student with a disability has an individual entitlement to a Free and Appropriate Public Education (FAPE) under The Individuals with Disabilities Educational Act (IDEA). For students who require specific support, you may need to adjust your program outcomes to meet his/her needs. Some strategies may include:

- **Provide professional development** regarding differentiating instruction.
- **Employ certified special education staff** to ensure appropriate support for students.
- **Support the initial enrollment process** for student with IEPs from other districts
- Support the initial enrollment process for students with disabilities that enroll without an IEP.
- **Monitor students in the first 30 days** and set a date for the IEP team with parent participation to review progress and make any necessary revisions.
- **Provide an array of accommodations and modifications** to allow students to access the general education curriculum, e.g., assistive technology, positive behavior support (PBS).
- **Collaborate with other PSAs and LEAs** to provide supports and suggestions for a continuum of services.

- **Contact your Wayne RESA Special Education Consultant** for additional support/ideas for maintaining special education students in your school.

It is not appropriate for you to suggest that the needs of a student with a disability may be better met in another school, unless supported by Wayne RESA's ACT 18 county plan provisions. During the course of student recruitment, it is expected that your school staff and representatives will share information with prospective students and families on the school's curriculum and services. It would also be appropriate to discuss the services and supports currently provided to students with disabilities and to explore potential strategies for meeting the needs of the prospective student. The initial focus should be on understanding the needed supports and services and identifying strategies for delivering them within the context of your school's framework. In the end, all issues about the appropriateness of the child's placement should be taken up with the child's IEP team and not with school staff upon enrollment.

A PSA may hire or contract for any special education staff as long as these staff hold the appropriate certification and meet state and federal requirements for highly qualified staff. Standards are articulated in the Revised Administrative Rules for Special Education and the rules governing different professional specialties. For further questions, contact your Wayne RESA special education compliance consultant for information.

Note: Even if a PSA contracts for services, the PSA operator remains responsible for special education compliance and service delivery.

—MDE Office of School Improvement Operator Primer:
Special Education in PSAs

The Special Education Process: SWD Definition

Q: What is meant by a “student with a disability”?

A: Michigan Administrative Rules for Special Education clearly states exactly what is meant by a “student with a disability” (SWD).

A student with a disability is defined as any person from birth to age 26 who is determined by an individualized education program team (IEPT) or a hearing officer to have one or more of the impairments (specified below), that necessitates special education, or specially designed instruction.

This instruction is to be at no cost to the parent and designed to “**meet the unique educational needs of the student with a disability and to develop the student’s maximum potential.**” The impairments specified by the Michigan Administrative Rules are the following, each of which will be described in greater detail later in this document (pg. 29, Understanding Students with Disabilities):

340.1705 <i>Cognitive Impairment</i>	340.1709a <i>Other Health Impairment</i>	340.1715 <i>Autism Spectrum Disorder</i>
340.1706 <i>Emotional Impairment</i>	340.1710 <i>Speech and Language Impairment</i>	340.1716 <i>Traumatic Brain Injury</i>
340.1707 <i>Hearing Impairment</i>	340.1711 <i>Early Childhood Developmental Delay</i>	340.1717 <i>Deaf-Blindness</i>
340.1708 <i>Visual Impairment</i>	340.1713 <i>Specific Learning Disability</i>	
340.1709 <i>Physical Impairment</i>	340.1714 <i>Severe Multiple Impairment</i>	

The Special Education Process: Step by Step

Q: *What are the steps in the special education process from referral to placement?*

A: All local school districts and public school academies follow the same procedures in evaluating a student for initial special education eligibility and developing the Individualized Educational Program (IEP). The descriptions below outline the process.

1 Referral

A child/student may be referred to a district for an evaluation by any adult at any time.

- A referral for an evaluation is a referral of a child/student suspected to have a disability.
- Referrals may be made by school staff, parents, guardians, or other adults that have knowledge about the child and their needs. An adult may refer a child/student for an evaluation by contacting a district or building of enrollment.
- When a district receives a referral for a child/student, the school district has 10 calendar days (counted from the date the school district receives the referral) to request consent from a parent to evaluate a child/student.
- Districts—Plan for the evaluation, prepare parent notices, and conduct a REED (when appropriate).

2 Parental Consent to Evaluate

When a district receives a referral for a child, the district has 10 calendar days (counted from the date the district receives the referral) to contact the parent and request consent to evaluate a child/student. The following must occur:

- A request for parental consent to evaluate must be accompanied by two notices:
 - The Procedural Safeguards Notice.
 - A notice explaining: The reason or reasons an evaluation is sought and the nature of the evaluation.
- Only the parent or guardian of a child may give consent (agree) to an evaluation.
- A school district must make reasonable efforts to follow up on a request for consent to evaluate.
- A district may not conduct an initial evaluation without parental consent.
- A parent may refuse consent for an initial evaluation.

3 Reviewing of Existing Evaluation Data (The REED)

The overall intent of a REED is for districts to review a student's educational, behavioral, and medical data in determining the need for particular evaluations. There are times when a REED is required and optional. The following are guidelines to remember when determining when to use the REED process:

- During the Initial Evaluation process the REED is optional.
- During the Three Year Evaluation/Re-Determination process or any other type of evaluation after the initial the REED is required.
- When establishing the need to terminate eligibility the REED is always required, unless termination is due to graduation or the student reaches age 26.

- When determining programs and services (except speech and language) note that evaluations are optional for adding or removing services such as OT, PT, Behavior, and/or Assistive Technology, but if an evaluation is needed, parent consent is required and can be given without conducting a REED, i.e. the REED is optional.
- For determining Speech and Language Eligibility and services the REED is always required.

4 The MET Process

Once parental consent is received and needed evaluations are identified, the district then establishes an evaluation team, known as the multidisciplinary evaluation team or MET. The primary purpose of the MET is to conduct the evaluations and/or review existing assessment data to recommend or re-determine eligibility to the IEP Team (which may consist of the same members).

5 The Initial Evaluation and the Initial IEP

After a district receives parental consent to evaluate, the evaluation, the determination of eligibility, and the development of the Individualized Education Program (IEP) may proceed. Michigan Special Education Rules require that BOTH the initial evaluation and the initial IEP be completed within the same 30 school day timeline.

- The initial evaluation will involve a Multidisciplinary Evaluation Team, input from a child’s parent, and may include a REED.
- An IEP team will determine eligibility or ineligibility and develop an IEP.

6 Notice for Initial Provision of Programs and Services (Notice of FAPE)

An initial IEP is complete when the district makes its offer of a Free Appropriate Public Education (FAPE) to a parent.

- When an initial IEP is completed, it is given to the district superintendent or designee. The superintendent or designee then sends a Notice of Intent to Implement Special Education Programs and Services to a parent.

- The superintendent has 7 calendar days, counted from the date of receipt of the completed IEP, to provide a parent with written notice stating where the special education programs and services will be provided and when the IEP will begin.
- The Notice of Intent to Implement must include a copy of the IEP.
- A parent, at any time after receiving the Notice of Intent to Implement Special Education Programs and Services, may use due process to appeal a district’s decision.

—MDE: Quick Reference Guide

7 Parental Consent to Provide Programs and Services

A parent has 10 calendar days after the date of receipt of the Notice of FAPE to provide the district with written consent to provide special education programs and services.

- A district may not provide initial special education programs and services without parental consent.
- A parent may refuse consent to provide initial special education programs and services.

8 Implementation

A district provides the special education programs and services that are in a child’s/student’s IEP. A district must initiate the completed IEP as soon as possible, but in no case later than 15 school days after the parent has received the Notice of Intent to Implement Special Education Programs and Services.

Previous Enrollment Process

Rule 340.1722e of The Michigan Administrative Rules for Special Education requires that,

- 1) If a student who currently receives special education programs or services enrolls in a new district, then the new district shall do either of the following:

- a) With the parent's consent, immediately implement the student's current IEP.
 - b) With the parent's consent, immediately place the student in an appropriate program or service and convene an IEP Team meeting within 30 school days to develop an IEP.
- 2) If the parent does not provide consent for placement, then the school district will implement the student's current IEP to the extent possible and an IEP Team meeting shall be convened to develop a new IEP as soon as possible, but not later than 30 school days.



The Special Education Process: Timelines

Q: What are the common timelines that all special education staff must adhere to?

A: See the following Michigan Department of Education table.

Step	Activity	Timeline
	Public Awareness <i>School districts must inform the public about available special education programs and services and how to access those programs and services. This is part of the district's Child Find responsibility.</i>	Annually/Ongoing
1	Referral <i>A child suspected of having a disability is referred for special education programs and services by contacting school district personnel.</i>	Anytime
2	Parental Consent to Evaluate <i>A district must contact parents when a referral is received and request parental consent to evaluate a child suspected of having a disability.</i>	Within 10 Calendar Days <i>Counted from the date the district receives the referral</i>
3, 4	Evaluation <i>A Multidisciplinary Evaluation Team (MET) conducts the initial evaluation.</i>	Within 30 School Days* <i>Counted from the date the district receives the Parental Consent to Evaluate to the completion of the IEP (the time to complete the Evaluation is included in the 30 school days)</i>
5	Individualized Education Program (IEP) <i>The IEP TEam is convened to determine the eligibility and develop the child's IEP. The IEP is completed when the district makes its offer of a Free Appropriate Public Education (FAPE) to the child's parent.</i>	
6	Notice to the Parent of Intent to Implement <i>The completed IEP is given to the district superintendent/designee. The superintendent provides written notice to the parent about where and when the district intends to implement the IEP.</i>	Within 7 Calendar Days <i>Counted from the date the superintendent/designee receives the IEP</i>
7	Parental Consent for Provision of Programs and Services <i>Parent consent is required before the district is allowed to provide the special education programs and services that are in the IEP.</i>	Within 10 Calendar Days <i>Counted from the date the parent receives the Notice to Parent of Intent to Implement</i>
8	Implementation <i>The district implements the child's IEP.</i>	Within 15 School Days <i>Counted from the date of the Notice to Parent of Intent to Implement</i>

—MDE Quick Reference Guide

Developing an IEP: The Team



When developing an IEP, who should be considered?



