**Zumbro Education District**

**Total Special Education System (TSES)**

**Blooming Prairie Public Schools**

This document serves as the Total Special Education System Plan for Zumbro Education District (ZED) in accordance with Minnesota Rule 3525.1100. This plan also includes an assurance for compliance with the federal requirements pertaining to districts’ special education responsibilities found in United States Code, title 20, chapter 33, and Code of Federal Regulations, title 34, part 300. This document is a companion to the Application for Special Education Funds – Statement of Assurances (ED-01350-29).

Patrick Gordon, Zumbro Education District Special Education Director, is responsible for program development, coordination, and evaluation; in-service training; and general special education supervision and administration. Patrick Gordon may be reached at the district office; 801 Frontage Road NW, Byron, MN 55920, 507-775-2037. Each member district has a special education coordinator who facilitates these responsibilities at the local level.

# **I. Child Study Procedures**

The district’s identification system is developed according to the requirement of nondiscrimination as ZED and their member districts do not discriminate in education on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

## **A. Identification**

ZED and their member districts have developed systems designed to identify pupils with disabilities beginning at birth, pupils with disabilities attending public and nonpublic schools, and pupils with disabilities who are of school age and are not attending any school.

Infant and toddler intervention services under United States Code, title 20, chapter 33, section 1431 et seq., and Code of Federal Regulations, title 34, part 303, are available in ZED and Byron Public School districts to children from birth through two years of age who meet the outlined criteria.

The team determines that a child from birth through the age of two years is eligible for infant and toddler intervention services if:

1. the child meets the criteria of one of the disability categories in United States Code, title 20, chapter 33, as defined in Minnesota Rules; or
2. the child meets one of the criteria for developmental delay in subitem (1) (2), or (3):
3. the child has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay regardless of whether the child has a demonstrated need or delay; or
4. the child is experiencing a developmental delay that is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate diagnostic measures and procedures, in one or more of the following areas:
5. cognitive development,
6. physical development, including vision and hearing,
7. communication development,
8. social or emotional development; and
9. adaptive development.

(3) The child’s eligibility is established through the application of informed clinical opinion. Informed clinical opinion may be used as an independent basis to establish a child’s eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments to establish eligibility.

The team shall determine that a child from the age of three years through the age of six years is eligible for special education when:

1. The child meets the criteria of one of the categorical disabilities in United States Code, title 20, chapter 33, sections 1400 et seq., as defined in Minnesota Rules; or
2. The child meets one of the criteria for developmental delay in subitem (1) and the criteria in subitem (2) Our member districts have elected these criteria for developmental delay. The transition of ECSE services occurs at or shortly after age 3 from ZED to services provided by the district.
3. The child:
4. *Has a diagnosed physical or mental condition or disorder that has a high probability or resulting in developmental delay; or*
5. *Has a delay in each of two or more of the areas of cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development, that is verified by an evaluation using one or more technically adequate, norm-referenced instruments. The instruments must be individually administered by appropriately trained professionals and the scores must be at least 1.5 standard deviations below the mean in each area.*
6. The child’s need for special education is supported by:
7. *At least one documented, systematic observation in the child’s routine setting by an appropriate professional or, if observation in the daily routine setting is not possible, the alternative setting must be justified,*
8. *A developmental history; and*
9. *At least one other evaluation procedure in each area of identified delay that is conducted on a different day than the medical or norm-referenced evaluation, which may include criterion-referenced instruments, language samples, or curriculum-based measures.*

Byron Public Schoolsplan for identifying a child with a specific learning disability is consistent with Minnesota Rule 3525.1341. Blooming Prairie Public Schools implements its interventions consistent with that plan. The plan details the specific scientific, research-based intervention (SRBI) approach, including timelines for progression through the model; any SRBI that is used, by content area; the parent notification and consent policies for participation in SRBI; procedures for ensuing fidelity of implementation; and a district staff training plan. Blooming Prairie Public Schools plan for identifying a child with a specific learning disability is attached as *Appendix A****.***

### **B. Evaluation**

Evaluation of the child and assessment of the child and family will be conducted in a manner consistent with Code of Federal Regulations, title 34, section 303.321.

A. *General.* (1) The lead agency must ensure that, subject to obtaining parental consent in accordance with § 303.420(a)(2), each child under the age of three who is referred for evaluation or early intervention services under this part and suspected of having a disability, receives—

(i) A timely, comprehensive, multidisciplinary evaluation of the child in accordance with paragraph (b) of this section unless eligibility is established under paragraph (a)(3)(i) of this section; and

(ii) If the child is determined eligible as an infant or toddler with a disability as defined in § 303.21,

(A) A multidisciplinary assessment of the unique strengths and needs of that infant or toddler and the identification of services appropriate to meet those needs,

(B) A family-directed assessment of the resources, priorities, and concerns of the family and the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of that infant or toddler. The assessments of the child and family are described in paragraph (c) of this section and these assessments may occur simultaneously with the evaluation, provided that the requirements of paragraph (b) of this section are met.

(2) As used in this part—

(i) *Evaluation* means the procedures used by qualified personnel to determine a child's initial and continuing eligibility under this part, consistent with the definition of *infant or toddler with a disability* in § 303.21. An *initial evaluation* refers to the child's evaluation to determine his or her initial eligibility under this part.

(ii) *Assessment* means the ongoing procedures used by qualified personnel to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs throughout the period of the child's eligibility under this part and includes the assessment of the child, consistent with paragraph (c)(1) of this section and the assessment of the child's family, consistent with paragraph (c)(2) of this section; and

(iii) Initial *assessment* refers to the assessment of the child and the family assessment conducted prior to the child's first IFSP meeting.

(3)(i) A child's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) under this part if those records indicate that the

child's level of functioning in one or more of the developmental areas identified in § 303.21(a)(1) constitutes a developmental delay or that the child otherwise meets the criteria for an infant or toddler with a disability under §303.21. If the child's part C eligibility is established under this paragraph, the lead agency or EIS provider must conduct assessments of the child and family in accordance with paragraph (c) of this section.

(ii) Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. In addition, the lead agency must ensure that informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility under paragraph (b) of this section.

(4) All evaluations and assessments of the child and family must be conducted by qualified personnel, in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory.

(5) Unless clearly not feasible to do so, all evaluations and assessments of a child must be conducted in the native language of the child, in accordance with the definition of *native language* in § 303.25.

(6) Unless clearly not feasible to do so, family assessments must be conducted in the native language of the family members being assessed, in accordance with the definition of *native language* in § 303.25.

B. Procedures for evaluation of the child. In conducting an evaluation, no single procedure may be used as the sole criterion for determining a child’s eligibility under this part. Procedures must include –

(1) Administering an evaluation instrument,

(2) Taking the child’s history (including interviewing the parent),

(3) Identifying the child’s level of functioning in each of the developmental areas in § 303.21(a)(1),

(4) Gathering information from other sources such as family members, other caregivers, medical providers, social workers, and educators, if necessary, to understand the full scope of the child’s unique strengths and needs; and

(5) Reviewing medical, educational, or other records.

C. Procedures for assessment of the child and family.

(1) An assessment of each infant or toddler with a disability must be conducted by qualified personnel in order to identify the child’s unique strengths and needs and the early intervention services appropriate to meet those needs. The assessment of the child must include the following:

(i) A review of the results of the evaluation conducted by paragraph (b) of this section.

(ii) Personal observations of the child; and

 (iii) The identification of the child’s needs in each of the developmental areas in § 303.21(a)(1).

(2) A family-directed assessment must be conducted by qualified personnel in order to identify the family’s resources, priorities, and concerns and the supports and services necessary to enhance the family’s capacity to meet the developmental needs of the family’s infant or toddler with a disability. The family-directed assessment must –

(i) Be voluntary on the part of each family member participating in the assessment,

(ii) Be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment; and

(iii) Include the family’s description of its resources, priorities, and concerns related to enhancing the child’s development.

