

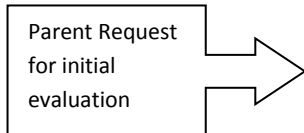
Livonia Public Schools

Department of Student Services

Special Education Procedures

Legal Requirements:

Pursuant to Michigan Rule 340.1721, within ten school days of receipt of a written request for an initial evaluation of a student suspected of having a disability, and before any formal evaluation designed to determine eligibility for special education programs and services, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503(a)(b) and, when necessary shall request written consent to evaluate.



- Administration designee will provide parent/guardian(s) with a Notice of Meeting at least 5 school days prior to REED/meeting. A copy of the Notice of Meeting will be sent to Student Services.
- Hold REED/meeting within 10 school days
 - Attendees: Parent/guardian, General Education Teacher, Special Education Teacher, Administration or designee, other relevant staff (e.g. Speech and Language, Psychologist, Social Worker)
- If parent/guardian does not respond or is unable to be reached, Administration designee will send a Notice of Meeting within 5 days of scheduled meeting and hold the meeting within 10 school days of initial request.
- All meeting documentation (Notice of Meeting, REED, parent/guardian provided documents etc...) will be sent to Student Services.

Compliance:

Student Service Administration will review and monitor all documentation for initial requests for evaluations upon arrival at Student Services, upon request or at least quarterly from each building. Each building Administrator or designee will be responsible for maintaining records (see below) for all IEP compliance timelines. Should the evaluation result in an IEP, the Special Education Case Provider will then be responsible for maintaining all proper documentation and sending all original IEP documentation to Student Services.

Student	Parent Contact	Notice of Meeting Initial Request	Initial Meeting/REED	Notice of Meeting MET/IEP	MET/IEP	FAPE
	Note date of contact	at least 5 days prior to meeting	≤ 10 school days	5-10 days prior to meeting	≤ 30 school days from date of consent	≤ 7 school days

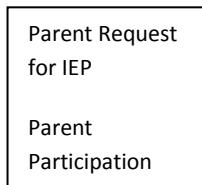
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Legal Requirements:

Consistent with 34 CFR § 300.322(a)(1)(2), each public agency must take steps to ensure that one or both of the parents of a child with a disability are present at each IEP Team meeting or are afforded the opportunity to participate, including – (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and (2) Scheduling the meeting at a mutually agreed on time and place.



- Administration designee will provide parent/guardian(s) with a Notice of Meeting at least 5 school days prior to a meeting.
- The Notice must indicate the purpose, time and location of the meeting and who will be in attendance.
 - Attendees: Parent/guardian, General Education Teacher, Special Education Teacher, Administration or designee, other individuals who have knowledge or special expertise about the child
 - § 300.328 Alternative means of meeting participation indicates the parent of a child with a disability and a public agency may agree to use alternative means of meeting participation, such as video conferences and conference calls. (Authority: 20 U.S.C. 1414(f))
 - A copy of the Notice of Meeting will be sent to Student Services.
- If parent/guardian does not respond or is unable to be reached, Administration or designee will send a Notice of Meeting within 5 days of scheduled meeting and hold the meeting within 10 school days of initial request.
 - Administration or designee and Special Education Case Provider must keep a record of its attempts to arrange a mutually agreed on time and place such as – (1) Detailed records of telephone calls made or attempted and the results of those calls; (2) Copies of correspondence sent to the parents and any responses received; and (3) Detailed records of visits made to the parent’s home or place of employment and the results of those visits.
- *Excusal- Prior to the IEP Team Meeting.* A member of the IEP Team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member’s area of the curriculum or related services, if; the parent and school district consent to the excusal; and the member submits, in writing to the parent and the IEP Team, input into development of the IEP prior to the meeting. A parent’s agreement shall be in writing.
- All contact/meeting documentation will be sent to Student Services (see below).

Compliance:

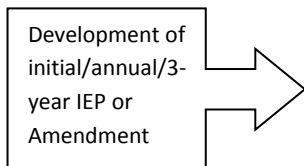
Student Service Administration will review and monitor all documentation for IEP requests upon arrival at Student Services, upon request or at least quarterly from each building. Each Special Education Case Provider will be responsible for maintaining records (see below) for all IEP compliance timelines and parent contact records and sending all original IEP documentation to Student Services.

