



Guidance for the Development of Intermediate School District Plan for the Delivery of Special Education Programs and Services in Catamaran

Michigan Department of Education

Office of Special Education

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Table of Contents

Introduction	3
Cooperative Development	4
ISD Plan Content	4
ISD Plan Signatures	4
Section I: Public Awareness and Child Find	5
Section II: Diagnostic and Related Services	7
Section III: Special Education Programs and Services	8
Section IV: Paraprofessional Qualifications	12
Section V: Transportation	12
Section VI: Millage Fund Distribution	13
Section VII: Parent Advisory Committee (PAC)	14
Section VIII: Surrogate Parents	17
Summary of ISD Plan Modifications	17
Review and Approval	17
Objections to the ISD Plan	18
Filing an Objection	18
Hearing Process	18
Response to the Findings	19

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Introduction

Section 380.1711(1)(a) of the [Revised School Code](#) requires each intermediate school district (ISD) school board to develop and maintain an ISD Plan for the delivery of special education programs and services.

ISD Plans document information about the delivery system of special education programs and services within the ISD and each constituent district, which includes local school districts and public school academies (PSAs).

An ISD and its constituent districts are obligated to provide programs and services as documented in the ISD Plan within the requirements of the [Individuals with Disabilities Education Act \(IDEA\)](#) and the [Michigan Administrative Rules for Special Education \(MARSE\)](#). The ISD Plan must be updated, as needed, to ensure accuracy.

Part 7 of the MARSE, Rules 340.1831 through 340.1838, outlines the requirements for the development, submission, and monitoring of ISD Plans.

ISDs will develop the ISD Plan in cooperation with its constituent districts and Parent Advisory Committee (PAC) within Catamaran. Each district will submit the necessary information about the special education programs and services available in the district, through the Catamaran module. The ISD submits the ISD Plan to the Michigan Department of Education (MDE) Office of Special Education (OSE) for review. The ISD Plan may be returned to the ISD when further information or clarification is needed. The OSE reviews the ISD Plans to ensure compliance with state rules and federal requirements, and as a reference for resolving special education complaints and compliance monitoring.

When all requirements are met, the OSE will request the required signatures be completed electronically in Catamaran. When all requirements are met and signatures are obtained, the OSE will recommend approval to the State Superintendent. The newly developed or revised ISD Plan cannot be implemented until the ISD has received notification of the State Superintendent's approval.

Cooperative Development

R 340.1833 requires each ISD to develop an ISD Plan in cooperation with constituent districts and the Parent Advisory Committee (PAC).

ISD Plan Content

The following provides further context and additional guidance for each section of the ISD Plan.

ISD Plan Signatures

R 340.1835 requires certain signatures to be included with the submission of the ISD Plan. The ISD Superintendent must sign to signify approval by the ISD Board of Education. The ISD PAC chairperson and each constituent district superintendent (including PSA chief executive officers) must sign the ISD Plan through Catamaran. The signatures of the constituent district superintendents and PAC chairperson indicate involvement in the development of the ISD Plan Assurance statements.

Signatures for the ISD and constituent districts indicate compliance with the following assurance statements:

R 340.1832(f): requires the ISD and constituent districts to assure any personally identifiable data, information, and records of students with disabilities are collected, used or maintained in compliance with 34 CFR §§300.610 through 300.626.

MCL 380.1751(1)(b): requires the ISD and constituent districts to assure all copies of contracts or service agreements under section 1751(1)(b) of 1976 PA 451 are on file at the ISD.

R 340.1758(b): requires the ISD Superintendent to indicate whether students with autism spectrum disorder are being served under the rule. Marking “yes” supports the requirements for the Department of Community Health Family Support Subsidy qualifications. When “yes” is marked, the ISD Superintendent’s signature provides assurance the programs and services for students with autism spectrum disorder are meeting the needs of the students as required in Rules 340.1832(d) and (e).

34 CFR §300.111(a) and Dear Colleague Letter, December 5, 2014: requires the ISD and constituent districts to have the child find policies and procedures in place to identify,

locate, and evaluate students who are in correctional facilities who may have a disability under the IDEA and are in need of special education and related services, regardless of the severity of their disability and consistent with the State's child find and eligibility standards. This responsibility includes students who have never been identified as a student with a disability prior to their entry into the facility.

Signatures will be completed electronically, in Catamaran, after the OSE has reviewed the plan and any necessary changes have been made.

