Intermediate School District Plan Criteria for the Delivery of Special Education Programs and Services

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Office of Special Education and Early Intervention Services

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DRAFT INTERMEDIATE SCHOOL DISTRICT/STATE AGENCY PLAN FOR THE DELIVERY OF SPECIAL EDUCATION PROGRAMS AND SERVICES
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QUESTIONS AND ANSWERS

What is an Intermediate School District/State Agency Plan for the Delivery of Special Education Programs and Services?

The School Code at §380.1711(1)(a) and the revised administrative rules for special education (rules) at R 340.1831 charge Michigan's 57 intermediate school districts (ISDs) to coordinate, develop, establish, and continually evaluate a Plan for the Delivery of Special Education Programs and Services (Plan) that is approved by Michigan's Superintendent of Public Instruction (Superintendent).

With ISDs in the lead role for Plan review and development, the Plan is typically called the "ISD Plan." Similarly, some non-ISD state agencies that provide special education in their facilities also have a Plan, including the Department of Human Services, the Department of Corrections, and the Department of Community Health. Since Plans have been a requirement in state law since 1971, all ISDs and state agencies currently providing special education have an existing Plan.

Who develops the ISD Plan? (R 340.1833)

Plans are jointly developed by representatives from the:

- ISD;
- constituent local school districts and public school academies (PSAs) of the ISD; And
- constituent Parent Advisory Committee (PAC) of the ISD.

Who develops the state agency plan?

Plans are developed by representatives from the agency's:

- administration; and
- parent groups that provide advisory input.

What are the required contents of the Plan?

Rule 340.1832 lists the policies and procedures that must be described in a Plan. These requirements are discussed below.

What is the process for reviewing and changing a Plan? (R 340.1831)

- Each Plan, and any future revised and approved Plan, remains in effect until such time as further revisions are made.
- Proposed changes to the Plan are cooperatively developed by all constituent local school districts, PSAs, and the PAC.
- The proposals are submitted to the Office of Special Education and Early Intervention Services (OSE/EIS) for a comprehensive review. OSE/EIS staff review the proposal and work with the submitting ISD or state agency on edits as needed.
- When complete, the proposed Plan change is forwarded by the OSE/EIS to the Superintendent for approval.
- If approved, the submitting ISD or state agency is notified. Within seven days of receiving notice of approval from the Michigan Department of Education (MDE), the submitting ISD distributes notice of approval and the

final version of the Plan to the constituent local school district's superintendent, each chief executive officer of a PSA, and the chairperson of the PAC.

- If the agency is describing alternative programs and services under R 340.1832(1)(e), such programs and services may not be implemented until the Plan is approved by the Superintendent.

What if there is an objection to the plan? (R 340.1836)

If joint efforts among constituent local school districts, PSAs**,** and the PAC fail to produce an agreement on a proposed Plan change, any party may submit an objection. To summarize the objection process:

- Constituent local school districts, PSAs, and the PAC should exhaust all resources, including mediation, for reaching a mutually agreeable plan.
- Objections to an approved plan may be filed in writing at any time.
- Objections to a proposed Plan change may be filed after the change is submitted by the ISD or state agency to the MDE for approval.
- Upon receipt of an objection by the MDE, a hearing officer is appointed by the MDE.
- At the conclusion of the hearing process the hearing officer submits findings and recommendations to the Superintendent who makes a final decision regarding the plan.
- The objection process will not be affected by any change in a plan that is required due to federal/state compliance requirements. These requirements must be implemented immediately. If the plan is currently under dispute the objection process for the plan will continue concurrently with the implementation of the mandatory compliance requirements.

What are the criteria for meeting the required elements of a Plan?

Plan requirements from R 340.1832 are described in the following pages. In each section, the applicable Rule citation is given, followed by the review criteria used to determine if Plan language meets the requirements of Rule.

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Rule References and Proposal Review Criteria

Development and Submission of Intermediate School Districts' Plans and Monitoring (Rule 340.1832(1))

Content Areas:

(a) A description of the procedures used by the intermediate school district to advise and inform students with disabilities, their parents, and other members of the community of the special education opportunities required under the law; the obligations of the local school districts, public school academies, and the intermediate school district; and the title, address, and telephone number of representatives of those agencies who can provide information about the special education opportunities.

(b) A description of activities and outreach methods which are used to ensure that all citizens are aware of the availability of special education programs and services.

(c) A description of the type of diagnostic and related services that are available, either directly or as a purchased service, within the intermediate school district or its constituent local school districts or public school academies.

Describe:
1. Services provided directly or purchased by each constituent local school district and PSA.
2. Services provided directly, purchased by, or available through the ISD.

Provide a statement of assurance that copies of contracts or service agreements (per §380.1751(1)(b) of the School Code) are on file at the ISD and available for review.

SEE SAMPLE TABLE 1

(d) A description of the special education programs designed to meet the educational needs of students with disabilities.