Student	Parent Contact	Notice of Meeting Initial Request	Initial Meeting/REED	Notice of Meeting MET/IEP	MET/IEP	FAPE
	Note date(s), mode of contact and results	at least 5 days prior to meeting	≤ 10 school days	5-10 days prior to meeting	≤ 30 school days from date of consent	≤ 7 school days

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Legal Requirements:

Pursuant to Michigan Rule 340.1722(3), each public agency shall provide special education and related services to a student in accordance with the student's individualized education program.



- IEP Team determines eligibility and educational needs of student.
- IEP will occur annually within 364 days of the last Notice/IEP date and a three-year IEP will occur within 3 years from the initial or last three-year re-evaluation date.
- Administration or designee, in conjunction with IEP Team and parent/guardian participation, will document programs and services and the extent of programs and services on the IEP written in terms of a range of weekly/monthly time/frequencies.
 - The student's program and/or services should not exceed the maximum number of hours (listed under "Extent of Services"-see below) in special education and access to general education.
- If the IEP Team, with parent participation, determines a change in program and/or services is warranted-including increasing time in special education-an IEP meeting or Amendment must be conducted.
- Administration or designee will provide parent/guardian(s) with a Notice of Meeting at least 5 school days prior to IEP/*Amendment meeting.
- The Notice must indicate the purpose, time and location of the meeting and who will be in attendance.
 - Attendees: Parent/guardian, General Education Teacher, Special Education Teacher, Administration or designee, other individuals who have knowledge or special expertise about the child
- Hold IEP/*Amendment meeting (if meeting is requested) hold within 10 school days
- Administration or designee will provide parent/guardian(s) with Prior Written Notice of a FAPE within Seven School Days of an IEP or Amendment.
 - Notice will include: where programs and services are to be provided, when the individualized education program begins, and an explanation of why the agency proposes or refuses to take the action.

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PROGRAMS AND SERVICES DETERMINED APPROPRIATE TO MEET THE STUDENT'S NEEDS	EXTENT OF SERVICES			
	TIME	MIN HRS	FREQUENCY	WK MO
Teacher Consultant 340.1832 (1)(e)	to	MIN HRS	to	WK MO
	to	MIN HRS	to	WK MO
	to	MIN HRS	to	WK MO
Speech & Language 340.1745	to	MIN HRS	to	WK MO
Resource Program 340.1832 (1)(e) a <input type="checkbox"/> elementary b <input type="checkbox"/> secondary FOR ASSIGNMENT TO RESOURCE PROGRAM: If the resource teacher's endorsement does not match the student's eligibility, does the team determine it is necessary to assign a Teacher Consultant to the resource teacher? <input type="checkbox"/> NO <input type="checkbox"/> YES	to	HRS	per WK	
Categorical Classroom 340.17____; 340.1832(1)(e) 1738 SCI 1741 EI 1744 POHI 1748 SXI 1756 SLI (opt.) 1739 MoCI 1742 HI 1746 H/H 1754 ECP 1832 ASD 1832 MICI 1743 VI 1832 LD 1755 ECS	to	HRS	per WK	
	to	HRS	per WK	
Is this special education program departmentalized? 340.1832 (1)(e) <input type="checkbox"/> NO <input type="checkbox"/> YES				
Is the severity of the student's impairment such that it requires a licensed practitioner authorization for daily personal care services? <input type="checkbox"/> NO <input type="checkbox"/> YES				
Related Services 340.1701c(a)	to	MIN HRS	to	WK MO
	to	MIN HRS	to	WK MO
	to	MIN HRS	to	WK MO

Compliance:

Student Service Administration will review and monitor all documentation for all ranges of weekly/monthly time/frequencies IEP programs and services upon arrival at Student Services, upon request or at least quarterly from each building. Each Special Education Case Provider will be responsible for maintaining records (see below) for each caseload student's extent of special education programs and services and send documentation to Student Services upon request and at least quarterly.