Current IDEA requirements provide that IEPs are to be developed by a team whose membership includes

- **a parent or guardian of the child with a disability**
- **one general education teacher of the child**
- **one special education teacher/provider**
- **an administrative representative of the PSA (LEA)**
- **individuals who can interpret the instructional implications of evaluation results and**
- **other individuals with knowledge and expertise regarding the child and (as appropriate) the child.**

The IDEA does allow that a member of the IEP Team shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the local educational agency agree in writing (excusal must be prior to the IEPT meeting date). The law also allows for participation by conference call or other electronic means (§ 300.328). Staff must always remember to follow local district policy and best practices when establishing IEPTs.



Developing an IEP: The Elements



When developing an IEP, what areas must team members address?



According to IDEA: all IEPs (Individualized Education Programs) must include the following elements:

- **A statement of your child’s present levels of educational performance, including the ways in which his/her disability affects his involvement and progress in the general education curriculum.** For preschool children, you would consider whether the disability affects the child’s participation in any activities that would be appropriate.
- **A statement of measurable annual goals for the child, including benchmarks or short-term objectives.** These must help the student to be involved in and progress in the general curriculum, as well as meet other educational needs that result from his/her disability.
- **A statement of the special education, related services, and supplementary aids and services to be provided to the child.** This would include program modifications or supports from school personnel that will be provided for the child.
 - To advance appropriately toward attaining the annual goals,
 - To be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities, and
 - To be educated and participate with non-disabled children in the general education setting except for the time spent in special educational programs and services as specified in the IEP.

- **An explanation of the extent, if any, to which the child will not participate with non-disabled children in the general education class and in extracurricular and other nonacademic activities.**
- **A description of any modifications for state-or district-wide assessments that are needed in order for the child to participate.** If the team determines that he/she will not participate in such an assessment (or part of an assessment), a statement of why that assessment is not appropriate and how the child will be assessed.
- **The projected date for the beginning of the services and modifications, as well as their frequency, location, and duration.**
- **Beginning at age 16, a transition plan must be developed.**
- **A statement of how the child’s progress toward his/her annual goals will be measured and a description of how the parent will be regularly informed of the child’s progress toward annual goals.**
- **Provide parents or guardian with the Notice of Provision of Programs and Services (Notice of FAPE).**

Special Note: The IEP is not to be a curriculum for a child with a disability, but a means to access the curriculum in the natural learning environment which is the general education setting.

Developing an IEP: Amendments



What is the purpose of an amendment and how can it be used to change an existing IEP?



The purpose of the Individualized Education Program (IEP) amendment is to make changes to a student's IEP during the time it is in effect. In accordance with §300.324a(4) of the Individuals with Disabilities Education Act (IDEA),

the parent of the student with a disability and the district may agree not to convene an IEP team meeting for the purposes of making changes, and instead develop a written document to amend or modify the current IEP.

The regulation does not place restrictions on what aspects of the IEP can be amended pursuant to these agreements.

However, some legal firms have in the past cautioned districts to consider restricting such amendments to simple/minor changes.

Exactly how cautious districts should be about holding amendments to simple/minor changes, or exactly what would and wouldn't constitute a simple/minor change, is unclear. One firm has advised caution about using amendments to make eligibility decisions or to make programmatic changes that substantially affect the least restrictive environment for the student. You must also consider the impact the proposed changes would have on the remaining contents within the IEP. Michigan Department of Education (MDE) has stated that, although an IEP can be amended for any reason agreed to by the parent and the district, they recommend that an IEP team meeting be convened and a new IEP developed for any substantial or comprehensive changes. The following is a list of recommended acceptable and unacceptable changes:

Acceptable Changes Include:

- Adding, modifying, or deleting instructional goals and objectives;
- Modifying the amount of time in the current program;
- Adding, modifying, or deleting related services or provisions related to supplementary aids and services, assessment, or transportation.

Unacceptable Changes Include:

- Determining or re-determining any special education eligibility;
- Changing the type of program;
- Exiting the student from special education.

Several procedural matters should be kept in mind when amending IEPs:

- The annual review date remains the same, i.e., the amendment does not extend the 12 month review period.
- Parents are afforded the same due process rights for the amendment as they are afforded for the IEP. Thus, they can make complaints regarding the implementation of the amendment, or they could even request a due process hearing contesting the appropriateness of the amendment.
- If requested, parents have the right to receive a revised copy of the IEP that incorporates the amendments (§300.324a (6)). IDEA does not elaborate on how to make such a revised copy.

PSAs and their Supports from Neighboring Districts

Ancillary Services: To Ask or Not to Ask.... That is the Question!

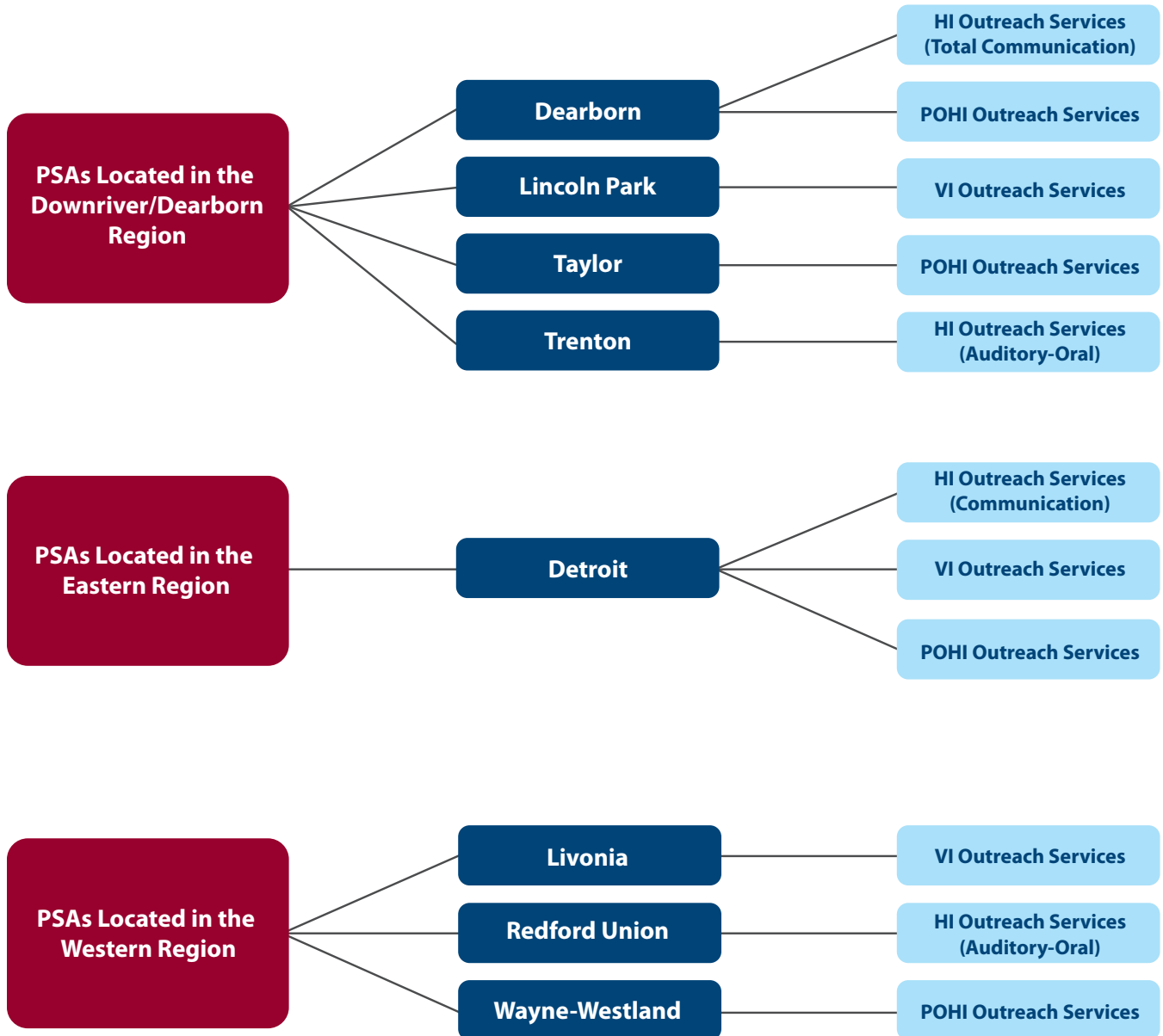
Q: *When is it appropriate for a PSA to request support for special education related services from its neighboring Local Educational Agency (LEA)?*

A: The following guidance will support the understanding of this issue:

Service	Incidence	Guidance
Speech and Language Services	for evaluations or instructional services	Don't Ask <i>This related service must be provided by your District. You may either employ someone or contract for services.</i>
Physical or Occupational Therapy	If "Low Incidence"	Ask <i>Low Incidence programs are those funded by ACT 18 and serve students identified with having a physical, visual, hearing, or other health impairments (not relating to ADHD/ADD) and are placed in a general educational setting.</i>
Physical or Occupational Therapy	If "High Incidence"	Don't Ask <i>High Incidence programs serve students identified with having ASD, specific learning, cognitive, and emotional, disabilities or has other health impairments such as ADHD or ADD. This related service must be provided by your District. You may either employ someone or contract for services.</i>
Nursing Services on Consultation	If "Low Incidence"	Don't Ask
Nursing Services for Direct Care	If "High Incidence"	Don't Ask <i>This related service must be provided by your District. You may either employ someone or contract for services.</i>
Teacher Consultant	If "Low Incidence"	Ask—Consultation or evaluation purposes only <i>Low Incidence programs are those funded by ACT 18 and serve students identified with having a physical, visual, hearing, or other health impairments (not relating to ADHD/ADD) and are placed in a general educational setting.</i>
Teacher Consultant	If "High Incidence"	Don't Ask <i>This related service must be provided by your District. You may either employ someone or contract for services.</i>

Neighboring Districts Supporting Ancillary Services

Note: ALL related services are designed for county resident students. See the illustration below to understand who to contact by location:





Transportation and a PSA's Responsibility

Q: *What is the PSA's responsibility for transportation for students with disabilities?*

A: **If your PSA provides transportation to and from school or financial support for field trips, vocational programs, or mileage reimbursement for nondisabled students, then you need to do the same for students with disabilities.** If you do not provide this support in general, then you typically do not need to provide it to students with disabilities. However, if the PSA's IEP team identifies transportation as a related service on a child's

IEP then your school will need to arrange for transportation services or ensure that a responsible entity does so. As your IEP team considers a student's need for transportation, it is critical that team members understand the difference between a student's need for transportation to get to school (common for all students) and a student's need as a result of a disability (which results in the need for a related service).