The team shall conduct an evaluation for special education purposes within a reasonable time not to exceed 30 school days from the date the district receives parental permission to conduct the evaluation or the expiration of the 14-calendar day parental response time in cases other than initial evaluation, unless a conciliation conference or hearing is requested.

ZED and Blooming Prairie Public Schools conducts a full and individual initial evaluation before the initial provision of special education and related services to a pupil. The initial evaluation shall consist of procedures to determine whether a child is a pupil with a disability that adversely affects the child’s educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability shall obtain informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services. The district will not override the written refusal of a parent to consent to an initial evaluation or re-evaluation.

#### ***Evaluation Procedures***

Evaluations and reevaluations shall be conducted according to the following procedures:

1. ZED districts shall provide notice to the parents of the pupil, according to Code of Federal Regulations, title 34, sections 300.500 to 300.505, that describes any evaluation procedures the district proposes to conduct.
2. In conducting the evaluation, ZED districts shall:
3. Uses a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent, that are designed to assist in determining whether the child is a pupil with a disability and the content of the pupil’s individualized education program, including information related to enabling the pupil to be involved in and profess in the general curriculum, or for preschool pupils, to participate in appropriate activities,
4. Does not use any single procedure as the sole criterion for determining whether a child is a pupil with a disability or determining an appropriate education program for the pupil; and
5. Uses technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
6. ZED and member districts ensure that:
7. Tests and other evaluation materials used to evaluate a child under this part are selected and administered so as not be discriminatory on a racial or cultural basis, and are provided and administered in the pupil’s native language or other mode of communication, unless it is clearly not feasible to do so,
8. Materials and procedures used to evaluate a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education and related services, rather than measure the child’s English language skills,
9. Any standardized tests that are given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such tests,
10. The child is evaluated in all areas of suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities,
11. Evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided,
12. If an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report,
13. Tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient,
14. Tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child’s aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child’s impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure; and
15. In evaluating each pupil with a disability, the evaluation is sufficiently comprehensive to identify all of the pupil’s special education and related service needs, whether or not commonly linked to the disability category in which the pupil has been classified.
16. Upon completion of administration of tests and other evaluation materials, the determination of whether the child is a pupil with a disability as defined in Minnesota Statutes, section 125A.02, shall be made by a team of qualified professionals and the parent of the pupil in accordance with item E, and a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.
17. In making a determination of eligibility under item D, a child shall not be determined to be a pupil with a disability if the determinant factor for such determination is lack of instruction in reading or math or limited English proficiency, and the child does not otherwise meet eligibility criteria under parts 3525.1325 to 3525.1351.

#### ***Additional requirements for evaluations and reevaluations***

1. As part of an initial evaluation, if appropriate, and as part of any reevaluation under this part, or a reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:
2. review existing evaluation data on the pupil, including evaluations and information provided by the parents of the pupil, current classroom-based assessments and observations, and teacher and related services providers observation; and
3. on the basis of the review, and input from the pupil's parents, identify what additional data, if any, are needed to determine whether the pupil has a particular category of disability, as described in Minnesota Statutes, section 125A.02, or, in case of a reevaluation of a pupil, whether the pupil continues to have such a disability, the present levels of performance and educational needs of the pupil, whether the pupil needs special education and related services, or in the case of a reevaluation of a pupil, whether the pupil continues to need special education and related services, and whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the individualized education program of the pupil and to participate, as appropriate, in the general curriculum.
4. The district shall administer such tests and other evaluation materials as may be needed to produce the data identified by the IEP team under item A, subitem (2).
5. Each district shall obtain informed parental consent, in accordance with subpart 1, prior to conducting any reevaluation of a pupil, except that such informed parental consent need not be obtained if the district can demonstrate that it had taken reasonable measures to obtain such consent and the pupil's parent has failed to respond.
6. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the pupil continues to be a pupil with a disability, the district shall notify the pupil's parents of that determination and the reasons for it, and the right of such parents to request an evaluation to determine whether the pupil continues to be a pupil with a disability, and shall not be required to conduct such an evaluation unless requested to by the pupil's parents.
7. A district shall evaluate a pupil in accordance with this part before determining that the pupil is no longer a pupil with a disability.
8. ***Procedures for determining eligibility and placement***
9. In interpreting the evaluation data for the purpose of determining if a child is a pupil with a disability under parts 3525.1325 to 3525.1351 and the educational needs of the child, the school district shall:
10. draws upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
11. ensure that the information obtained from all of the sources is documented and carefully considered.
12. If a determination is made that a child is a pupil with a disability who needs special education and related services, an IEP must be developed for the pupil according to Minnesota Rule 3525.2810.

#### ***Evaluation report***

An evaluation report must be completed and delivered to the pupil's parents within the specified evaluation timeline. At a minimum, the evaluation report must include:

1. a summary of all evaluation results,
2. documentation of whether the pupil has a particular category of disability or, in the case of a reevaluation, whether the pupil continues to have such a disability,
3. the pupil's present levels of performance and educational needs that derive from the disability,
4. whether the child needs special education and related services or, in the case of a reevaluation, whether the pupil continues to need special education and related services; and
5. whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

### **C. Plan for Receiving Referrals**

ZED’s and its member districts plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies is attached as *Appendix B.*

**II. Method of Providing the Special Education Services for the Identified Pupils**

ZED and its member districts provide a full range of educational service alternatives. All students with disabilities are provided the special instruction and services which are appropriate to their needs. The following is representative of the district’s method of providing the special education services for the identified pupils, sites available at which service may occur, and instruction and related services are available.

Appropriate program alternatives to meet the special education needs, goals, and objectives of a pupil are determined on an individual basis. Choice of specific program alternatives are based on the pupil’s current levels of performance, pupil special education needs, goals, and objectives, and must be written in the IEP. Program alternatives are comprised of the type of services provided, the setting in which services occur, and the amount of time and frequency in which special education services occur. A pupil may receive special education services in more than one alternative based on the IEP or IFSP.

1. Method of providing special education services for the identified pupils:
2. Setting I and II Resource Room (one to one services, small group, direct, indirect, co-teaching, etc.)
3. Setting III Self-Contained Room (one to one services, small group, direct, indirect, co-teaching, etc.)
4. Setting IV- provided by ZED (one to one services, small group, direct, indirect, co-teaching, etc.)
5. Secondary 18-21 Transition Program provided by ZED or their member districts (one to one services, small group, direct, indirect, co-teaching, etc.)
6. Birth-3 in-home services provided by ZED (one to one services, direct, indirect, coaching, etc.)
7. Inclusive and Integrated Community Education School Readiness in their member district/community (one to one services, small group, direct, indirect, co-teaching, etc.)
8. Early Childhood Family Education (ECFE) in their member district (one to one services, small group, direct, indirect, co-teaching, etc.)
9. Sites available at which services may occur:
10. Zumbro Education District

Birth - 3 (Part C), Area Learning Center, Futures and Choices, Transition 2 Success

630 1st Ave NW, Byron, MN 55920

1. Available instruction and related services:
2. Physical Therapy
3. Occupational Therapy
4. Speech-Language Services
5. ASD Consultation
6. Assistive Technology Consultation
7. Orientation and Mobility Consultation
8. Psychological Services
9. School Social Workers
10. School Nursing
11. Audiology Services
12. Disability-specific programming
	1. 18-21 Transition Programming

## **III. Administration and Management Plan.**

ZED districts utilize the following administration and management plan to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