Student Name	Date	Program/Service time in	Program/Service time out	Absent	Make-up Session	Summary of Instruction

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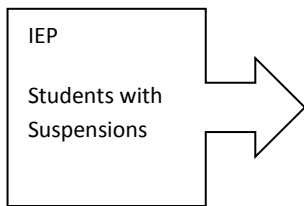
Department of Student Services

Special Education Procedures

Legal Requirements:

Consistent with 34 CFR § 300.17(c)(d), of the final regulations implementing the Individuals with Disabilities Education Act (IDEA), defines FAPE as special education and related services that include an appropriate elementary school education in the state; and are provided in conformity with an IEP that meets the requirements of § 300.320 through 300.324. 34 CFR § 300.39(a) defines special education as specially designed instruction to meet the unique needs of a student with a disability. 34 CFR § 300.39(b)(3) defines specially designed instruction to mean adapting, as appropriate, to the needs of an eligible student under this part, the content, methodology, or delivery of instruction to address the unique needs of the student that result from the student's disability and that will ensure access of the student to the general curriculum. Consistent with 34 CFR § 300.101 the district is required to provide a FAPE. Consistent with CFR § 300.320(a)(2)(i), the district is required to develop an IEP that includes a statement of the student's present level of academic achievement and functional performance; including the extent to which the student's disability affects the student's involvement and progress in the general education curriculum. Consistent with 34 CFR § 300.324(a)(2)(i), the district is required to consider the use of positive behavioral interventions and other strategies when behavior impedes the student's learning. Consistent with CFR § 300.324(b)(1)(ii)(A)(D), the district must convene an IEP team meeting to revise the IEP, as appropriate, to address any lack of expected progress toward the annual goals and in the general curriculum and the student's anticipated needs.

Consistent with 34 CFR § 300.530(b)(2), the district is required to provide educational services after the tenth day of removal. Consistent with 34 CFR § 300.530(d)(1)(i), the district is required to provide educational service to enable the student to continue to participate in the general education curriculum and to progress toward meeting the student's IEP goals after the tenth day of removal. Consistent with 34 CFR § 300.530(e)(i), within 10 school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, the district is required to conduct a manifestation determination review.



- A FAPE will be provided as documented in an IEP developed by the IEP Team, including the parent of a student with a disability, with initial consent of parent.
- Special Education Case Provider, in collaboration with Building Administration will notify Student Service Administration when a student with a disability incurs a range of suspensions from 5 to 8 days total. Special Education Case Provider will document all removals on the Discipline Tracking Record (see below).
 - Special Education Case Provider, in conjunction with parent/guardians(s) and members of the IEP Team knowledgeable about the student, will determine if a review of the student's IEP and/or Behavioral Intervention Plan is needed, at this point in time, to address any revisions/additions to the student's present level of academic achievement and functional performance, programs and services, positive behavioral interventions, and goals and objectives in order to prevent future removals.
 - If the Team determines an IEP review and/or amendment is necessary, all procedures, documentation and timelines for an IEP will be followed.
- Special Education Case Provider, in collaboration with Building Administration will immediately notify Student Service Administration when a student with a disability incurs 10 days of suspension (cumulative or consecutive).
- *As soon as the decision to remove the student for 10 cumulative or 10 consecutive days* the Special Education Case Provider and Building Administration will notify and send parent a Notice of Change of Placement (including procedural rights and safeguards).

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- Notice of Removal will also include either the date of the scheduled Manifestation Determination Review or that the meeting will be held within 5-10 days of initial receipt of Notice.
 - If the Notice indicates a MDR will be held within 5-10 days, all procedures, documentation and timelines for Parent participation and Notice will be followed.
- Special Education Case Provider, Building Administration or designee, parent/guardian(s), student when appropriate, and relevant members of the student's IEP Team will conduct a Manifestation Determination Review.
- If the Team determines the student's behavior(s) **are** a Manifestation of his/her disability then the student is (1) returned to his/her previous placement* and (2) the Team will conduct a FBA/BIP or review and modify as needed.
 - Special Education Case Provider, in conjunction with parent/guardians(s) and members of the IEP Team knowledgeable about the student, will determine if a review of the student's IEP is needed to address any revisions/additions to the student's present level of academic achievement and functional performance, programs and services, positive behavioral interventions, and goals and objectives in order to prevent future removals.
 - If the Team determines an IEP review and/or amendment is necessary, all procedures, documentation and timelines for an IEP will be followed.
 - *Student will not return to his/her previous placement if student's removal was the result of a Special Circumstance, Parent and District agree to a different placement or placement by hearing officer.
- If the Team determines the student's behavior(s) **are Not** a Manifestation of his/her disability then disciplinary procedures may continue in the same manner and for the same duration as to students without disabilities.
 - Special Education Case Provider, in conjunction with parent/guardians(s) and members of the IEP Team knowledgeable about the student, will determine if a review of the student's IEP and/or Behavioral Intervention Plan is needed to address any revisions/additions to the student's present level of academic achievement and functional performance, programs and services, positive behavioral interventions, and goals and objectives in order to prevent future removals.
 - If the Team determines an IEP review and/or amendment is necessary, all procedures, documentation and timelines for an IEP will be followed.
- **Any and All days of removal after the tenth day, a FAPE must be provided.**
 - IEP Team determines extent to which FAPE services are needed to enable the student to continue to participate in the general education curriculum and progress toward meeting IEP goal.
 - Special Education Case Provider will document FAPE on the Discipline Services Record (see below).
- All contact/meeting documentation will be sent to Student Services (see below).