Your PSA is responsible to provide this related service so it can be contracted or arrange for the family to transport the child to and from school or the location of the special services and receive reimbursement.

—MDE Office of School Improvement Operator Primer:
Special Education in PSAs

The Least Restrictive Environment (LRE)

Q: *What is LRE and why must students with disabilities be placed in general education classes?*

A: Since 1975, the Individuals with Disabilities Education Act (IDEA) have required that students with disabilities be educated in the least restrictive environment (LRE).

The least restrictive environment is typically taken to mean that, to the maximum extent possible, all students with disabilities are educated with children who are not disabled in the school they would normally attend if not disabled.

Further, interpretation of LRE states that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

However, neither the 2004 reauthorization of IDEA nor the 2008 publication of Michigan's Administrative Rules for Special Education, provide definitions of the least restrictive environment. The Michigan State Board of Education does offer the following suggested process in determining LRE:

1. The student's specific educational needs (cognitive, affective, and psychomotor) are identified and discussed by the IEPT.
2. The specific special education and related services necessary to address the student's needs are discussed, identified, and determined by the IEPT.

3. The IEPT should give first consideration to the appropriateness of placement in the general education environment with modifications and supports. The full continuum of services will be considered without regard to current availability.
4. The extent to which the student will not participate in general education programs is determined by the IEPT.
5. In selecting the LRE, consideration is given to any potential harmful effects on the student or on the quality of services that he/she needs.

In summary, when determining the student's appropriate LRE, a PSA must consider the following factors:

- the educational benefits of integrated settings versus segregated settings,
- the nonacademic benefits (primarily social interaction with non-disabled peers),
- the effect the student with a disability can have on the teacher and his or her peers,
- the cost of supplementary services that will be required for that student to stay in the integrated setting.

****LRE decisions may not be based solely on factors such as: the category of disability, the severity of the disability, the configuration of the delivery system, availability of educational or related services, availability of space, or administrative convenience.***

The Least Restrictive Environment: The Appropriate Environment for Students

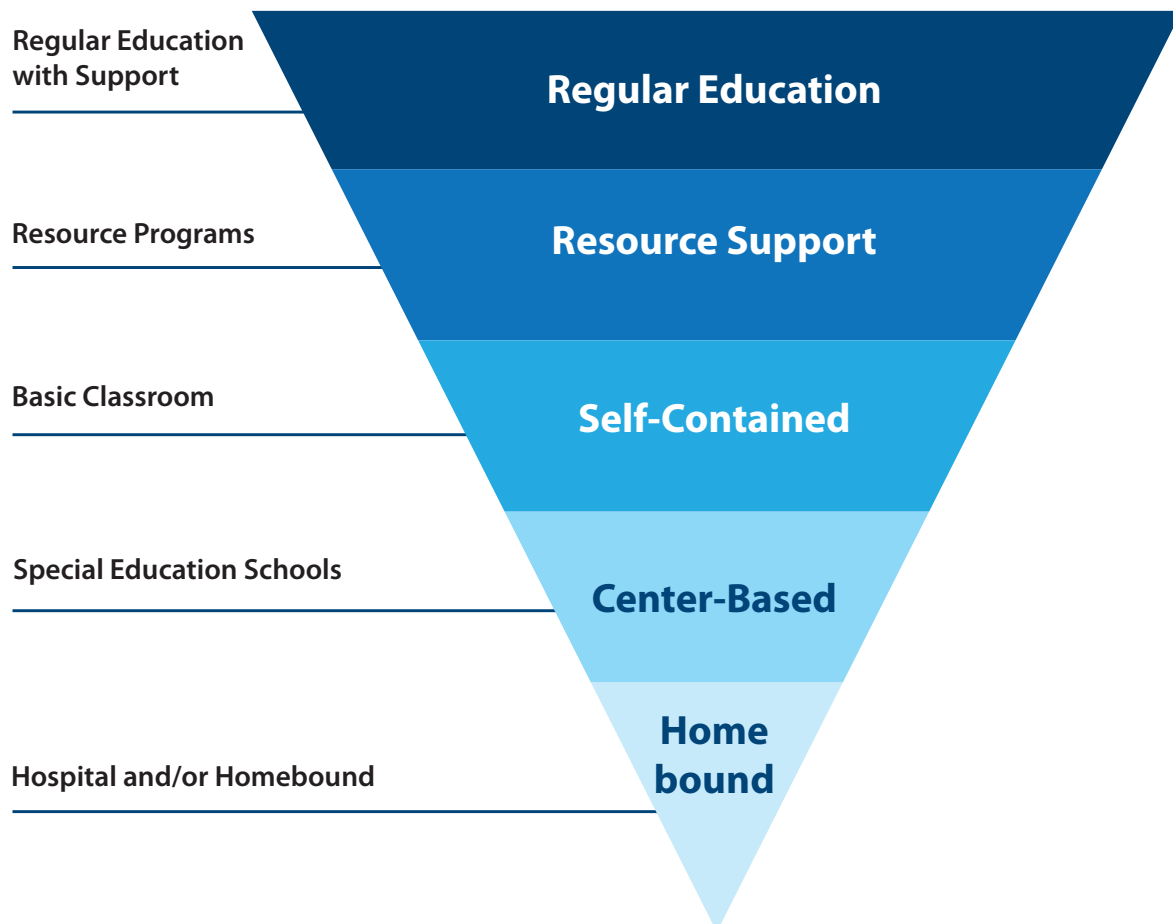
The passage of the No Child Left behind Act (NCLB) has created a great concern nationally and locally for general and special education teachers. The major issue is inclusion of students with disabilities into general education. In response to NCLB, school systems are mandating the placement of students with disabilities in general educa-

tion classrooms on a full-time basis. The “ideal” model of learning is the general education classroom. The scope and depth of experiences found in the general education classroom cannot be duplicated and should not be sacrificed for NCLB compliance. This requires full implementation of instructional and behavioral interventions, accommodations, modifications, and co-teaching options.

—Detroit Public School Committee Work:
Paul Chrustowski, Ph.D.,
Lois Vaughan-Hussain, & Cheryl Lang, 2008)

See Attachments for enlarged diagram (pg. 69).

Least Restrictive Environment (LRE) *A Continuum of Services*



Case Load/Class Size Requirements

Q: What are the current Wayne County caseload and class size requirements for special education?

A: The following Wayne RESA chart includes **Approved Permanent Waivers** as of July 2007

Position/Program	Class Size Requirement
Teacher Consultant	30 students total caseload
Resource Program	Elementary: No more than 23 students total caseload 15 students at one time
	Secondary: No more than 23 students total caseload 15 students at one time
Speech and Language	60 students total caseload
Departmentalized Programs	Not more than an average of 13 students per class period per instructional day, with no more than 15 students being served at one time
Mild Cognitive Impairments and Learning Disabilities (Classrooms)	Elementary: No more than 18 students total caseload 15 students at one time <i>Assignment of an aide when the program has 12 or more students in the classroom at one time</i>
	Secondary: No more than 18 students total caseload 15 students at one time <i>Assignment of an aide when the program has 12 or more students in the classroom at one time, except when the teacher is involved in a departmentalized program.</i>

Note: Being over caseload allowance does not constitute being closed for enrollment! If you are over in caseload numbers, refer to your district's policies and procedures for contracting services or hiring personnel.

Organizing a Resource Program in Your PSA

Q: *What are some factors that a PSA must consider when creating a new resource program?*

A: Consultation and collaboration between special and general education teachers are the strongest features of the resource program. **The resource program should provide optimal academic, social and behavioral supports that are necessary for successful educational experiences for both disabled and non-disabled students by offering instructional and behavioral supports that increase the productivity of the general educational setting.** In order to address the various needs of students with disabilities and the instructional concerns of their general education teachers, the resource program should incorporate and offer the following daily components:

- **consultation to students, parents, and staff,**
- **tutoring,**
- **co-teaching in the general education environment, and**
- **direct/supportive instruction services that may be designed in a resource lab/classroom.**

The resource program is **“A Service Not a Place.”** It is important to establish with parents, students, and general education staff that special educational services and supports will be delivered in the natural learning environment and the option to “pull” the student out is limited to direct instruction where separation is needed. Through these services, the resource (special education) teacher delivers an array of supports designed to increase academic achievement for students with an IEP requiring modifications for success in the general education curriculum.

“A Service Not a Place”...

The Resource Program	
is	is NOT
... the resource teacher modifying the instruction and developing supplementary materials needed in general education. Materials may consist of study guides, charts, vocabulary builders, etc.	... a detention center or the “designated” place for crisis intervention.
... a direct instruction environment, where remedial assistance and tutorial services are provided.	... a setting that replaces the “natural” learning atmosphere of the general education classroom.
... a shared commitment with general education staff to ensure a student’s academic success.	