1. The following table illustrates the organization of administration and management to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

|  |  |  |
| --- | --- | --- |
| **Staff Name and Title** | **Contact Information (phone/email/mailing address/office location)** | **Brief Description of Staff Responsibilities relating to child study procedures and method of providing special education services** |
| Patrick Gordon, Special Education Director Zumbro Education District | 507-775-2037 pgordon@zumbroed.org 801 Frontage Rd NW Byron MN 55920 | Oversight of administering special education procedures for all member districts.  |
| Stacy Magnus, Special Education Coordinator, Blooming Prairie Public Schools  | 507-583-4426 smagnus@blossoms.k12.mn.us202 4th Ave. NW Blooming Prairie, MN 55917High School  | Oversight of special education services in their local district. Report back to Patrick Gordon. |
| Janeen Eddie, Special Education Coordinator, Byron Public Schools | 507-624-0355 ext. 1803janeen.eddie@byron.k12.mn.us820 7th St. NEByron, MN 55920Primary School | Oversight of special education services in their local district. Report back to Patrick Gordon. |
| Janet Hartman, Special Education Coordinator, Hayfield Public Schools | 507-671-1521 jhartman@hayfield.k12.mn.us9 Sixth Ave. SEHayfield, MN 55940Elementary School | Oversight of special education services in their local district. Report back to Patrick Gordon.  |
| Nicole Kujath, Special Education Coordinator, Kasson-Mantorville Public Schools.  | 507-634-1101 n.kujath@komets.k12.mn.us101 16th St. NEKasson, MN 55944High School  | Oversight of special education services in their local district. Report back to Patrick Gordon. |
| Jill Petersen, Special Education Coordinator, Pine Island Public Schools | 507-356-3210jill.petersen@pineisland.k12.mn.us223 1st Ave SEPine Island, MN 55963 | Oversight of special education services in their local district. Report back to Patrick Gordon. |
| Hollie Clark, Special Education Coordinator, Stewartville Public Schools | 507-533-1630hollie.clark@ssdtigers.org301 2nd Street SWStewartville, MN 55976Central Education Center | Oversight of special education services in their local district. Report back to Patrick Gordon. |
| Elaine French, Special Education Coordinator, Triton Public Schools  | 507-418-7510efrench@triton.k12.mn.us813 W Highway StreetDodge Center, MN 55927High School  | Oversight of special education services in their local district. Report back to Patrick Gordon. |

1. Due Process assurances available to parents: ZED districts have appropriate and proper due process procedures in place to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils, including alternative dispute resolution and due process hearings. *A description of these processes are as follows:*
2. Prior written notice to a) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child’s placement or for providing special education services unless the child’s parent notifies the district of an objection within 14 days of when the district sends the prior written notice to the parent; and b) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference or another alternative dispute resolution procedure.
3. ZED districts will not proceed with the initial evaluation of a child, the initial placement of a child in a special education program, or the initial provision of special education services for a child without the prior written consent of the child’s parent. A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.
4. A parent, after consulting with health care, education, or other professional providers, may agree or disagree to provide the parent’s child with sympathomimetic medications unless medical, dental, mental and other health services are necessary, in the professional's judgment, that the risk to the minor's life or health is of such a nature that treatment should be given without delay and the requirement of consent would result in delay or denial of treatment.
5. Parties are encouraged to resolve disputes over the identification, evaluation, educational placement, manifestation determination, interim alternative educational placement, or the provision of a free appropriate public education to a child with a disability through conciliation, mediation, facilitated team meetings, or other alternative process. All dispute resolution options are voluntary on the part of the parent and must not be used to deny or delay the right to a due process hearing. All dispute resolution processes are provided at no cost to the parent.
6. Conciliation Conference: a parent has the opportunity to meet with appropriate district staff in at least one conciliation conference if the parent objects to any proposal of which the parent receives prior written notice. ZED districts hold a conciliation conference within ten calendar days from the date the district receives a parent’s objection to a proposal or refusal in the prior written notice. All discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five school days after the final conciliation conference, the district must prepare and provide to the parent a conciliation conference memorandum that describes the district’s final proposed offer of service. This memorandum is admissible in evidence in any subsequent proceeding.
7. In addition to offering at least one conciliation conference, ZED districts inform parents of other dispute resolution processes, including at least mediation and facilitated team meetings. The fact that an alternative dispute resolution process was used is admissible in evidence at any subsequent proceeding. State-provided mediators and team meeting facilitators shall not be subpoenaed to testify at a due process hearing or civil action under special education law nor are any records of mediators or state-provided team meeting facilitators accessible to the parties.
8. Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in ZED’s Procedural Safeguard Notice, attached as *Appendix C.*

## **IV. Interagency Agreements the District has Entered**

ZED and member districts have entered in the following interagency agreements or joint powers board agreements for eligible children, ages 3 to 21, to establish agency responsibility that assures that interagency services are coordinated, provided, and paid for, and that payment is facilitated from public and private sources. Not all agencies are used each year. Student need drives the contracts that the districts enter into.

1. **Community Transition Interagency Committee**:
2. ZED’s Community Transition Interagency Committee is established in cooperation with member districts, Region 10, and in cooperation with the counties in which the districts are located, for youth with disabilities, beginning at grade 9 or age equivalent, and their families.
3. Region 10 Community Transition Interagency Committee (CTIC) consists of the following individuals:
4. *Patrick Gordon, Stacy Magnus, Janeen Eddie, Janet Hartman, Nicole Kujath, Jill Petersen, Hollie Clarke, Elaine French (Zumbro Education District, Blooming Prairie, Byron, Hayfield, Kasson-Mantorville, Pine Island, Stewartville, Triton* – special education)
5. Darcy Reker

 *(Kasson-Mantorville Public Schools* – Vocational Education)

1. Lynn Beckard

 (Children’s Mental Health)

1. Morgan Kittleson

 (Adult with a disability who has received transition services)

1. Eileen Long

 (Parent of a youth with a disability)

1. Mike Stehr

 (Ability Building Center)

1. Mike Nett, Jim Langevin

 (Rehabilitation services)

1. Brie Thompson

 (Dodge County Human Services)

1. Jan Leuth

 (Olmsted County Public Health)

1. Ann Korecky

 (Opportunity Services)

1. Travis Kromminga

 (RCTC, Office of Disability Services)

1. Jodi Austin Thompson, Jennifer Bagne Walsh

(Olmsted County Human Services)

1. The Community Transition Interagency Committee is chaired by Christian Wernau
2. The Community Transition Interagency Committee meets four times per year.
3. The Community Transition Interagency Committees operating procedures are attached as Appendix D and include the following:
4. identification of current services, programs, and funding sources provided within the community for secondary and postsecondary aged youth with disabilities and their families,
5. facilitation of the development of multi-agency teams to address present and future transition needs of individual students on their individualized education programs,
6. development of a community plan to include mission, goals, and objectives, and an implementation plan to assure that transition needs of individuals with disabilities are met,
7. recommendations of changes or improvements in the community system of transition services,
8. exchange of agency information such as appropriate data, effectiveness students, special projects, exemplary programs, and creative funding of programs; and
9. preparation of a yearly summary assessing the progress of transition services in the community including follow-up of individuals with disabilities who were provided transition services to determine post-school outcomes.
10. Region 10 CTIC disseminates the summary to all adult services agencies involved in the planning and the MDE by October 1 of each year.

## **Interagency Early Intervention Committee**

1. ZED participates on the Region 10 Interagency Early Intervention Committee in cooperation with the health and human service agencies located in southeast Minnesota, for children with disabilities under age five and their families.
2. Membership of the Interagency Early Intervention Committee is as follows:

**Health** –Teresa Buck- Olmsted County, Amber Reidt- Wabasha County, June Piepho- Steele County, Natalie Loock -Freeborn County, Krista Early - Goodhue County

**Education** –Shari Mensink- Owatonna, Sarah Sperger- Goodhue County, Kirby Bussman - Mower County, Colleen Johnson- ZED, Kara Paulson- Freeborn County, Kim Welsh -Rochester, Wendy Cirksena - Steele County, Paula Birch - Fillmore County, Jenny Goede - HVED, Holly Reeve - HVED, Diane Jacobsen - SMEC, Christian Wernau - Region 10, Janet Hartman - Region 10

**County Human Services** – Unfilled

**County Board** – Unfilled

**School Board** – Unfilled

**Early Childhood Family Education Programs** – Diana Eipers - Dodge County

**Head Start** –Dawn Tommerdahl - 3 Rivers Head Start, Terri McLaughlin- SEMCAC

**Parents of Young Children with Disabilities Under Age 12** – Holly Schoenbauer - Rice County

**Families First** – Amber English, Alissa Lawler

**School Readiness Programs** – Karn Schwartzhoff - Houston, Diana Eipers - Dodge County
**Homeless Liaison** - Melissa Brandt

**Current Service Providers** – Holly Schoenbauer - Rice County HMG

The Early Intervention Committee’s operating procedures are attached as *Appendix E.*

## **V. Special Education Advisory Council**

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, ZED and its member districts has a special education advisory council.