Section I: Public Awareness and Child Find

The ISD Plan must contain a description of the public awareness and child find efforts which will be completed to identify, locate, and evaluate children suspected of having a disability and a list of individuals who can be contacted for questions or to request an evaluation.

R 340.1832(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 intermediate school district; and the title, address, and telephone number of representatives of those agencies who can provide information about the special education opportunities.

R 340.1832(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.

R 340.1832(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.

34 CFR § 300.111 requires districts to have policies and procedures in effect to ensure that all students with disabilities who are homeless children or are wards of the State, and students attending private schools, regardless of the severity of the disability, and who are in need of special education programs and related services are identified,

located and evaluated. Michigan requires special education programs and services for eligible children and youth from birth through age 25. MCL 380.1711(j) of the Michigan Revised School Code identifies a responsibility of the ISD Board is to receive a referral from parents, guardians, or with consent, appropriate professional personnel who believes that a person under 26 years of age is or maybe a student with a disability, and immediately evaluate the person. Therefore, child find activities must be in place for these specific age groups.

Part C IDEA services require specific primary referral sources under 34 CFR § 303.303. These referral sources include hospitals, physicians, parents, childcare programs, schools, public health facilities, social service, and child welfare agencies, and homeless and domestic violence shelters. These referral sources should be included in the ISD's public awareness and child find efforts.

R 340.1832(a) requires the ISD Plan to describe the following:

1. Procedures used by the ISD 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 intermediate school district including:
 - a. A description of the child find procedures, including outreach efforts for individuals incarcerated in county jails as well as other lower incident placements, like residential facilities, homebound hospitalized, etc. This can be added to your current child find activities within the ISD Plan.
 - i. Example: The <<District or ISD>> is responsible for conducting child find activities for all eligible ages including students in county jails as well as other lower incident placements, like residential facilities, homebound hospitalized, etc.
 - b. The forms of media used in the ISD's outreach efforts.
 - c. A list of all the agencies involved in this effort.
2. The title, building address, and telephone number of representatives of those agencies who can provide information about the special education opportunities. The position listed in this section must be someone who can address questions about the special education services available. For districts that do not have a designated employee, someone from the ISD could coordinate services for the district.

R 340.1832(g) requires the ISD Plan to include the identity of the full, or part-time, constituent district administrator who, by position, is responsible for the implementation of special education programs and services.

In Catamaran, the list of contacts for information about special education opportunities and the person responsible for the implementation of special education programs and services will be entered into and contained in a chart, similar to the one below.

Title	Organization	Address	Phone
{ISD Contact Title}	{ISD Name}	{ISD Mailing Address}	{ISD Phone}
{Contact Title}	{OFFNAME}	{Mailing Address}	{Phone}

Section II: Diagnostic and Related Services

The ISD Plan must contain a section specific to the diagnostic and related services available throughout the ISD and who provides those services.

R 340.1832(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.

Diagnostic services are the services performed by individuals who provide a complete and individual evaluation of students as part of the initial evaluation or reevaluation process to determine eligibility for special education programs and services according to Rules 340.1705 through 340.1717.

Related services are the services provided to eligible students as part of a free appropriate public education (FAPE). Related services are defined in IDEA 34 CFR §

300.34. In Catamaran, related service information will be completed by both the ISD and the local districts similar to the example below.

Each constituent district and the ISD will identify services which are provided either directly or services which are purchased through a contract. For example, if the ISD provides the diagnostic service of an occupational therapist to the local district through a bill back program, then occupational therapy would be marked by the local district and the ISD. The list should only reflect those services that are currently available.

Providers
Assistive Technology Consultants
{District Name}
{District Name}
{District Name}
Audiologist
{District Name}
{District Name}
Interpreting Services
Nurse
Occupational Therapist
Ophthalmologist or Optometrist
Orientation and Mobility Specialist
Orthopedic Surgeon, Internist, Neurologist, Pediatrician, or Family Physician
Otolaryngologist or Otologist
Physical Therapist
Psychiatrist
Psychologist
School Psychologist
School Social Worker
Teacher Consultant
Teacher of Students with Deaf or Hard of Hearing
Teacher of Students with Speech and Language Impairment or a Speech and Language Pathologist
Teacher of Students with Visual Impairment
{Other}

Section III: Special Education Programs and Services

The ISD Plan must include a description of, identified by district, special education programs and services provided under Part 3 and Part 10 of the MARSE.

R 340.1832(d)

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

R 340.1832(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.