SEE SAMPLE TABLE 2

(e)The intermediate school district plan shall either describe special education programs and services under Part 3 of these rules or shall propose alternative special education programs and services.

Describe alternative special education programs and services that are different from those described under Part 3 of the Rules.
The description must include the following:
1. The title for each alternative program/service within the continuum;
2. The roles of teachers/providers assigned to the alternative special education program/service (direct instruction, instructional support, consultation);
3. The maximum caseload of teachers/providers;
4. The number of students allowed in attendance in the alternative program at one time, if applicable;

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5. The average number of students per instructional period if an alternative program is departmentalized and differs from R 340.1749c;
6. The student/paraprofessional ratio in each program/service unit, if applicable; and
7. Other descriptors determined appropriate for the design of the alternative program/service, if applicable.

(f) Provide an assurance statement on the confidentiality of any personally identifiable data, information, and records of students with disabilities that are collected, used, or maintained in compliance with R. 340.1861(3) 34 C.F.R. 300.610 through 300.626

(g) The identity of the full- or part-time constituent local school district or public school academy administrator who, by position, is responsible for the implementation of special education programs and services.

1. Provide the position of the administrator and the school in which they are responsible for implementing special education programs and services. If this information is the same as what was given in section (a), and has already been provided, reflect this in a statement in the Plan.

(h) A description of the qualifications of paraprofessional personnel.

1. Provide what qualifications the ISD, constituent local districts, and PSAs require of paraprofessional personnel.

(i) A description of the transportation necessary to provide the special education programs and services described in subdivisions (c), (d), and (e) of this subrule.

1. Identify the ISD, constituent local school district, and PSA responsibilities for transportation.
2. Describe decision-making procedures used to address exceptional transportation needs that occur in the ISD, constituent local school districts, and PSAs.

(j) A description of the method of distribution of funds under R 340.1811(5).

(k) A description of how the intermediate school district will appoint the parent advisory committee members under R 340.1838(1) and (2).

(l) A description of the role and responsibilities of the parent advisory committee, including:

1. Describe how the PAC will participate in the cooperative development of the ISD Plan;
2. Describe how the PAC will participate in the formulation of objections, if any; and
3. The role and responsibility of the PAC in other activities within the ISD.

(m) A description of the role and relationship of administrative and other school personnel, as well as representatives of other agencies, in assisting the parent advisory committee in its responsibilities.

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1. Provide the title and responsibility of the administrative personnel who assist the PAC.

(n) A description of the fiscal and staff resources that shall be secured or allocated to the parent advisory committee by the intermediate school district to make it efficient and effective in operation.

1. Provide what fiscal and staff resources are available to the PAC.

Additional Plan Content:
Under R 340.1733(f), Describe the age span of students assigned to programs for students with severe cognitive impairment (R 340.1738), moderate cognitive impairment (R 340.1739), and severe multiple impairments (R 340.1748).

Describe how a pool of surrogate parents is maintained and how appropriate training is provided to potential surrogate parents based upon individual ISD, constituent local school district, and PSA policies and procedures under R 340.1725(f).

Provide an assurance statement that the ISD will do the following:
1. Contact the office of the chief enforcement officer of the county and city jails annually to apprise them of the IDEA requirements on free appropriate public education.
2. Develop a communication plan with the office of the chief enforcement officer that will ensure that the ISD is made aware when any incarcerated youth with a viable IEP arrives at the county and city jails.

Identify the ISD, constituent local school district, and PSA responsibilities for providing special education programs and services to students with an Individualized Education Program (IEP) who are incarcerated in a county or city jail.

Provide information on where a person may access a written description of how an offer/provision of educational services is provided to incarcerated youth.

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SAMPLE TABLE

TABLE 1

DIAGNOSTIC AND ANCILLARY SERVICES

District Name	Psych.	SSW	Speech/Lang.	O&M	VI-TC	LD-TC	OT	PT
ISD 1	X	X	X	X		X	C	C
District 2	X	X	X	ISD	C	X	X	C
District 3	X	X	X	ISD	C	X	X	X
District 4	X	X	X	ISD		X	C	C
District 5	X	X	X	ISD	X	X	C	C

Codes:
X = Constituent Local School District Provides Service/PSA Provides Service
ISD = ISD Provides Service
C = Contracted Service

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SAMPLE TABLE

TABLE 2

SPECIAL EDUCATION PROGRAMS

District Name	Resource Room	EI	LD	MI CI	MO CI	SCI	Early Childhood Special Education	AI	HI	VI	SXI	Vocational Exploratory Program
District 1	L	L	L	L, C				I		I		
District 2	L	L	L	L				I		I		C
District 3	L	L	L	L					I	I		
District 4	L	L	L	L						I		
District 5	L	L	L	L				I	I	I		
ISD 1					C	C		C	I	I	C	

Codes:
L = Constituent Local School District Provides Program/PSA Provides Program
I = ISD Provides Program
C = Center Program

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