1. ZED Special Education Advisory Council is established in cooperation with other districts who are members of the same special education cooperative.
2. ZED Special Education Advisory Council is not a subgroup of an existing board/council/committee, and its membership is as follows

Blooming Prairie Sp Ed Elem Mackenzie Cornell

Blooming Prairie Elem Gen Ed Natalie Sorensen

Blooming Prairie Parent Cathy Peterson

Byron School Nurse Jennifer Brommer

Byron Parent Shalleen Nelson

Hayfield Parent Ann Woslager

Hayfield SpEd Teacher/

Parent Misty Crable

K-M SpEd Middle Nicole Kujath

K-M Parent Sonja Thompson

Pine Island Parent Traci Bauer

Stewartville Admin Eldon Anderson

Triton Elem Admin Nick Jurrens

Triton Gen Ed High School Casey O’Brien

Triton Parent Becky Aarsvold

ZED SpEd Teacher/

 Parent Shannon Krekula

C. At least half of ZED Districtsparent advisory councils’ members are parents of students with a disability.

Each local council meets no less than once each year.

D. ZED *Districts* Special Education Advisory Council meets in October and April yearly.

*E.* The operational procedures of ZED District’sSpecial Education Advisory Council are attached as Appendix *F.*

VII. Assurances

Assurance given Citation and Authority: Code of Federal Regulations, section 300.201: Consistency with State policies*.* ZED and its member districts, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under sections 300.101 through 300.163, and sections 300.165 through 300.174. (Authority: 20 U.S.C. § 1413(a)(1)).

**Appendix A:**

Blooming Prairie Public Schools Scientific Research Based Instruction (SRBI) Plan

This plan is posted on our Blooming Prairie Public Schools website under Special Education.

**Blooming Prairie Local Literacy Plan & SRBI**

 

Reading well by third grade is one of many developmental milestones in a child’s educational experience. Providing quality curriculum, instruction, and assessments is the foundation for developing comprehensive systems of support for all learners (MDE). Our literacy plan describes the curriculum, instruction, and assessments that we use to support our students’ literacy needs at Blooming Prairie Elementary. We provide quality core instruction as well as quality interventions to support our students reading well by third grade.

Blooming Prairie Elementary School understands the importance of our students reading well by third grade. Over a period of four school years BPES had been Celebration eligible based on the states MMR rating scale. We have been recognized as a Celebration School twice, during the 2012-2013 school year and during the 2014-2015 school year. We have been at or above state average on our MCA Reading assessments in grades 3–6 over the course of that time period. Our local literacy plan recognizes the literacy needs of all students. Through our PLC’s we work together to use student data to meet the needs of all our students. Our grade level teams meet with our Reading Specialist, Title I teachers, and Special Education staff to provide the proper interventions for our students. We communicate as a school team and with parents to ensure that all students get the literacy instruction that they need to read well by third grade.

We continue to monitor the progress of all students throughout the school year. We test our students in the fall, winter, and spring to ensure that all students are making progress toward grade level proficiency. We provide interventions to students who show needs based on our assessments and grade level material. We progress monitor our students weekly or bi-weekly to monitor and adjust their progress, our instruction, and our interventions that we use. We believe that with these continued supports all students will make progress toward grade level proficiency.

**#756, Blooming Prairie Local Literacy Plan**

**Statement of goals or objectives defining how reading proficiency will be ensured for ALL students at each grade level Kindergarten through Grade 3**

1) Through the implementation of Grade Level Teaming, Vertical Teaming, and Professional Learning Communities (PLC’s), Blooming Prairie Elementary Schools (BPES) educators will collaborate weekly to improve instruction, use data to support student learning, and plan through the curriculum to meet the needs of ALL learners.

2) BPES staff will use our MTSS process (Tiered Systems of Support) to identify students in need, work together to provide effective interventions for students in need, and ensure that BPES educators are making decisions based on multiple forms of data. Parent will be involved in the process.

3.) BPES educators will Differentiate Literacy Instruction through the use of the Reading Streets Reading Curriculum, leveled readers, and specialized instruction (copyright 2010) to meet the needs of ALL learners.

4.) All BPES students will have access to a consistent curriculum and will be provided with opportunities to enhance their learning.

5.) Our Staff Development will consist of:

 a. Continued implementation of our MTSS process (Tiered Systems of Support)

b. Vertical teaming to ensure that our curriculum / instruction matches the state standards and is meeting the needs of all our students.

 c. Staff Learning of Best Practice in Literacy Instruction

 d. Continued Technology training to enhance student achievement

 e. Data retreats (Staff Development Days) – Time to collect and analyze data to enhance student achievement. Data will consist of FAST assessments, MCA’S, MTAS, MCAM, Weekly Assessments, and Unit Assessments

**Statements of process to assess students’ level of reading proficiency including assessments used when administered, how proficiency is determined, and when and how results are communicated with parents of students in Kindergarten through Grade 3.**

1.)FAST (Fastbridge) is our screening assessment.

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| **Grade K****FAST Assessment Recommendations by Grade** |  |  | **Grade 1** |  |  |
| Fall | Winter | Spring | Fall  | Winter | Spring |
| LNF Early Literacy | LNF Early Literacy | LNF Early Literacy | LNF Early Literacy |  |  |
| LSFEarly Literacy | LSF Early Literacy | LSF Early Literacy | LSF Early Literacy |  |  |
|  | PSF Early Literacy | PSF Early Literacy | DW Early Literacy |  |  |
|  | DWEarly Literacy | DW Early Literacy | WS Early Literacy |  |  |
|  |  | SWEarly Literacy | SWEarly Literacy |  |  |
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|  |  |  |  |  |  |
|  |  |  | R-CBM\*Reading | R-CBM\* Reading | R-CBM\* Reading |
|  |  |  | aReading | aReading | aReading |
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| **Grade 2** |  |  |  **Grades 3-8** |  |  |
| Fall | Winter | Spring | Fall  | Winter | Spring |
| R-CBM\* Reading | R-CBM\* Reading | R-CBM\* Reading | R-CBM\* Reading | R-CBM\* Reading | R-CBM\* Reading |
| aReading | aReading | aReading |  aReading |  aReading |  aReading |
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\*Three R-CBM Benchmark assessments are administered each Benchmark period. The median score of corrects and the median score of errors are then used as the Benchmark score. All other measures are administered once per Benchmark period.



**System of Scientific Research-Based Intervention (SRBI) Plan**

III. Specific Components Included in SRBISystem: Screening

A. Define timelines for screening process and benchmarking (e.g., Fall, Winter, Spring) As required in Minn. R. 3525.1341 Subp. 4.

B. Define cut-offs and rationale/basis for cut-offs (note date cut-offs were last revised). It is recommended that districts ensure that cut-offs allow for equitable treatment of diverse populations.