—Detroit Public Schools:
High School Teacher’s Handbook

Suggestions for Organization:

1. Develop learning centers.
2. Have textbooks on tape when possible. (use assistive technology supports when appropriate)
3. Post rules/norms of the resource center.
4. Display posters of test taking strategies.
5. Establish areas for direct and small group instruction.
6. Organize and develop attractive, meaningful bulletin boards that relate to each core-content area.
7. Organize and arrange materials for easy student access.
8. Provide supplementary materials to support your student's success in their assigned classrooms.
9. Maintain a log of your caseload's school records that include, but not limited to attendance, grades, and PTA conferences.
10. Have copies of current textbooks, teacher manuals, pacing charts, and class syllabi for each core subject.
11. Create a routine contacting system (including oral and written) with parents to update them on their child's progress.
12. **Document, Document, Document EVERYTHING.**

Suggestions for the Selection of Instructional Materials during Direct and Tutorial Times

1. Utilize general education materials
2. Utilize supplementary materials related to the curriculum that supports individual student needs and IEP goals and objectives
3. Utilize best practices of effective instructional planning and differentiating the curriculum

Suggestions for Time Management

1. All special education resource program teachers should post a copy of their daily schedules on the resource room door and in the classrooms. Schedules should include a combination of the following:
 - a. Consultation and observation times
 - b. Direct Instructional time
 - c. Assessment
 - d. Co-teaching/Collaboration with general education peers that support "the delivery of services" for student success
 - e. Tutoring
2. All special education resource program teachers should have a copy of their students' academic schedules which may include the following:
 - a. Ancillary services
 - b. Resource support time for tutoring and direct services
 - c. General education course title with teacher's name, room numbers, best time to "push in", and collaborate



Quick Tips for Scheduling Students into General Education Classes

Procedures for scheduling student programs may vary within a particular school or district. It may be the responsibility of the building level administrator and/or counselor. In either case, the resource program teacher should provide input with factual data regarding their caseload needs that is vital to the determination of the appropriate class schedule. Remember that appropriate scheduling needs to be in compliance with a student's IEP recommended hours of programming and services. Scheduling students with IEPs should be done during the regular scheduling cycle. By doing so, the district will ensure appropriate placement and services.

Note: Please refer to the appendix section for additional forms that can support your collaboration and consultation with students, parents, and general education staff.



On-Going Student Monitoring

Regular informal and formal monitoring of the student's progress in general education is the responsibility of ALL special education teachers and these supports may go beyond the IEP recommendations.

Formal monitoring should be documented at least four times per semester. Documentation may take the form of test scores, social/behavioral charts, and/or academic review reports. It is also highly recommended that all special education resource program staff send a progress report to all general education staff for comments on each student's academic status.

Communication/Consultation with Students, Staff, and Parents

1. Establish regular communication with students and parents to maintain transparency with regards to student progress and needs.
2. Provide information about the resource support program to ALL building staff, students, and parents.
3. Consult with general education teachers that support your caseloads. When consulting with general education peers, focus on appropriate accommodations, modifications, and instructional strategies that sustain success for all students.

Understanding Students with Disabilities

Q: *What are some common characteristics of students with disabilities that are important to know?*

A: According to federal law, students who are identified as having a disability and thus require special accommodations and services may be classified in one or more of thirteen categories. These include

autism, deafness, deaf-blindness, emotional impairment, hearing impairment, learning disability, cognitive impairment, multiple disabilities, physical impairment, other health-impairment, speech or language impairment, traumatic brain-injury, and visual impairment including blindness.

In order for these students to receive the best education possible, it is essential that general education teachers understand these various disabilities and become knowledgeable on how these students learn best. The role of the special education teacher/provider is crucial in supporting ALL STAFF that come in contact with students with disabilities. The following selected disabilities are frequently encountered categories in districts. The subsequent information is some common characteristics, instructional, and behavioral strategies. Please note that these are just selected samples from a myriad of characteristics and academic supports that can be used to define and support students with disabilities in the least restrictive environment. In addition to the following suggestive strategies presented, please refer to www.resa.net for a list of additional appropriate IEP accommodations and modifications.

—McLaughlin, Margaret 2009

For additional resources in supporting students with disabilities, please refer to the Wayne RESA special education guidelines and publications link:

www.resa.net/services/spedcompliance/guidelinesandpublications/



The Student with a Specific Learning Disability

A learning disability is a neurological disorder that ***affects one or more of the basic psychological processes involved in understanding or in using spoken or written language.***

Disability Manifestation	Common Characteristics and Behavior	Strategies
<p>The disability may manifest itself in an imperfect ability:</p> <ul style="list-style-type: none"> • Listening/Reading Comprehension • Oral Expression • Written Expression • Basic Reading Skills • Math Calculations/ Reasoning • Reading Fluncey 	<ul style="list-style-type: none"> • Disorganized and frustrated in new learning situations • Overwhelmed in new situations or when new content is presented • Difficulty structuring work time • Trouble following directions • Easily distracted • Poor social decisions • Unclear about connection between effort and success • Difficulty with pencil and paper task 	<ul style="list-style-type: none"> • Break learning into small steps. • Probe to determine if the student is understanding. • Provide regular quality feedback. • Use diagrams, graphics and pictures to support your words. • Provide independent practice. • Model what you want students to do. • Provide prompts of strategies to use. • Engage students in process-type questions like “how is that strategy working and/or where else might you apply it?” (during direct instruction time). • Teach study skills, note-taking strategies, or organizational techniques. • Use adaptive equipment if appropriate (books on tape, laptop computers, etc.).

The Student with a Cognitive Impairment

Students with a cognitive impairment **may demonstrate problems with the ability to think and learn**. Students will often have trouble with such school subjects as math and reading. A cognitive impairment also **affects how a student will function in life skills**, such as, remembering personal information and grooming. Students with this impairment may have significant limitations in adaptive behaviors. A cognitive impairment comes in different forms—mild, moderate, severe and profound. These degrees of a cognitive impairment are measured by a child’s IQ number. A child with a mild cognitive impairment has a higher IQ and can learn more quickly than a child with a severe cognitive impairment.

Common Characteristics and Behavior	Strategies
<ul style="list-style-type: none"> • Learn at slower rate • Difficulty structuring work time • Learning may plateau for a period of time • Easily distracted/reduced attention span • Poor problem-solving strategies 	<ul style="list-style-type: none"> • Provide simple instructions • Sequence slowly, using examples • Use lots of visual tools • Speak clearly and turn so the students can see your face • Allow time to process requests and allow students time to ask questions • Use adaptive equipment if appropriate (books on tape, laptop computers, etc.) • Break learning into small steps • Probe to determine if the student is understanding

The Student with a Physical and/or other Health Impairment

Students with a physical disability will have ***an impairment that adversely affects educational performance.*** There is a diverse range of disabilities in this category including such conditions as cerebral palsy, spina bifida, amputations or limb absences, and muscular dystrophy. The term “Other Health Impairment” refers to a variety of health problems that dictate the need for special medical or educational services. Health impairments include convulsive disorders, cystic fibrosis, heart disease, sickle cell disease, hemophilia, asthma, rheumatic fever, cancer, AIDS, or any other ***chronic or acute health problem that limits strength, vitality, or alertness and adversely affects the student’s educational development.*** Both must be supported by a medical professional.

Common Characteristics and Behavior	Strategies
<ul style="list-style-type: none"> • May use assistive devices for mobility • May need assistance with basic needs • May need additional time to travel around the building • May need to see a nurse on a regular basis • May be on grade level or above • May have additional learning issues 	<ul style="list-style-type: none"> • If necessary, arrange for a room change before the term begins. Special seating arrangements may be necessary to meet student needs. Students may require special chairs, lowered tables on which to write, or spaces for wheelchairs. • If possible, try not to seat students using wheelchairs in the back row. Move a desk or rearrange seating at a table so the student is part of regular classroom seating. • Students with upper body weakness may not be able to raise their hands to participate in class discussion. Establish eye contact with the students and call on them when they indicate that they wish to contribute. • Make arrangements early for field trips and ensure that accommodations will be in place on the given day (e.g., transportation, site accessibility). • Make sure accommodations are in place for in-class written work (e.g., allowing the student to use a scribe, to use adaptive computer technology, or to complete the assignment outside of class).

The Student with a Visual Impairment

Visual impairment including blindness means impairment in ***vision that, even with correction, adversely affects a child's educational performance***. The terms partially sighted, low vision, legally blind, and totally blind are used in the educational context to describe students with visual impairments. They are defined as follows:

- **“Partially sighted”** indicates some type of visual problem has resulted in a need for special education.
- **“Low vision”** generally refers to a severe visual impairment, not necessarily limited to distance vision. Low vision applies to all individuals with sight who are unable to read the newspaper at a normal viewing distance, even with the aid of eyeglasses or contact lenses. They use a combination of vision and other senses to learn, although they may require adaptations in lighting or the size of print, and, sometimes, Braille.
- **“Legally blind”** indicates that a person has less than 20/200 vision in the better eye or a very limited field of vision (20 degrees at its widest point).
- **“Totally blind”** students learn via Braille or other non-visual media.

Visual impairment is the consequence of a functional loss of vision, rather than the eye disorder itself. Eye disorders which can lead to visual impairments can include retinal degeneration, albinism, cataracts, glaucoma, and other muscular problems that result in visual disturbances, corneal disorders, diabetic retinopathy, congenital disorders, and infection. These diagnoses require medical documentation and must meet state visual requirements.

Common Characteristics and Behavior

- Speak to the class upon entering and leaving the room or site
- Call the student with vision impairment by name if you want his/her attention
- Seat the student away from glaring lights (e.g. by the window) and preferably in front of the class
- Use descriptive words such as straight, forward, left, etc. in relation to the student's body orientation. Be specific in directions and avoid the use of vague terms with unusable information, such as “over there”, “here”, “this”, etc.
- Describe, in detail, pertinent visual occurrences of the learning activities
- Describe and tactually familiarize the student to the classroom, laboratory, equipment, supplies, materials, field sites, etc.