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Compliance:

Student Service Administration will review and monitor all documentation for students' with disabilities with greater than 5 school days of removal upon contact by Special Education Case Provider and/or Building Administration, and arrival of documentation at Student Services, upon request or at least quarterly from each building. Each Special Education Case Provider will be responsible for maintaining records (see below) for all IEP compliance and Discipline records and sending all original IEP documentation to Student Services.

List all dates for Timeline compliance

Student	Parent Contact	Notice of Meeting MDR and/or Notice of Change of Placement	MDR	Notice of Meeting IAES	IAES	FAPE
	Note date of contact	Upon notice of 10 cumulative or consecutive days suspension	≤ 10 school days	ASAP following MDR	ASAP following MDR	≤ 7 school days

<u>1</u> DESCRIPTION OF BEHAVIOR SUBJECT TO DISCIPLINE	Date suspension Issued	Date suspension length is determined	Length of suspension	Dates of the suspension	Cumulative days of suspension: New Total	Does the removal constitute a Change of Placement? (Is there a pattern of removal, or does this suspension exceed 10 consecutive school days?)	Date of parent notice	MDR dates
Incident #1:				From: To:		<input type="checkbox"/> N.A. <input type="checkbox"/> Yes <input type="checkbox"/> Exceeds 10 consecutive school days <input type="checkbox"/> Pattern of Removals <input type="checkbox"/> No	<input type="checkbox"/> N.A. <input type="checkbox"/> Date:	

FBA/BIP

Dates:

; ; ; ; ; ;

The student's case manager in consultation with the student's other teachers/service providers and the school administrator will determine the extent of services to be provided and document below.

In cases of *Special Circumstances* or removals that result in a *Change of Placement*, the determination of services to be provided is made by the IEPT and is documented on the Interim Alternative Educational Setting (IAES) form.

Description of services to be provided for the removal which began on date of _____ :
To begin on _____ through _____ .

Student Service Administration will provide Administration and Special Education staff with any and all changes in policies as soon as possible via memo, Department meetings, Professional Development and postings on Staff Central Intranet.

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List all dates for Timeline compliance

Student	Previous Enrollment	Parent Contact	Notice of Meeting REED	REED	Notice of Meeting MET/IEP	MET /IEP	FAPE	Notice of Meeting Amendment	Amendment	FAPE	Notice of Meeting MDR	MDR	Notice of Meeting IAES	IAES
	30 school days to IEP	Note date of contact	at least 5 days prior to mtg	≤ 10 school days	5-10 days prior to mtg	≤ 30 school days	≤ 7 school days	*If mtg requested 5-10 days prior to mtg	*If requested ≤10 school days	≤ 7 school days	Upon notice of 10 days suspension	≤ 10 school days	ASAP following MDR	ASAP following MDR

Parent Contact→ provide Notice at least 5-10 days **prior** to meeting/REED→10 school days to hold a meeting/REED→30 school days to hold MET/IEP-> 7 school days for parent to receive FAPE
 5-10 days **prior** to MET/IEP provide Notice of Meeting→MET/IEP*
 *Annual IEP must be completed **within** 364 days of last Annual IEP
 *3-year IEP must be completed **within** 36 months of last 3-year IEP
 Parent notice of change of placement & MDR must occur **within 10 days** of student receiving 10 cumulative or 10 consecutive suspensions→FAPE must occur on 11th day of suspension