C. List the measures used to screen and track performance in each grade and content area implementing a system of SRBI:

**Reading Example**

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| Grade | Cut-Off or Benchmark Scores: Useful for Identifying Students in Need of Intervention |
| ZED DISTRICT | Phonemic Awareness | Phonics | Fluency: FAST | Comprehension FAST(aReading) | Vocabulary(Sight Words) |
| FAST | DWWcpm=words correct | LNF: FAST Inc=letter names correct | LSF: FAST Isc=letter sounds correct | WS: FAST Sc=sounds correct | wcpm=words correct per minute | 45%ile Cut-off Score | SW: Wcpm = Words correct |
| Kindergarten |  3 wc: Jan8 wc:May | 20 Inc: Sept 42 Inc: Jan 50 Inc: May | 5 Isc: Sep29 lsc: Jan 41 Isc: May | 3 sc: Sept26 sc: Jan30 sc: May |   |   | 1 wc: Sept9 wc: Jan20 wc:May |
| Grade 1:  |   9 wc: Sept15 wc: Jan15 wc: May | 50 Inc: Sept  | 31 Isc: Sept 43 Isc: Jan 52 Isc: May | 27 sc: Sept 31 sc: Jan32 sc: May  | 14 wcpm: Sept43 wcpm: Jan 71 wcpm: May | 435 - Sep454 – Jan471 - May |  17wc:Sep50wc:Jan67wc:May |
| Grade 2: |   |   |   |   | 58 wcpm: Sept 87 wcpm: Jan 106 wcpm: May | 469 - Sep481 - Jan 489 - May |   |
| Grade 3: |   |   |   |   | 90 wcpm: Sept 116 wcpm: Jan 131 wcpm: May | 487 -Sept 497 - Jan 503 - May |   |
| Grade 4: |   |   |   |   | 116 wcpm: Sept 136 wcpm: Jan 150 wcpm: May | 500 - Sept 507 - Jan 513 - May |   |
| Grade 5: |   |   |   |   | 133 wcpm: Sept 151 wcpm: Jan 163 wcpm: May | 509 - Sept 517 - Jan 522 - May |   |
| Grade 6: |   |   |   |   | 142 wcpm: Sept 159 wcpm: Jan 172 wcpm: May | 516 - Sept 523 - Jan 527 - May |   |

2.) We use MCA’s, FAST assessments, running reading records, and unit and weekly assessments from our reading series, Reading Streets Copyright 2010, as part of our diagnostic assessment process. We look at the data as individual teachers, with grade level teams, reading specialists, special education, administration, and Title I teachers. We meet biquarterly to meet students’ needs and modify interventions.

BPES uses the multi-tiered systems of support.

**Tier 1**

Tier 1 addresses daily reading instruction for all students in grades K-6

 \*Core daily instruction from Reading Streets

 30 minutes of core instruction to entire class

 60 minutes of additional instruction in small group

 \*\*Interventions are designed for students at the 26th–50th percentile

 The 60 minutes of additional instruction include one or a variety of the following methods of instructional delivery: Literacy Centers, Literature Circles, Buddy Reading, Repeated Reading Activities, Text at appropriate levels, Flexible Grouping, and Classroom Libraries

**Tier 2**

Tier 2 intervention tools available based on student performance:

\*Read Naturally

\*Road to the Code

\*Road to Reading

\*Read Well K, Read Well 1, Read Well Plus, Reading Well 2 and Read Well Fluency Foundations

\*Comprehension Plus

\*Reading Streets small group instruction

**Tier 3**

Tier 3 is designed to be delivered by the student’s Reading Intervention teacher and or Special Education Teacher. Based on the student performance on the following: progress monitoring scores, district wide assessments, state assessments, and special education assessment data/criteria. The student(s) receive additional reading services and are progress monitored every five days, with the instructional group being three or less students to one adult or one-to-one instruction.

Tier 3 intervention tools available based on student performance:

\*Read Naturally

\*Road to the Code

\*Road to Reading

\*Read Well K, Read Well, Read Well Plus, Reading Well 2 and Read Well Fluency Foundations

\*Comprehension Plus

\*Reading Streets small group instruction

\*Language!

\*Wilson

\*My Sidewalks: Levels A-E

\*ERI – Early Reading Intervention – Reading Streets

\*Pro-Ed-Functional Series

\*Ed Mark

3.) Our progress monitoring process includes grade level meeting to assess data of students in need weekly. Our reading specialist, Title I, and special education teachers provide classroom teachers and administration with weekly progress reports. The principal, special education coordinator, reading specialist and Title I teacher meet monthly to review data and focus on closing the achievement gap. We also meet as a Student Study Team to discuss student needs twice a month. We use our data to see if our reading instruction is valid and use this to drive instruction to best meet the needs of the students.

4.) The communication plan for sharing screening, diagnostic, and progress monitoring data with parents will be done through conferences. When students are not meeting grade level proficiency expectations based on data from our diagnostic assessments, classroom teachers contact parents and start interventions immediately. The classroom teacher works with the MTSS reading committee and parents to plan and monitor interventions. After collecting six weeks of data the teacher will continue or change the intervention based on the data. If the intervention is changed the general education teacher will collect six more weeks of data. If the interventions are showing progress the teacher and reading specialist will continue intervention. If there is no growth the teacher will bring the student to the Student Support Team (follow MTSS Process). Throughout this entire process the parents will be discussing the progress of the student with the classroom teacher.

**Specific information on how elementary schools within the district will notify and involve parents accelerating the literacy development for their children in each grade, Kindergarten through Grade 3.**

1.) We have adopted Reading Streets Reading Curriculum (copyright 2010), which is aligned with grade level content standards. We use weekly and unit assessments to drive instruction and meet the needs of all students. We monitor achievement for all learners with guided reading and intervention times for all learners that match their literacy development for all students, including special education. We continue to monitor our students through daily work, weekly assessments, and unit assessments and also our three time a year through diagnostic assessments.

2.) Day One, teachers and principals share what data we use and what existing supports we have available: ELL, reading specialist, special education, and Title I program. At fall conferences we meet with parents and students to review data and goal set.

3.) Our entrance criteria are 25th percentile to 11th percentile for Title I services. It is the 10th percentile and below for the reading specialist. The 5th percentile and below will start the MTSS process immediately. We derive at these percentiles based on FAST assessments, MCAs, and classroom diagnostic assessments. Our exit criteria, for Title I, are for the students to achieve above the 25th percentile on their grade level diagnostic assessments and maintain that level for four weeks. Our exit criteria, for reading specialist, are for the students to achieve above the 10th percentile on their diagnostic assessments and maintain that level for four weeks. They would move into the Title I program. Throughout this entire process these students will be progress monitored with FAST assessments weekly.

4.) The resources we have available to support literacy practices outside of school: teacher websites at [www.blossoms.k12.mn.us](http://www.blossoms.k12.mnu.us) allow access to multiple literacy websites and tools, Reading Streets, weekly communication, Family Times, Day One information sessions and Title I Fun Nights.

**Explain for a public audience what interventions and instructional supports will be available to students not reading at or above grade level in grades Kindergarten through Grade 3 and how these interventions will be based on the learner data, including how services will be provided, and how parents will be informed of student progress.**

1.) See below:

**Continuum of Reading Skills Pre-K through 2nd**

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| **Phoneme Awareness** |  |  |  |
| **Ending Pre-K** \*Identify beginning sounds \*Segment and orally blend 3 letter sounds \*Recognize rhyming sounds | **Ending K** \*Distinguish beginning/middle/ end sounds \*Blend and segment 4+ sounds words \*Rhyming-Hear/Match/Produce \*Introduce number of syllables in words (cat-change to bat to cat to can). \*Substitute individual sounds (phoneme substitution) | **Ending 1st** \*Recognize consonant blend \*Continue to number of syllables (vowel sounds means syllable) | **Ending 2nd** \*Pronounce unfamiliar words with multi-syllables \*Continue to develop and strengthen strategies \*Self-correct when reading breaks down |