When completing the chart in Catamaran, the district and the ISD will select the programs they currently operate.

For example, if the ISD operates a program for students with autism spectrum disorder located in a local district:

- the ISD would mark that it operates a program for students with autism spectrum disorder,
- the district would not mark that they operate a program for students with autism spectrum disorder.

District	Severe cognitive impairment	Moderate cognitive impairment	Mild cognitive impairment	Emotional impairment	Deaf or hard of hearing	Visual impairment	Physical impairment or other	Speech & language impairment	Homebound and hospitalized	Specific learning disabilities	Severe multiple impairments	Teacher consultant services	Elementary level resource	Secondary level resource	Early childhood programs	Early childhood Services	Severe language impairments	Juvenile detention facilities	Autism spectrum disorder	Birth to three	Incarcerated youth jail
Fennville Public Schools																					
Glenn Public School District																					
Hopkins Public Schools																					
Martin Public Schools																					
Wayland Union Schools																					

Figure 1: Example chart of special education programs operated by the district and ISD.

Alternative Program or Service

R 340.1832(e) allows ISDs and Local Educational Agencies (LEAs/PSAs) to develop alternative special education programs and services. There are two options for an alternative program or service.

Option 1: Modification of a Part 3 Rule.

Examples of a modification of a Part 3 rule might include the modification of case load or class size requirements. In Catamaran, modification information will be entered into the Option One: Modification of Part 3 Rule Chart, as seen below:

Rule # for Program or Service	Description of Program or Service

Option 2: Alternative Program or Service

The second option is an alternative program which operates differently than a rule under Part 3 of the MARSE. The descriptions must include a variety of information, including:

1. The name of the district operating the program or service.
2. The name of the program or service.
3. The student population served, which should include information about the special education needs of the population of students placed in the program or provide the service; course of study; and/or time spent in general education.
4. The role of the teachers (direct instruction, instructional support, consultation, or other with a description required).
5. Certification and/or endorsement of teachers and service providers.
6. The maximum caseload of teachers and providers.
7. The number of students allowed in attendance in the alternative program at one time, if applicable. For example, 10 students at one time.
8. The average number of students per instructional period if an alternative program is departmentalized and differs from R 340.1749c. This average will still need a cap on the number of students.
9. The student/paraprofessional ratio in each program/service unit, if applicable.

When an ISD plan contains an alternate program under R 340.1832(e) the OSE may request additional data or information outside of the ISD plan as part of the review for approval. Data requests may include information about current and past caseload, class sizes, teacher endorsements, or age spans. Additionally, ISDs may be required to provide data after the ISD plan is approved to determine if the alternate program is being implemented as written and is meeting the needs of students with disabilities.

When entering alternative programs or services in Catamaran, districts, and ISDs will enter information into a chart like the one below.

District(s) Operating the Alternate Program

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Program Name	Student Population Served

Role of Teachers	Certification and/or endorsement of the teachers and service providers

Maximum Caseload of Teachers and Providers	# of Students Allowed in Attendance in the Alternate Program at one time, if applicable

Average # of Students per Instructional Period if Alternate Program is Departmentalized and Different from R 340.1749(C)	Student/Paraprofessional Ratio in Each Program/Service Unit, if applicable

Section IV: Paraprofessional Qualifications

The ISD Plan must include a section specific to the qualifications of paraprofessionals.

R 340.1832(h)

A description of the qualifications of paraprofessional personnel.

R 340.1793 Paraprofessional personnel; qualifications.

Paraprofessional personnel employed in special education programs shall be qualified under requirements established by their respective intermediate school district Plan. Paraprofessional personnel include, but are not limited to, teacher aides, health care aides, bilingual aides, instructional aides, and program assistants in programs for students with cognitive impairment or severe multiple impairments.

The ISD Plan must describe the qualifications for paraprofessional personnel. R340.1793 provides examples of the roles which might be included under a paraprofessional. This information is captured in Catamaran under the paraprofessional qualifications form as is completed by the ISD.

Section V: Transportation

The ISD Plan must identify the public agency responsible for the transportation needed for students with disabilities to attend the programs and services which were previously identified in Sections II and III of the ISD Plan.

R 340.1832(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.

Transportation is a related service as defined by 34 CFR §300.34(c)(16) and is not limited to specialized transportation. Transportation to and from schools, between schools, and in and around schools may be included.