—Continued next page

The Student with a Visual Impairment—*continued*

Strategies

- Give verbal notice of room changes, special meetings, or assignments.
- Offer to read written information for a person with a visual impairment, when appropriate.
- Order the appropriate text books for the students in their preferred medium.
- Identify yourself by name; don't assume that the student who is visually impaired will recognize you by your voice even though you have met before.
- If you are asked to guide a student with a visual impairment, identify yourself, offer your services and, if accepted, offer your arm to the student's hand. Tell the student when he/she has to step up or step down. Let him/her know if the door is to the left or right, and warn of possible hazards.
- Orally, let the student know if you need to move or leave or need to end a conversation
- If a student with a visual impairment is in class, routinely check the instructional environment to be sure it is adequate and ready for use.
- When communicating with a student who has vision impairment, always identify yourself and others who are present.
- Do not pet or touch a guide dog. Guide dogs are working animals. It can be hazardous for the visually impaired person if the dog is distracted.
- Be understanding of the slight noise made by a portable translator.
- Also use an auditory or tactile signal where a visual signal is normally used.
- It is not necessary to speak loudly to people with visual impairments.
- Always notify changes of class schedule in advance.
- May need to use a cane for travel.
- May need additional training to travel around the building.
- May use audio and Braille equipment for written materials. Don't assume that it's a tool or music equipment.
- May need verbal clues for directions.

The Student that is Deaf or Hard of Hearing

A student that is deaf or hard of hearing **may have a lack of ability to hear sound and/or discern clarity. This disability may range from a slight hearing loss to profound deafness.** Hearing impairments can result in communication and behavior concerns in the regular education environment.

Common Characteristics and Behavior	Strategies
<p>Depending on the level of the hearing loss, the student may display characteristics like the learning disabled student.</p> <ul style="list-style-type: none"> • May or may not wear hearing aids • Language or speech reading may be used to communicate • Reading and writing skills may or may not reflect expected ability • May have some social interaction concerns • May talk too loudly or softly • Interrupt others actions incorrectly • May unintentionally make noises • May use physical contact to communicate • May have a sign language interpreter 	<p>ENVIRONMENT</p> <ul style="list-style-type: none"> • Provide the audience with a clear and direct view of your mouth and face. • Speak from a well-lighted area of the room. • Reduce background noise by turning off slide projectors or other types of apparatus when not in use. • Speak clearly and naturally and at your normal pace, unless you are asked to slow down. • For those with mustaches, trim so the lips show clearly <p>INTERPRETERS</p> <ul style="list-style-type: none"> • Sign language interpreters are certified professionals who use American Sign Language or Signed English to interpret spoken English for people who are deaf or hard of hearing. • If a sign language interpreter is used, introduce yourself to the interpreter and go over technical and specialized vocabulary before beginning presentations. • Interpreters at conference presentations should stand on one side of the platform at the front of the room, even with extra lighting if needed, in order to be clearly seen from anywhere in the audience. • When replying to a query from a hearing impaired individual using an interpreter, speak to the hearing impaired person, NOT to the interpreter. <p style="text-align: right;">—Continued next page</p>

The Student that is Deaf or Hard of Hearing—continued

Strategies—continued

CAPTIONING

- Captioning is the on screen text display of spoken words or sounds that are part of a video or film presentation. Captioners are usually trained as stenographers and use special software to add captions to a previously produced video.
- Video or film production services can also include captions as part of your original production.
- If showing a videotape, have it captioned. (Open captions are preferred for this purpose as closed captions can be seen only with the use of a decoder.) If there is a script or transcription already available, this will make the captioner's job easier.
- If captioning is not feasible, arrange for an interpreter to sign the audio portion of the tape. If possible, make the tape available to the interpreter a day, or so, before your presentation.

AUDITORY MATERIALS

- Audiotapes, videotapes, and other auditory materials can be translated into print format to make them accessible to people who are deaf or hard-of-hearing. When transcribing video, be sure to mention any sounds and actions that may occur independent of the spoken text, and indicate settings or changes of scene as well. To find a transcriber, look in the Yellow Pages under "Transcribing Services."
- If available, use Assistive Learning Devices. These devices consist of a transmitter that sends electronically enhanced sound to receivers worn by individuals who are hard-of-hearing.

The Student with an Emotional Impairment

Emotional impairment shall be determined through *manifestation of behavioral problems primarily in the affective domain, over an extended period of time, which adversely affects the student's education.*

Common Characteristics and Behavior	Strategies
<p>Students in this category have:</p> <ul style="list-style-type: none"> • Poor social judgment and interpersonal skills • Inability to build or maintain satisfactory interpersonal relationships within the school environment • Inappropriate types of behavior or feelings under normal circumstances • Tendency to develop physical symptoms or fears associated with personal or school problems. • Emotional, not cognitive impairment • Behavior impacts their attention to cognition but does not impede learning • May also range from low to high extreme behavior • Misinterpreting feelings of others • Impulsivity—acting before thinking • Anxiety and depression • Learned helplessness and low self esteem • Oppositional and disrespectful behavior 	<ul style="list-style-type: none"> • Avoid confrontations and power struggles. • Provide an appropriate peer role model. • Develop a system or code that will let the student know when behavior is not appropriate. • Arrange a designated safe place that student can go to. • Develop a behavior intervention plan that is realistic and easily applied. • Provide immediate reinforcers and feedback.

The Student with Autism Spectrum Disorder

Some children on the spectrum are very severely affected in most or all domains of functioning, while others are only mildly affected. There is considerable overlap of the conditions along the spectrum, meaning that children with different diagnoses may share many characteristics. On the other hand, two children with the same diagnosis may be affected in markedly different ways.

“There is no single behavior that is always typical of autism and no behavior that would automatically exclude an individual child from a diagnosis of autism.”

—National Research Council, 2001

Common Characteristics and Behavior	Strategies
<ul style="list-style-type: none"> • Impaired social relationships • Communication and language deficits • Unusual responsiveness to sensory stimuli • Uneven skill development • Insistence on sameness and perseveration • Visual learners • Concrete thinkers: literal interpretations • Engage in ritualistic routines and repetitive behaviors • Difficulty reasoning and making conclusions • Excessive focus on details 	<ul style="list-style-type: none"> • Use consistent classroom routines. • Give visual instructions, rules and use visual classroom schedules. • Watch for signs of high anxiety or difficulties a student may be having with sensory and emotional overload, and other signs of stress. • For younger students, give students a visual menu of appropriate behaviors to use when they become agitated or overwhelmed and for older students, give clear written expectations for their work assignments, procedures for completing the task, and a rubric or written guidelines to evaluate their finished product to ensure success. • Understand the need for transition time and plan for it. • Structure the presentation of worksheets. Highlight directions, number the steps to complete harder tasks, and give an example of the completed task to help students transition to and from a work assignment. • Explain clearly the purpose of all work assignments, presentations, multimedia materials, or other learning tasks. • Use special interests as motivators to help students engage in new and/or difficult materials.

The Student with a Speech or Language Impairment

Students with speech and language impairments refer to ***problems in communication and related areas such as oral motor function***. These problems range from simple sound substitutions to the inability to understand or use language or use the oral-motor mechanism for functional speech.

Common Characteristics and Behavior	Strategies
<ul style="list-style-type: none"> • Mispronouncing syllables or whole words • Receptive and/or expressive language disorders • Voice disorder, including abnormal pits, loudness or voice quality • Fluency disorder, pauses, hesitations, repetitions • Dysfluency • Impaired articulation • Reluctance to speak 	<ul style="list-style-type: none"> • Work closely with the teacher of the speech and language impaired (TSLI) to incorporate student learned techniques within the classroom setting. • Minimize the pressure to perform verbally and reduce student’s anxiety. • Use nonverbal listening skills such as eye contact and facial expressions. • Let the student finish talking. • Don’t finish the student’s sentences. • Do not allow other students to make fun of the student. • Provide positive feedback for all communication efforts.

Discipline and Students with Disabilities: The Clock Is Ticking

Q: *What factors must a PSA consider when disciplining students with disabilities?*

A: It is important to remember certain rules and limitations when disciplining students with disabilities. **Generally, a student with a disability cannot be suspended from school for more than 10 school days if the misconduct was caused by or was related to a known disability.** If the misconduct in question includes bringing a weapon or drugs to school, inflicting serious bodily harm, or if the student poses a danger to him/herself or others, then different rules will apply when removing a student with a disability from school. (34 CFR 300.121(d)(1))

Before suspending a pupil for more than 10 days, the district must comply with the IDEA safeguards and/or Section 504. In Honig v Doe, 484 US 305 (1988), the United States Supreme Court held that a suspension of more than 10 days was a “change in placement” thus not permissible for pupils with disabilities implementing a need for districts to proceed with an IEP process.

—John Norlin, 2007

For additional support with understanding suspensions and expulsions refer to Wayne RESA’s website:

www.resa.net/services/spedcompliance/guidelinesandpublications/

Q: *What are the different levels of disciplinary actions in Michigan?*

A: There are three disciplinary action levels, short-term, long-term, and permanent expulsion. The following is a brief description of each level as defined by Michigan Department Education. [MCL 380.1309]

Short-Term Suspension	Long-Term Suspension	Permanent Expulsion
A short-term suspension may be ten (10) consecutive days or less.	A local board of education may authorize or order the suspension or expulsion from school for a pupil guilty of a “gross misdemeanor” or “persistent disobedience” for a period up to 180 days. <ul style="list-style-type: none"> • verbal assaults and bomb threats • physical assault—pupil to pupil 	A district, or the district’s designee, is required to permanently expel a pupil from the district for <ul style="list-style-type: none"> • weapons • arson • criminal sexual conduct • physical assault to an employee, volunteer, or a person contracted by the school district



Manifestation Determination Review

Q: *What is a Manifestation Determination Review (MDR)?*

A: **The Manifestation Determination Review (MDR) is a meeting which must take place within 10 days of a behavior infraction that would cause a student to be removed from his/her current placement in a public school for more than 10 days.** That includes a suspension of more than 10 days. It is held to determine if the behavior is due to the child's disability, whether the district has sufficiently addressed the issue, and whether an alternate placement may be appropriate for a child (with the agreement of the parents.) The MDR is conducted by a school district representative, the parent, and relevant members of the Individualized Education Program (IEP) team, as determined by the district. Participants should document their attendance at the MDR meeting. If a parent is invited and does not attend, the MDR may proceed and district should document their attempts to invite the parent. (Refer to the change of placement chart on page 44.)