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| **Phonics**  |  |  |  |
| **Ending Pre-K** \*Identify concepts of prints (left to right, top to bottom). \*Identify all upper/lowercase letters and sounds \*Write first name | **Ending K** \*Introduce long/short vowels (ch, th, sh, oo, etc.) \*Full name \*Begin to blend to read, word families \*Segment to write and substitute sounds in written form (cat-can-pan). \*High frequency words \*Introduce digraphs (ch, th, sh, oo, etc.) | **Ending 1st** \*Use short vowels appropriately and beginning to understand long vowel sounds. \*Be able to chunk into word families \*Know at least 125 sight words \*Be able to produce and write CVC rhymes \*Understand patterns in words and digraphs (CVC, CVCV) beginning to understand silent e and 2 vowels together make a long sound) | **Ending 2nd** \*Use long/short vowels appropriately. \*Continue up to 220 sight words \*Know difference vowels and consonants \*Understand patterns in words and digraphs (long vowel sound and word chunks). |

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| **Comprehension and Literature** |  |  |  |
| **Ending Pre-K** \*Track print from left to right and top to bottom \*Sequence events (3 picture cards) beginning, middle, end \*Use pictures to comprehend text orally \*Predict what might happen next orally \*Orally recall details in story \*Orally answer questions based on text \*Introduce different forms of print - poems, jokes, etc.  | **Ending K** \*Sequence events beginning, middle, end in a story \*Begin to use picture clues in own reading to help comprehend the text \*Make a prediction and support with evidence from the book \*Orally recall details in story \*Orally answer questions based on text \*Variety of genre \*Connections (text-self) \*Author/illustrator \*Orally compare and contrast with support \*Be exposed to questioning to understand the text | **Ending 1st** \*Retell story and summarize on own (beginning, middle, end) \*Use picture clues to comprehend the text when reading \*Can strongly make predictions at beginning of story and begin to make predictions throughout (was it right or wrong at the end of book) \*Identify components of story (main characters, setting, main idea) \*Read own book and answer questions \*Expose to different fiction and non-fiction books \*Connections-Continue with text-self (big ideas) and introduce text-text \*Text features (headings, tables of contents, glossaries) \*Orally compare and contrast different stories \*Introduce inferring and critical thinking \*Introduce being able to pick out a "just-right book" \*Introduce what it means to listen to others and identify point-of-view \*Introduce metacognition-go back and reread when comprehension breaks down  | **Ending 2nd** \*Retell the story in greater detail and summarize \*Introduce the use of diagrams and maps to pull out factual information \*Predicts what might happen throughout the story using text to support \*Identify components of story (include characters, setting, problem events, and ending) \*Can answer higher level questions on higher level books \*Retell stories of different genres (fiction, non-fiction, historical fictions, fables, folk-tales, poetry, biographies) 8. Connections - continue with text-self and text-text (focusing on big ideas), introduce text - world \*Text features - introduce the vocabulary words of paragraph, stanza, lines of poems, and ordinal numbers and words \*Compare and contrast texts, authors, and introduce comparing plots and characters \*Continue with inferring and critical thinking \*Pick out a "just-right book" \*Identify "1st person" and "3rd person" (points-of-view) and who is telling the story \*Continue with metacognition - go back and rereads when comprehension breaks down. \*Introduce author's purpose (entertain, inform, and persuade).  |

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| **Vocabulary**  |  |  |  |
| **Ending Pre-K** \*Uses pictures to support words\*Introduce orally to new vocabulary (in daily stories)\*Knowledge of positional words\*Concept of what a simple opposite is \*Sort into categories | **Ending K** \*Uses picture clues to solve unknown words\*Continue to introduce orally to new vocabulary (in daily stories)\*Understands positional words\*Concept of what a more complex opposite is and multiple meaning of words (synonyms)\* Orally recognize homophones\*Know 40 sight words | **Ending 1st** \*Use a variety of strategies and text features (headings, titles, captions), to aid in comprehension to solve unknown words\*Recognize new vocabulary in story\*Understand parts of speech (verbs, nouns) and introduce adjectives and adverbs\*Understand antonyms and synonyms\*Introduce more complex homophones (way to remember this – “everyone has a different phone number, so different spelling”) (new, knew) and homonyms (duck, duck)\*Knows 125 sight words\*Spelling should correlate | **Ending 2nd** \*Locate in text, use context clues for meaning, life-connections, and dictionary/glossary as resources and use a variety of strategies to solve unknown words. \*Acquire, understand, and use new vocabulary through explicit instruction and independent reading\*Understand parts of speech (adverbs, adjectives, nouns, verbs)\*Identify and use synonyms and antonyms, multiple-meanings of words\*Understands more complex homophones (new, knew) and homonyms (duck, duck)\*Knows 220 sight words\*Continue strategies to identify prefixes and suffixes\*Continue with spelling should correlate  |

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| **Fluency** |  |  |  |
| **Ending Pre-K** \*Recognize expression while being read to \*Orally telling a story using intonation, dialogue, etc. (either in written or personal story)  | **Ending K**\*Begin to translate expression and intonation into own reading\*Understand that different punctuation marks mean different things (.?!) | **Ending 1st** \*Continue with beginning to use expression when reading\*reading a grade-level (“just-right” book) appropriate text smoothly\*Use punctuation to help read smoothly  | **Ending 2nd** \*Read aloud narrative text with fluency, accuracy, and appropriate pacing, expression, and intonation\*Use expression when reading grade-level (“just-right” books) appropriate text\*Use punctuation to assist in smooth reading  |

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| **Writing** |  |  |  |
| **Ending Pre-K** \*Holds pencil correctly\*Correctly writes 1st name (1st letter upper, rest lower)\*Draw person with 6-8 body parts\*Write left to right\*Begin to correctly write letter forms\*Begin to use inventive spelling using beginning sounds\*Draw pictures to tell a story (journals).  | **Ending K** \*Phonetic spelling\*Writes with a purpose\*Correctly spell 40 sight words\*Expect spacing\*Introduce capitalization\*Use prompts and own experiences to develop writing\*Sequence two events in writing (an order).  | **Ending 1st** \*Continue to use phonetic spelling\*Introduce writing for a variety of purpose (letter, informative, poetry)\*Sight words need to be spelled correctly and use \*Continue to use spacing\*Introduce sentence structure (capitalization, punctuation)\*Continue with using prompts and own experiences to develop writing\*Ideas are in order (beginning, middle, end) | **Ending 2nd** \*Continue to use phonetic spelling\*Writes for a variety of purpose (letter, informative, poetry)\*Continue with sight words need to be spelled correctly\*Continue to see spacing\*Use of capitalization, grammar, structure, punctuation, proper/common nouns\*Continue with using prompts and own experiences to develop writing\*Ideas are in order (beginning, middle, end)\*Proofreading  |

**Continuum of Reading Skills 3rd through 6th**

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| **Phoneme Awareness** |  |  |  |
| **Ending 3rd** Continue to strengthen | **Ending 4th** Continue to strengthen  | **Ending 5th** Continue to strengthen | **Ending 6th** Continue to strengthen  |

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| **Phonics** |  |  |  |
| **Ending 3rd** Continue to strengthen\*Long vowel/short vowel patterns\*Read, say and spell grade level sight words 260 \*Grade level understanding of consonant blends and diagraphs. Syllables, inflectional endings,)-ed, -ing) Silent letters (kn) Prefix and suffix (-ful, -tion)\*Exposure to root and base words  | **Ending 4th** Continue to strengthen \*Long vowels/short vowel terminology\*Know vocabulary vowel, consonant, long short syllables, Dictionary skills (ABC order, guide words)\*Know root word and base words  | **Ending 5th** Continue to strengthen\*Know root words and base words  | **Ending 6th** Continue to strengthen \*Know root words and base words  |