Additional information regarding transportation, including transportation times and how disputes are handled about transportation, should be addressed outside of the ISD Plan.

Transportation information is captured in the transportation form within Catamaran and is to be completed by the ISD.

Section VI: Millage Fund Distribution

The ISD Plan must describe the method of distribution for millage funds. The description should meet the requirements of Rules 340.1811 and 340.1812.

R 340.1832(j)

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

R 340.1811

(1) Only those programs and related services provided under a department-approved intermediate school district plan and approved for reimbursement by the department shall be eligible for reimbursement from funds generated by adoption of millage under sections 1723 and 1724 of 1976 PA 451, MCL 380.1723 and 380.1724.

(2) If intermediate school district special education tax funds are insufficient to reimburse constituent claims in full, then a like percentage of the claim shall be paid for support of each program and service to each constituent district. Claims for operation of special education programs and services available to all constituent local school districts or public school academies may be reimbursed in full before any prorated payment which may become necessary for other programs and services.

Current intermediate school district special education tax funds need not be used to offset operational claim deficits from prior years.

(4) Amounts may be retained by the intermediate school district for required cash flow purposes not to exceed 1 year's operational expenses for the purpose of maintaining special education programs and services operated by the intermediate school district.

(5) Intermediate school districts shall submit the desired method for the distribution of funds to the intermediate school district, constituent local school districts, and public school academies and the reasons therefor for approval as part of the intermediate school district plan required under section 1711 of 1976 PA 451, MCL 380.1711.

R 340.1812

(1) Costs for the operation of special education programs and services by the intermediate school district, available to all constituent local school districts and public school academies, may be reimbursed in full before the reimbursement of local districts from funds generated by adoption of millage under sections 1723 and 1724 of 1976 PA 451, MCL 380.1723 and 380.1724.

(2) If intermediate school district special education personnel offer direct services to students with disabilities in some but not all constituent local school districts or public school academies, and if prorated payment of constituent local school district or public school academy operational claims is necessary, then the per capita deficit for each student served shall be paid by the school district of residence or a direct charge shall be made to the constituent local school district based on the amount of deficit and the proportion of time the constituent local school district or public school academy received the service from the intermediate school district.

Section VII: Parent Advisory Committee (PAC)

The ISD Plan must contain a section which is specific to the PAC, including, but not limited to, the role of the PAC, the process for appointing members, and the ISD staff who will support the PAC.

R 340.1832(k)

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

Include a brief description of the process for appointing PAC members which meet the requirements of Rule 340.1838(1) and (2). This rule requires each ISD Board of Education to appoint a PAC member who participates in the cooperative development

of the ISD Plan and any modification to the ISD Plan. The PAC member nominations must meet the following criteria and procedures:

- The nominee is a parent of a student with a disability.
- There must be a nominee from each LEA Board of Education unless no parent from the LEA/PSA agrees to serve.
- The ISD can nominate additional members as long as the additional members do not exceed one-third of the committee.
- The ISD board of education must make every attempt to assure all types of disabilities and identifiable organizations of parents of students with disabilities are represented on the PAC.

R 340.1832(I)

A description of the role and responsibilities of the parent advisory committee, including how it shall participate in the cooperative development of the intermediate school district plan, formulate objections thereto, if any, and other related matters.

R 340.1836 (1)

Any constituent local school district, public school academy, or the parent advisory committee may file objections with the intermediate school district, in whole or in part, to an approved intermediate school district plan or a plan modification that has been submitted to the superintendent of public instruction for approval. Copies of an objection to the plan shall, within 7 calendar days, be directed to the department by the intermediate school district board of education and to all constituent local school districts, public school academies, and the parent advisory committee by certified mail, return receipt requested. Objections filed shall specify the portions of the intermediate school district plan objected to, contain a specific statement of the reasons for objection, and shall propose alternative provisions.

The ISD Plan must explain the process for how the PAC participates in the cooperative development of the ISD Plan. Additionally, the description should note other responsibilities of the PAC relating to the improvement of special education programs and services, if any.

The organizational structure of the PAC should be addressed outside of the ISD Plan. R 340.1838(5) indicates the PAC is responsible for determining and documenting in writing the following:

- officers and responsibilities,
- meeting times, and
- terms of office and related matters.

Rule 340.1838(3) allows the ISD Board of Education to recommend the operational procedures for the PAC review and adoption.