Note: *In some situations, the outcome of the MDR may result in a change of placement for the student, which would require an IEP team meeting. Therefore, it may be more expeditious in some situations to combine the MDR with an IEP team meeting. When holding an IEP team meeting under this circumstance, the parent must be informed via the invitation to meeting that the purpose of the IEP meeting is to consider a change of placement.*

Manifestation Determination Review—continued

Q: *What are some factors to remember in regards to MDRs?*

A: During the MDR, the team must consider two important factors when determining the discipline and educational supports for a student with a disability:

- **If the misconduct in question was caused by or had a direct relationship to the child’s disability.**

OR

- **If the conduct in question was the direct result of the district’s failure to implement the IEP.**

—MDE: *Quick Reference Guidance-Suspension and Expulsion*

(See Wayne RESA’s website for resources on Positive Behavior Systems and Discipline Logs)

Q: **Part a:** *What are the “special circumstances for students with a disability?”*

A: IDEA allows for different procedures for a student with a disability who while at school on school premises, or at a school function: (Special Circumstances: §300.530 (g)):

1. Carries a weapon or possesses a weapon.
2. Knowingly possesses/uses illegal drugs or sells/solicits the sale of controlled substance.
3. Inflicts serious bodily injury upon another person.



Part b: *Are the disciplinary procedures different for students with a disability in these Special Circumstances?*



Yes, the following must be adhered to per MDE’s recommendations:

A. The District must:

1. Provide general education protections.
2. Invoke procedures specific to students with a disability.
 - Provide parent with Special Education Procedural Safeguards.
 - School personnel determine a change of placement to a 45 school day Interim Alternative Educational Placement (IAES).
 - Conduct an MDR within 10 days of first day of decision to change the placement (see MDR process).
 - District convenes an IEP team meeting to determine the appropriate setting for the IAES.

B. Manifestation Determination Review team makes a decision:

THE BEHAVIOR



IS a manifestation of disability...

The behavior was found to be a manifestation of the student’s disability by the MDR team. The district must immediately initiate or review/re-visit an existing FBA/BIP. The district may decide that the student returns to the placement prior to the removal, or the student may remain in the IAES for the remainder of the 45 school days. After the 45 school days, the student with a disability returns to the school in the placement prior to the removal or a new placement agreed by IEPT members (including the parent).

IS NOT a manifestation of disability...

The district follows general education discipline procedures, and follows the procedures for a change of placement. The district must immediately initiate, as appropriate behavioral intervention services and modifications designed to address the behavior violation so that it does not recur, or review an existing FBA/BIP to address the behavior. District may impose discipline for as long as they would for a student without disabilities and the District must provide services for the length of the discipline removal.

Manifestation Determination Review—continued

If there is a pattern (change of placement):		If there is no pattern (no change of placement):
<ul style="list-style-type: none"> Conduct an MDR within 10 school days of decision to change placement. (It is possible that a student returns to school before the MDR is held.) Provide FAPE on the 11th day. 		<p>No requirement to hold MDR. Student receives general education discipline as if no change in placement.</p>
IS a manifestation	IS NOT a manifestation	<ul style="list-style-type: none"> Provide FAPE on 11th day, setting and services are determined by school personnel in consultation with at least one of the child's teachers.
<ul style="list-style-type: none"> Terminate general disciplinary removals; student immediately returns to school (unless other placement agreed to by parent) Immediately initiate an FBA/BIP or review an existing FBA/BIP to address the behavior District takes immediate steps to remedy any deficiencies in the implementation of the current IEP 	<ul style="list-style-type: none"> District may use general discipline procedures and provide FAPE on the 11th day Setting and services are determined by the IEP team Immediately initiate an FBA/BIP to address the behavior 	
Student immediately returns to previous placement or other placement determined by the IEP team.	Student returns to previous placement on the 13th day.	Student returns to previous placement on the 13th day.

Special Note: Please refer to Wayne RESA's website for current information on suspension and expulsions, Behavioral Intervention Guidelines, Positive Behavioral Supports, and special education forms relating to manifestation determination.

www.resa.net/services/spedcompliance/guidelinesandpublications/

Ensuring FAPE in an Interim Alternative Educational Placement

Q: *What is an Interim Alternative Educational Placement (IAES)?*

A: An IAES is where the district places a student with a disability for instructional purposes when it is decided to remove the student from his/her placement for disciplinary reasons.



Q: *What are examples of providing FAPE in an Interim Alternative Educational Placement?*

A: An IAES is appropriate if it continues to provide FAPE, the IEP is implemented per the MDR requirements, the general education curriculum is offered, and related services are given, and intervene on behavioral concerns. The following are some examples of appropriate IAES (and can be a combination of):

- A classroom in an alternative setting designated for students with disabilities during suspension where their educational and IEP goals could be met on an individual basis. The number of hours per day may be adjusted based on the educational needs of the students. Fed. Reg. p. 46722 (2006)
- A home-based program may be appropriate for some students and may be considered on a case by case basis. The number of hours would be based on the student's educational needs. The student would not be considered a homebound student and should not be coded that way for student attendance purposes.
- A teacher may meet students at an off-site location such as a public library or at the district administrative offices. The number of hours would be based on the student's educational needs.
- For a student receiving weekly speech services with goals related to social language in the workplace, the IEP team may determine that a monthly consultation by the speech and language pathologist is appropriate since the student is suspended from his or her work place experience.

Counting Removals

Q: *What is meant by “removal” from school for students with disabilities?*

A: The term “removal” refers to removing a student with a disability from instruction for disciplinary reasons without the opportunity to continue to progress in the general education curriculum, continue to receive services specified on the student’s IEP, and to continue participation with nondisabled students to the extent they would have in their current placement. (FED. REG. p. 46715)

Q: *How must a PSA count the removal of students with disabilities?*

A: When removing students with disabilities from school consider the following:

- All removals must be consistent with general education removals
- In-school suspensions will not count, if student:
 - a. was afforded opportunity to appropriately participate in general education curriculum;
 - b. receives services specified in IEP;
 - c. written into a behavior plan that is part of the student’s IEP;
 - d. can participate with non-disabled peers to the extent they would in their IEP
- Partial day removals count as a full day removal.
- Special transportation suspensions count if transportation is in the IEP and the district does not provide transportation in some other way. Parent may also agree to transport student without district’s support.
- Regular bus suspensions don’t count, but check to see whether additional support is needed to address the bus behaviors.

Q: *What is a “pattern of removals” that constitutes a change of placement?*

A: The student has been subjected to a series of removals that constitute a pattern if there are:

1. A series of removals that total more than 10 school days in a year.
2. A recurrence of substantially similar behavior in a series of removals subject to discipline.
3. Additional Factors to consider:
 - Length of each removal (e.g., a two day suspension)
 - Total time removed (e.g., five days removed this year)
 - Proximity of removals to each other (e.g., removals are one week apart)
4. A change of placement occurs once that pattern of removals infers in the delivery of special education programs and services.

Transition Quick Tips:

Q: *On the IEP there is a section for transition, what is transition planning?*

A: Transition planning is a process used to assist the student with a disability in moving from the school into adult life. It is a cooperative effort between the school, the student, family and community agencies. Required transition planning for all students with a disability begins at the age of 16. The WRESA website has the most current transition support planning tools. www.resa.net/services/spedcompliance

Q: *What is transition planning for secondary students with an IEP and how does it relate to high school completion?*

A: **Transition services are intended to be a coordinated set of activities, provided to the student by the school and sometimes other agencies, to promote successful movement from high school to adult life.** The transition process prepares students for adult life by focusing on the areas of post-secondary education, employment, community participation, and independent living skills. **IDEA 2004 adds a new requirement that transition services be based on the student's strengths, as well as their preferences and interests.** The addition of "strengths" makes it clear that the development of transition goals should focus on and build upon what the student **can** do—not focus entirely on what the student can't do. IDEA 2004 states that IEP Teams must now include transition planning in the first IEP that will be in effect when the child turns 16 years of age. As such, determining transition services is a task for all IEP team members, including the student, teachers, and parents. Genuine student and parent participation—active involvement in and contribution to the planning process—is critical to achieving good transition results. IDEA 2004 dramatically expands the requirements for transition planning from merely a statement of needed transition services to:

- 1. Development of appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills. These goals should reflect the student's strengths, preferences, and interests.** In determining such goals, the IEP team (including the student) must determine what instruction and educational experiences will help prepare the student for a successful transition from secondary education to post-secondary life. Age-appropriate transition assessments might include such things as interest inventories and other assessment tools that can help identify an individual's special talents.
- 2. Development of a statement of the transition services (including courses of study) needed to assist the student in reaching those goals.** The statement of transition services should relate directly to the student's postsecondary goals.

Continuous Improvement and Monitoring System (CIMS)

Q: *What is CIMS?*

A: The Continuous Improvement and Monitoring System (CIMS) is the system used by the state to promote positive outcomes and ensure compliance with the Individuals with Disabilities Education Act (IDEA) of 2004 and the Michigan Administrative Rules for Special Education. **CIMS was designed to help districts analyze and interpret data and keep track of all monitoring activities in a single location.** CIMS reflects the priorities of the IDEA 2004 and the State Performance Plan (SPP) and is aligned with the School Improvement Framework.