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| **Vocabulary**  |  |  |  |
| **Ending 3rd** \*Locate in text, use\*While reading, write down a word you do not understand and solve the meaning.\*Understand parts of speech (adverbs, adjectives, nouns, and verbs). Also, regular and irregular nouns and verbs.\*Identify and correctly use antonyms, synonyms, multiple-meaning words, prefixes, suffixes, homonyms & homophones | **Ending 4th** \*Consult reference books with use of guide- words.\*While reading write down a word you do not understand and solve the meaning\*Similes and metaphors\*Introduce idioms, adages, homographs | **Ending 5th** \*Use context clues to figure out the meaning of unknown words.\*Use Greek and Latin affixes and roots as clues to the meaning of a word.\*Use reference materials appropriately.\*Figurative language (similes, metaphors, idioms, adages, proverbs\*Synonyms, antonyms, homographs).  | **Ending 6th** \*Use context clues.\*Grade appropriate Greek and Latin affixes\*Use reference materials appropriately\*Infer vocab words in context\*Figurative language (personification), word relationships and nuances\*Use the relationship between particular words\*Include words and phrases in history/social studies\*Analyze specific word choice on meaning/tone.STOP!  |

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| **Fluency** |  |  |  |
| **Ending 3rd** \*Read aloud narrative and informational text with fluency, accuracy, and appropriate pacing, expression, and intonation to support comprehension.\*Use expression when reading grade-level text.\*Use punctuation to assist in smooth reading.  | **Ending 4th** \*Read aloud narrative text with fluency, accuracy and appropriate pacing, expression, and intonation to support comprehension\*Use expression when reading grade-level text.\*Use punctuation to assist in smooth reading. | **Ending 5th**\*Read aloud narrative text with fluency, accuracy, and appropriate pacing, expression, and intonation to support comprehension\*Use expression when reading grade-level text.\*Use punctuation to assist in smooth reading | **Ending 6th** \*Read aloud narrative text with fluency, accuracy, and appropriate pacing, expression and intonation to support comprehension.\*Use expression when reading grade-level text.\*Use punctuation to assist in smooth reading.  |

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| **Writing** |  |  |  |
| **Ending 3rd** \*Writes for a variety of purposes poetic, descriptive, narrative, informative, explanatory, biographical, and different forms of letters\*Continue spacing\*Use of capitalization, grammar structure, punctuation proper/common nouns\*Continue with using writing prompts, and own experiences to develop writing. \*Ideas are in logical order and paragraphs with main idea.\*Proofreading and rewriting.  | **Ending 4th** \*Writes for a variety of purposes poetic, descriptive, narrative, informative, explanatory, biographical, and different forms of letters, persuasive writing, reports, and autobiographies.\*Continue spacing and indenting. Also, two spaces after period in word processing.\*Use of capitalization, grammar structure, punctuation, comma in a series, apostrophes, possessives, and proper/common nouns.\*Continue with using writing prompts, and own experiences to develop writing. \* Ideas are in logical order, they have topic sentences, supporting details and conclusion.\*Prewriting, drafting, revising, editing, publishing.  | **Ending 5th** \*Writes for a variety of purposes poetic, descriptive, narrative, informative, explanatory, biographical, and different forms of letters, persuasive writing, reports, autobiographies, opinion pieces, supporting point of view. \*Continue spacing and indenting. Also, two spaces after period in word processing. \*Use of capitalization, grammar structure, punctuation, comma in a series, apostrophes, possessives, proper/common nouns, formatting illustrations and multimedia\*Continue with using writing prompts, and own experiences to develop writing. \*Ideas are in logical order, they have topic sentences, supporting details and conclusion. \*Prewriting, drafting, revising, editing, rewriting, publishing or trying a new approach. \*Use of technology and internet to publish.\*Short research projects.\*Provide a list of resources\*Writing a dialogue with characters\*Uses commas to offset words (yes, no, tag, question, direct address) \*Uses underlining, quotation marks and italics for titles  | **Ending 6th**\*Write arguments to support claims with clear reasons and evidence.\*Write informative texts in an organized manner.\*Write narratives and creative texts (fiction/nonfiction) using descriptive details and organized sequences of events.(Use various formal writing styles and types appropriate to task or audience.\*With minimal support, use the writing process to strengthen writing skills.\*Use technology to publish writing. \*Conduct short research projects.\*Research and gather relevant information from various sources.\*Site sources\*Write over extended/various time frames. \*Independently choose writing topics and formats.\*Use transitional words in writing.\*Write informatively using science/social topics.\*Use expository writing in science and social. |

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| **Language** |  |  |  |
| **Ending 3rd**  | **Ending 4th**  | **Ending 5th** \*Demonstrate command of English grammar and usage\*Conjunctions, prepositions, interjections. \*Correct verb tenses.\*Correlate conjunctions (either/or, neither/nor).  | **Ending 6th** \*Use conventions of Standard English correctly in writing and speaking (grammar usage and mechanics).\*Correctly use capitalization, punctuation and spelling in writing.\*Use knowledge of language and its conventions when writing, speaking, reading, or listening.  |

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| **Speaking, Viewing, Listening and Media Literacy** |  |  |  |
| **Ending 3rd**  | **Ending 4th**  | **Ending 5th** \*Engage in a range of collaborative discussions with diverse partners.\*Review key ideas expressed and draw conclusions.\*Summarize a written text read aloud.\*Summarize the points a speaker makes distinguishing between a speaker’s opinions and verifiable facts.\*Avoid plagiarism\*Create PowerPoints with graphics and sound. | **Ending 6th** \*Collaborate and discuss topics and texts; expressing individual opinions.\*Interpret information presented in various media formats.\*Persuade intended audience using factual information, supported and non-supported information. \*Present gathered information in a logical, organized, and fluent oral presentation\*Include various multimedia components in research (informative)\*Write a speech for an intended audience/purpose\*Know ethical standards regard to various multimedia forms and copyrights. |

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| --- | --- | --- | --- |
| **Comprehension & Literature** |  |  |  |
| **Ending 3rd** \*Read; listen to American Literature and other cultures.\*Compare and contrast genre author, and theme\*Identify similies and metaphors\*Respond using support from text. Main idea and supporting details; cause and effect; problems solution.\*Use titles, headings, captions, and illustration to predict.\*Retell or summarize orally in writing \*Infer main idea and identify details in nonfiction.\*Use strategies to self-correct\*Follow 3-step directions.\*Real-life connections; make connections to own life and then text to text poetry\*Know how to use diagrams and maps to answer comprehension questions. Use graphic organizers.\*Predict throughout story\*Identify components (character, setting, problem/climax theme) effect on the story.\*Higher level questioning and application. Continue with inferring and critical thinking.\*Genres-retail (fiction, non-fiction, historical fiction, fables, folktales, poetry, biography, autobiography) Text features-into paragraph\*Stanza, lines of poems, ordinal numbers and words\*Identify points of view and author’s purpose. Reread when comprehension breaks down.\*Select text for a purpose (interest, academic, enjoyment) | **Ending 4th** \*Summarize text and retell\*Use graphic organizers\*Predict/Determine the theme\*Identify components (character, setting, problem/climax theme) effect on the story.\*Drawing inferences\*Compare and contrast similar themes and topics.\*Real-life connections make connections to own life and then text to text. Find info from various texts and make connections to self and other texts.\*Inferences\*Select text for a purpose (interest, academic, enjoyment).\*Identify points of view and author’s purpose\*Read; listen to American Literature and other cultures.\*Figurative language\*Main idea and supporting details; cause and effect; problems solution\*Sequence of events  | **Ending 5th** \*Quote from a text.\*Summarize text and retell.\*Use graphic organizers \*Predict/Determine the theme.\*Identify components (character, setting, problem/climax theme) effect on the story.\*Drawing inferences\*Compare and contrast similar themes and topics\*Real-life connections make connections to own life and then text to text. Find info from various texts and make connections to self and other texts\*Inferences\*Select text for a purpose (interest, academic, enjoyment). \*Identify points of view and author’s purpose.\*Read; listen to American Literature and other cultures.\*Figurative language.\*Main idea and supporting details; cause and effect; problems solution.\*Sequence of events  | **Ending 6th** LITERATURE\*Cite evidence to support analysis of text (inferential and explicit)\*Determine theme, main idea\*Summarize without personal opinions\*Describe how plot moves to resolution\*Describe how characters respond and change as plot continues to resolution\*Explain how author develops point of view of speaker including MN American Indians.\*Compare and contrast the experiences of reading a story, drama, poetry, to viewing video, and hearing auditory.\*Compare and contrast genre-including MN American Indians.\*Read and comprehend various genres at independent reading levels.INFORMATIONAL\*Analyze test and cite evidence specifically to support analysis.\*Determine central idea and summarize without personal opinion. \*Analyze in detail how key individual, event, or idea is conveyed in text.\*Analyze how structure of text contributes to development of ideas.\*Determine author’s point of view or purpose of texts.\*Use different media format to develop understanding of topic.\*Self-select information texts at their reading levels.HISTORY/SOCIAL STUDIES\*Determine central ideas\*Identify key individuals and processes in history/social.\*Determine meaning of words in text.\*Describe format/organization structure of text.\*Distinguish among fact/opinion.\*Analyze relationships between primary and secondary sourceSCIENCE/TECH\*Determine central ideas \*Follow a multistep procedure when carrying out experiments\*Understand scientific terms.\*Explain scientific procedures.\*Understand and interpret charts, graphs, models and experiments\*Find evidence to support their claim.\*Use multimedia sources.  |