The plan must include a brief description which should describe the process for the PAC filing an objection to the ISD Plan with the ISD Board of Education which meets the requirements of R 340.1836(1). More information about objections and the process can be found in the Objections to Plan section on page 18.

R 340.1832(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.

The ISD must identify the positions by title and the role and relationship to the supporting of the parent advisory committee.

Additional Support for the PAC

R 340.1832(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.

The plan must provide a description of the role and relationship of administrative and other school personnel, as well as representatives of other agencies, in assisting the PAC in meeting its responsibilities.

The ISD Plan must list any resources provided by the ISD for the PAC (e.g., additional staff postage, facilities).

Section VIII: Surrogate Parents

The ISD Plan must identify the public agencies responsible for maintaining a pool of surrogate parents and providing training to surrogate parents.

State Board of Education Policy for the Appointment of Surrogate Parents for Special Education Services

“Each ISD Plan or interagency agreement must provide a description of how the pool of surrogate parents is maintained and how appropriate training is provided to potential surrogate parents.”

The responsibilities of surrogate parents, the children and youth who need surrogate parents, and the criteria for the selection of surrogate parents are outlined in IDEA 34 CFR § 300.519.

Summary of ISD Plan Modifications

The ISD must complete a *Summary of the Modifications*, which is a form within Catamaran. The form captures modifications made from the prior state-approved ISD Plan. This form is required and used as part of an informational item for the State Board of Education when the plan is approved by the State Superintendent.

Review and Approval

After an ISD submits the Plan, the OSE reviews the Plan. The components described by the ISD in each section must meet the requirements of the MARSE and should be written in a way that is understandable for all constituents.

Following the OSE review, the ISD will be notified when any changes to the ISD Plan are required. The ISD must make the requested changes and resubmit the ISD Plan with the required signatures to the OSE.

Once the OSE completes a review, including the required changes, the OSE will submit the ISD Plan with a recommendation for approval to the State Superintendent. The ISD will then receive notification of the State Superintendent’s approval through Catamaran.

Within seven calendar days of receipt of the notification of approval, ISDs must distribute the ISD Plan to each constituent district superintendent or chief executive officer, and the chairperson of the PAC, as required by R 340.1831(2).

The ISD Plan remains in effect until the ISD submits modifications which are approved by the State Superintendent. An ISD may decide to submit modifications due to a need for changes in the delivery of special education programs and services, as stated in R 340.1831(3)(4):

The department may require an intermediate school district to modify its plan if, after the effective date of the individuals with disabilities education act, 20 U.S.C. §1400 et seq., the provisions of that act, its regulations, 34 C.F.R. 300.1, et seq., 1976 PA 451, MCL 380.1 et seq. or these rules are amended, there is a new interpretation of any of these laws or regulations by the United States Department of Education, the department, or court, or the department finds noncompliance.

Objections to the ISD Plan

Filing an Objection

R 340.1836 describes the process for filing an objection to an ISD Plan. Any constituent district or the PAC may file a written objection regarding the ISD Plan. The written objection must specify the portion(s) of the ISD Plan being contested, provide a reason for the objection, and propose an alternative provision. An objection can be filed against an ISD Plan which has already been approved by the State Superintendent or one which may be under review by the OSE.

The ISD Board of Education has seven days to send a copy of the objection to the OSE, its constituent districts, and the PAC by certified mail with a return receipt requested. The ISD, constituent districts, and the PAC may file a response to the objection with the OSE before a hearing occurs (described below).

Hearing Process

When the OSE receives an objection, the Michigan Office of Administrative Rules and Hearings (MOAHR) designates a hearing officer and gives prompt notice of the hearing. After MOAHR appoints the hearing officer, the objection may be withdrawn upon written stipulation of the ISD and the objecting party.

The hearing officer schedules a hearing to be held within 30 calendar days from the OSE's receipt of the written objection.

No later than 30 calendar days after the close of the hearing, the hearing officer will issue a report of findings of fact, conclusions of law, and recommendations to the State Superintendent.

The report may recommend modifications to the ISD Plan in accordance with the objections as submitted, modifications to the ISD Plan, or approval or maintenance of the ISD Plan as submitted.

Response to the Findings

The OSE will immediately mail the report to the ISD, constituent districts, and PAC. Within 20 calendar days of receiving the report, any party may file written exceptions and recommendations (to object to the findings) with the State Superintendent. Copies of the exceptions must also be mailed to all other parties, including the OSE. The State Superintendent then renders a final decision within 30 calendar days from the date the exceptions were filed.