Compliance and Instructional Monitoring: A Team Approach to Providing Special Education Services in your PSA

Q: *How can a PSA approach monitoring of special education programming, services, and overall compliance?*

A: One possible approach can be the establishment of a compliance review team (CRT). A CRT will assist in supporting your PSA's staff in delivering supports to students with disabilities and assured FAPE in the Least Restrictive Environment, while monitoring special education mandated initiatives (e.g., CIMS or Force Monitoring). **Members of the CRT could consist of a special education teacher, general education teacher, school social worker, school psychologist, speech and language teacher, counselor, and building administrator. The Compliance Review Team's focus will ensure that students with disabilities are provided the appropriate daily instructional, behavioral, and transitional supports as required by their Individualized Educational Programs (IEPs) and that are consistent with District, County, State and Federal mandates.** This support is through ongoing efficiently embedded assistance to teachers through modeling, co-teaching, and direct consultation. Teachers are supported in the acquisition of effective differentiated instruction and best practices so that students with disabilities are learning and achieving to the maximum extent possible in the Least Restrictive Environment (LRE). The following are possible responsibilities of a CRT (see right).

Instructional Support to Staff to Ensure Student Academic Supports	
1	Establish and maintain accurate and efficient record keeping procedures. Ensure that all general education teachers assigned to students with disabilities are fully aware of their IEP's recommendations for modifications and accommodations.
2	Support enforcement of school rules and PSA's policies on "Code of Conduct" in relation to a student's right with an IEP.
3	Provide support in the planning and implementation of IEP requirements and recommendations.
4	Assist in planning and preparing instructional activities.
5	Assist in identifying, selecting, and modifying instructional materials and strategies to meet the needs of students (Co-Teach, when possible).
Assessment Supports to Ensure Appropriate Assessment Accommodations	
6	Provide support in the administration of assessments and assessment strategies to monitor and evaluate students with IEPs required assessment accommodations.
7	Collect and review special education assessment data and maintain a database for future reference in IEP development with respect to appropriate accommodations.
8	Share the database and collaborate with the school psychologist(s) and/or school social worker(s) on the best possible strategies for student(s).
Direct Services to General Education and the IEP Implementation to Maintain Compliance	
9	Demonstrate knowledge and understanding of Differentiated Instruction and instructional strategies per content area for specific disabilities.
10	Provide current copies of students' IEPs to ALL assigned instructional staff.
11	Encourage teachers to apply principles of learning and effective teaching methods, identify materials that relate to curriculum, grade level content expectations, and IEP (Individualized Education Program) goals ensure that all students to be actively engaged in the learning process.
12	Provide appropriate strategies and techniques to enhance critical thinking skills.
13	Recommend appropriate instructional modifications and accommodations.
14	Recommend, demonstrate or model appropriate materials, technology and resources to help meet learning needs of all students.
15	Participate in the Continuous Improvement Monitoring effort (CIMS) each year for the state in order to examine IEPs of students with disabilities and provide corrective action information on compliance with state and district guidelines.
16	Support with securing critical documents (e.g., Initial IEP, MET packets, etc.).
17	Support special education teachers who do not have core curriculum material for reading, math, and other subject areas with securing materials needed for classroom instruction.
18	Communicate effectively, both orally and in writing, with other professionals, students, parents, and the community.
19	Collaborate with general and special education peers to enhance the instructional environment.
20	Work collaboratively with Wayne RESA by participating in professional development that will support and enhance your instructional staff awareness of special educational compliance and enhance instructional/behavioral strategies.

—DPS Committee Work: Lois Vaughan-Hussain and Natasha Smith, 2005

References:

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- McLaughlin, Margaret (2009). *What Every Principal Needs to Know About Special Education*. 2nd ed. Corwin Press. Thousand Oaks, CA.
- *Michigan Administrative Rules and Regulations for Special Education* (Revised 2009)
- *Michigan Department of Education: Discipline Procedures* (January 2011)
- *Michigan Department of Education: Operator Primer for Special Education in Public School Academics*
- *Michigan Department of Education Pupil Accounting Manual* (Revised August 2010)
- Michigan Department of Education website: www.mde.gov
- Morris, Harriet (2007). *Autism in the Classroom: Practical Techniques for Teaching Students with ASD*.
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- Norlin, John (2007). *What Do I Do When... The Answer Book on Special Education Law*. 5th ed. LRP Publications. Horsham, Pennsylvania.
- Pierangelo, R. & Giuliani, G. (2001). *What Every Teacher Should Know about Students with Special Needs: Promoting Success in the Classroom*. Research Press. Champaign, Ill.
- Revised School Code
- United States Department of Education: Federal Register (August 2006)
- Wayne County Regional Educational Service Agency website: www.resa.net
- *Wayne RESA County Plan* (2010)

Attachments

- **Sample Resource Program Homework Log**
- **Sample Resource Program Log**
- **Sample Resource Program Tutorial Schedule**
- **Sample Progress Report**
- **Sample Parent Contact Log**
- **Sample Lesson Plans for Direct Instruction**
- **Sample Least Restrictive Environment Chart**
- **Sample Compliance Monitoring Checklist**

Progress Report

RE: _____

Date: _____

From: _____

To: _____

Dear Educator:

The above student is supported by our resource room program. In order to be in compliance with our student's required and recommended IEP goals and objectives, I will periodically ask that you evaluate this student's progress in your class. Please indicate below your evaluation of this student. Thank you for your cooperation in returning this form.

Student progress is: (check one)

Satisfactory

Unsatisfactory

Student needs improvement in the following areas:

Attitude towards work

Attendance

Test scores

Social skills

On time/on task behavior

Grasping concepts in class

Submitting homework or projects

Completing in-class assignments

Needing excessive individual attention

Comments: _____




Continuum of Progress:

Check One	Little	Some	Changed

Resource Room Homework Log

Student: _____

Week Of: _____

Class	Math	English	Science	Social Studies	Electives	IEP Objectives Assignments
Monday						
Tuesday						
Wednesday						
Thursday						
Friday						
Completed (Check One)	Yes 	No 	NA 			

Parent Signature: _____

Date: _____

Resource Program Student Log

(For the purpose of "Delivery of Service" documentation)

Name	Date	Hour	Assignment(s)	Comments/ Outcomes

Resource Program Tutorial Schedule

Checklist for Goals/Short Term Objectives

Student	Assignment(s)	Time/Date

Lesson Plan for Direct Instruction

Week Beginning: _____

Subject: _____

Period/Time: _____

Text/Materials: _____

Day	Objective	Procedures	Assignment/ Homework	Evaluation	IEP Objectives	Focus Student
Mon.						
Tues.						
Wed.						
Thurs.						
Fri.						

Sample Lesson Plan for Direct Instruction

Week Beginning: December 18, 2015

Subject: 9th Grade Social Studies

Period/Time: 2nd Hour 9:30–10:25 AM

Text/Materials: Composition books, pencils, dictionaries, study guides from Chapter 25 of textbook

Day	Objective	Procedures	Assignment/ Homework	Evaluation	IEP Objectives	Focus Student
Mon.	Compare and contrast city vs. country lifestyles by writing a letter to a friend encouraging or discouraging them from moving to the southern portion of the United States.	<ul style="list-style-type: none"> • Set Lesson • Assign letter partner • Model • Check for understanding • While students work independently, observe and support • Partner will review letter for revisions • Students will be selected to share their letters. 	Imagine that you are a migrant who just moved to Detroit in 1920. Write a letter to a friend in the south explaining why or why not to move to the city or stay in the country.	<ul style="list-style-type: none"> • Completion of letter • Orally share letters with class 	Evaluate and react critically to what was read	2 nd Hour L. Jackson M. Davidson
Tues.						
Wed.						
Thurs.						
Fri.						

Progress Report

RE: _____

Date: _____

From: _____

To: _____

Dear Educator:

The above student is in the Resource Program. In order to be in compliance with federal, state, and county **special education rules, regulations, and guidelines**, I will periodically ask that you evaluate this student's progress. Please indicate below your evaluation of the student. Thank you for your cooperation in returning this form.

Student progress is: (check one)

Satisfactory

Unsatisfactory

Student needs improvement in the following areas:

Attitude towards work

Attendance

Test scores

Social skills

On time/on task behavior

Grasping concepts in class

Submitting homework or projects

Completing in-class assignments

Needing excessive individual attention

Comments: _____

Continuum of Progress:

Check One	Little	Some	Changed

Thank You, _____

Room _____

Box _____

Memo to General Education Teacher

To: _____

RE: _____

From: _____

Dear Educator:

The following student(s) have been scheduled into your class. I am their caseload teacher for this school year. It is important that we work together so that our students can be successful in your class. Feel free to ask for interventions and strategies that will assist in your instruction of the student. My responsibilities include monitoring their performance in your class, keeping their parents/guardians informed, and offering support to you. Please inform me of the first indication of an academic problem. My room # is _____, mailbox # is _____. I also ask that you keep this information confidential to protect the privacy of the student. Thank you for your cooperation and support.

1.		5.	
2.		6.	
3.		7.	
4.		8.	

Resource Tutoring

Dear Parent or Guardian:

Because your child is a special education resource student with a schedule including regular education classes, a weekly **MANDATORY** tutoring session will be assigned to assist with your child's academic performance. Additional sessions may be added if necessary.

During this 50 minute session, your child will receive one-on-one tutoring with me to help him or her with regular education assignments and to monitor their overall academic achievement. I will schedule most of the tutoring sessions during lunch periods when possible, to avoid student absences from their classes.

I would appreciate your continuous support at home so your child can be successful in his or her classes. Weekly Progress Reports will be brought home by your child each Friday and below is your child's tutoring schedule. If you have any questions, please notify me at (313) 866-0343.

Sincerely,

Resource Membership Teacher: _____

Beginning the week of	Your child
Will attend Resource Tutoring	Day of week
Time	Room

Notice to Regular Education Teacher

(For Mainstreaming/Inclusion Purposes)

To: _____

The students on the attached list are Resource Program students who are enrolled in your class for this semester. Our program emphasizes successful achievement, behavior, and attendance in all classes. The Resource Room teacher is available to tutor or counsel students on an as-needed basis during school hours. As resource room teachers, we will assist you in any way possible. If you would like us to administer tests, help with assignments, review or re-teach any lessons, just let us know. Room _____ is designated as our Resource Room.

The Resource Room student is entitled, per their IEP (a legal document), to have additional time on assignments and/or tests. The Resource Program may also provide help for students to complete class assignments. Student progress will be monitored on a bi-monthly basis. Also, periodic conferences, observations and progress reports will be utilized.

Special Education Detention forms can be provided to you for poor attendance and behavior purposes. Your special education resource staff will offer continuous help and support. Through our joint efforts, we can solve problems and ultimately insure the success of the student.

Thank you in advance for your cooperation,

Resource Schedule

Starting	1st	2nd	3rd	4th	5th	6th	7th
Mon.							
Tues.							
Wed.							
Thurs.							
Fri.							

KEY

- 1. Tutorial
- 2. Preparation
- 3. Consultation
- 4. Direct Instruction

Resource Room Tutorial Schedule

Checklist for goals / Short-term Objectives for Language Arts/Math

Student	Assignment	Time/Date

Resource Students' Homework Assignments

Student: _____

Week Of: _____

Teacher: _____

Class	Math	English	Science	Social Studies	Electives
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Completed (Check One)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	NA <input type="checkbox"/>		

Report to Classroom Teacher

Report Date _____

Student _____ Primary Disability _____

General Education Staff _____ Grade _____

RE: _____

This information is designed to help you teach _____ who receives special education programs and services. I will be meeting with you to discuss further information, strategies, and ideas to help _____ achieve success in your class.

Special Education Programs and Services		
How the Disability Impacts Learning		
Required Supplementary Aids and Services from the IEPT Report		
Modifications/Accommodations/ Support	Applicable Conditions	Applicable Subject Areas

Current assessment information *(Results are expressed as broad grade scores)*

Reading	Math	Written Language	Comprehension

Strengths and Interests

<input type="checkbox"/> Auditory learner	<input type="checkbox"/> Reading decoding	<input type="checkbox"/> Written expression	<input type="checkbox"/> Self-directed	<input type="checkbox"/> Eager to do well
<input type="checkbox"/> Visual learner	<input type="checkbox"/> Reading comp.	<input type="checkbox"/> Oral expression	<input type="checkbox"/> Motivated	<input type="checkbox"/> Helpful parent(s)
<input type="checkbox"/> Hands-on	<input type="checkbox"/> Math calculations	<input type="checkbox"/> Listening comp.	<input type="checkbox"/> Hard worker	<input type="checkbox"/> Personable
<input type="checkbox"/> Organized	<input type="checkbox"/> Math reasoning	<input type="checkbox"/> Asks for help	<input type="checkbox"/> Good potential	

Weaknesses

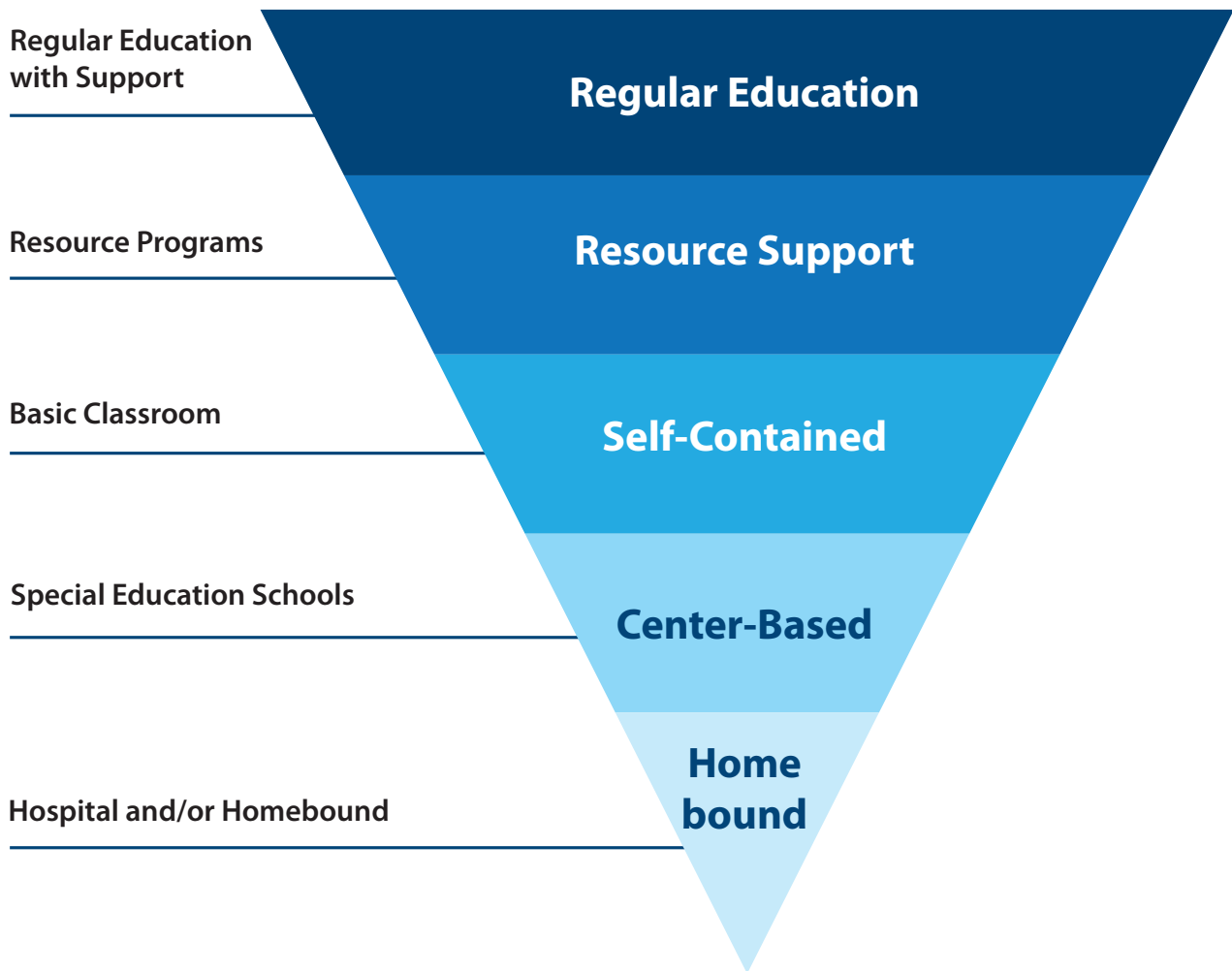
<input type="checkbox"/> Excessive absences	<input type="checkbox"/> Disorganized	<input type="checkbox"/> Math calculation	<input type="checkbox"/> Will not ask for help
<input type="checkbox"/> Incomplete tasks	<input type="checkbox"/> Listening skills	<input type="checkbox"/> Math reasoning	<input type="checkbox"/> Quick to anger
<input type="checkbox"/> Missing assignments	<input type="checkbox"/> Tardy	<input type="checkbox"/> Written expression	<input type="checkbox"/> Quiet/withdrawn
<input type="checkbox"/> Inattentive	<input type="checkbox"/> Reading comprehension	<input type="checkbox"/> Listening comprehension	<input type="checkbox"/> Cooperative group behavior
<input type="checkbox"/> Easily distracted	<input type="checkbox"/> Reading decoding		<input type="checkbox"/> Socializes too much

PSA Special Education IEP Implementation Compliance Review

IEP Compliance Indicator(s)	Student's Name	Birthday		Eligibility		Date Enrolled	Last REED/MET 3 year IEP	Assessment Type		Related Services	Additional Considerations Instructional, Behavioral or Medical Needs
		Grade	Program	Accomm.							
Current IEP Re-convene Date											
Current IEP Re-convene Date											
Current IEP Re-convene Date											
Current IEP Re-convene Date											
Current IEP Re-convene Date											

Least Restrictive Environment (LRE)

A Continuum of Services



Glossary

Continuous Improvement and Monitoring System (CIMS)

The Continuous Improvement and Monitoring System (CIMS) is the system used by the state to promote positive outcomes and ensure compliance with the Individuals with Disabilities Education Act (IDEA) of 2004 and the Michigan Administrative Rules for Special Education. CIMS was designed to help districts analyze and interpret data and keep track of all monitoring activities in a single location.

Compliance Review Team (CRT)

Members of the CRT could consist of a special education teacher, general education teacher, school social worker, school psychologist, speech and language teacher, counselor, and building administrator. The Compliance Review Team's focus will ensure that students with disabilities are provided the appropriate daily instructional, behavioral, and transitional supports as required by their Individualized Educational Programs (IEPs) and that are consistent with District, County, State and Federal mandates.

Free Appropriate Public Education (FAPE)

Each child who is identified as a student with a disability has an individual entitlement to a Free and Appropriate Public Education (FAPE) under the Individuals with Disabilities Educational Act (IDEA).

Individualized Education Program (IEP)

An annual individualized education program must be convened at least every 12 months.

Interim Alternative Educational Placement (IAES)

An IAES is where the district places a student with a disability for instructional purposes when it is decided to remove the student from his/her placement for disciplinary reasons.

Least Restrictive Environment (LRE)

The least restrictive environment is typically taken to mean that, to the maximum extent possible, all students with disabilities are educated with children who are not disabled in the school they would normally attend if not disabled.

Further, interpretation of LRE states that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Manifestation Determination Review (MDR)

The Manifestation Determination Review (MDR) is a meeting which must take place within 10 days of a behavior infraction that would cause a student to be removed from his/her current placement in a public school for more than 10 days.

Multidisciplinary Evaluation Team (MET)

Established by the district, the primary purpose of the MET is to conduct the evaluations and/or review existing assessment data to recommend or re-determine eligibility to the IEP Team (which may consist of the same members).

Reviewing of Existing Evaluation Data (REED)

The overall intent of a REED is for districts to review a student's educational, behavioral, and medical data in determining the need for particular evaluations.

Student with a Disability (SWD)

A student with a disability is defined as any person from birth to age 26 who is determined by an individualized education program team (IEPT) or a hearing officer to have one or more of the impairments (specified below), that necessitates special education, or specially designed instruction.





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