2.) Surveys are given out to all the teachers three times a year to assess the program, interventions, and growth of students. This survey is also given to the parents. We have a Title I advisory council that meets four times a year to improve communications and have their input be part of the program. We will review information accessibility and how we can improve this from year to year.

**Describe how elementary teachers will participate in, and benefit from professional development on scientifically based reading instruction.**

1.) Vertical teaming, aligning curriculum with standards, and matching up skills from grade level to grade level. We form PLCs to include teachers of all subjects to meet reading needs and we meet monthly. Best practice for reading instruction through staff development. Grade level team meetings throughout the week.

 2.) Through common preps and staff development days we will focus on reading instruction.

 3.) Through the use of fidelity checks we will meet to discuss core instruction. Through our MTSS teams and staff development we will focus on instructional interventions. Providing teachers with research-based instructional strategies to deliver instructional interventions with students in need. We have had several staff development days and will continue to have more with the Reading Streets Instructional Advisors.

 4.) Peer coaching is used to support staff in developing effective instruction and delivery tools with elementary principal involvement. Pre and post conferences with classroom observations help core instruction development and improvement on differentiation. New teacher meetings are held to research reading strategies and behavior management techniques to help with core instruction. We continue to look at ways to enhance the learning environment.

 5.) Based on the assessments of FAST, MCA’s and Reading Streets assessments:

 \*Our staff uses the data at the beginning of the year, middle of the year and end of the year to discuss what professional development strategies we should focus on.

 \*Our administration team meets two times a month to discuss data and drive our staff development decisions.

 \*We will use surveys of staff and parents to prioritize instructional interventions.

**Specifically describe how comprehensive scientifically based reading instruction consistent with section 122A.06, subdivision 4 is consistently implemented throughout elementary grades.**

1. Through our Tier 1, 2, and 3 listed above we use scientifically researched programs for interventions with our students at need. For all students, we enhance reading instruction through differentiation and Reading Streets Curriculum Copyright 2010.

2.) We use weekly and unit assessments, which are used to drive PLC development and modification for future staff development.

3.) We continue to use peer coaching, fidelity check and classroom observations to support staff in implementing quality instructional practices.

**Explain how training and support will be provided so that all district elementary teachers can effectively recognize students’ diverse needs in cross-cultural settings and serve the oral language and linguistic needs of EL students.**

ELL PLAN

Our (ELL) English Language Learner Plan is written to ensure that students whose first language is not English receive the proper instruction and support to meet their individual needs. The ELL teacher communicates regularly with our classroom teacher to support the students’ needs. During our teacher in-service days our ELL teacher works with grade level teams to see where our ELL students are at academically and provide instruction necessary to support their individual needs.

Students who are serviced through our ELL program receive pull-out instruction and/or push-in instruction based on their individual needs. Our ELL instruction focuses on vocabulary to support the students’ fluency and comprehension of their academic content. After school tutoring is provided for ELL students. During this time fluency, vocabulary and comprehension instruction is provided. An interpreter is available during conferences, meetings, and for phone calls to effectively communicate with non-English speaking parents. A goal of our ELL program is to teach skills to our students that will allow them access to their core instruction. Our ELL program educates teachers and staff members on ways to support ELL student needs in the classroom.

**Post assessment methods and data that is submitted to Commissioner annually including objectives of assessment program, names of tests, grade levels of administration as part of local literacy plan on district webpage for all students in Kindergarten through Grade 3**

1. Our screening tool is FAST. It is given to the students in the fall, winter, and spring. The progress-monitoring tool for students who are at the 25th percentile to the 11th percentile will be progress two times a month through FAST. The progress-monitoring tool for students who are at the 10th percentile and below are progress-monitored weekly. Diagnostic tests will be given through spelling inventories from Words Our Way, Running Reading Records, Woodcock Johnson, and A to Z benchmark as we see fit. We will be submitting our spring data to the Commissioner. Classroom teachers use current data along with student data history to provide proper instruction for each individual student.

2.) To determine proficiency, we will use the benchmark springs scores from FAST listed above. The data is collected in May and submitted by classroom teachers to the FAST secured website.

3.) Through staff development days, grade level meetings, PLC’s, MTSS meetings and monthly interventional specialist’s meetings, we continue to review data to drive instructional decisions.

* 1. Continuous improvement cycles are in place at the classroom, school and/or district level to ensure resources are aligned to improve and maintain the system of SRBI.

**Appendix B**:

ZED/Blooming Prairie Planning and Receiving Referrals

### **REFERRAL FORM FOR EARLY CHILDHOOD SPECIAL EDUCATION**

### **(BIRTH–AGE 2) for the Zumbro Education District**

**Child’s Name**: Date of Birth:

Today’s Date:

Gender: School District of Residence:

Check the specific area(s) by clicking in the box and then write the specific reason(s) and/or situation(s) that lead you to make this referral.

☐ Cognitive/Developmental:

☐ Social/Emotional/Behavioral:

☐ Fine Motor:

☐ Gross Motor:

☐ Communication (Speech/Language):

☐ Hearing:

☐ Vision:

☐ Other:

**Parent Information:**

Name:

Address:

Telephone: Home:

 Work:

 Cell:

**Name of person referring**:

Agency and phone number:

Send to: Zumbro Education District FAX: (507)775-2040

 Attn: Colleen Johnson

 801 Frontage Rd. NW e-mail: Colleen Johnson

 Byron, MN 55920

If the referred child is age 3 or older, please contact their local elementary school to make the referral. Call Colleen Johnson with questions: (507)775-2037

 Office Use

 Date Received\_\_\_\_\_\_\_\_\_\_\_\_

**Blooming Prairie Public Schools Referral**

**Intervention Documentation Referral Form**

|  |  |  |  |
| --- | --- | --- | --- |
| Student Name:  |   | Grade:  |   |
| Teacher:  |   | Primary Language:  |   |
| Birthdate:  |   |   |   |

Area of Concern:               Reading          Writing        Math        Behavior

Does student currently receive any Special Education Services:   Yes / No

           If yes, contact the Special Ed Case Manager to continue further

Does the student have a 504 Plan?   Yes / No

Date Parents were notified of referral:

List any parental concerns:

Is this a parent referral?  Yes / No

        If yes, attach letter requesting a Special Education evaluation.

Is this a teacher referral?   Yes / No

Vision History:

        Passed Vision Screening:   Yes / No        Date of Screening:

        Wears glasses

Hearing History:

        Passed Hearing Screening:   Yes / No     Date of Screening:

        Wears Hearing Aids

Days Absent this Year:

Days Absent last Year:

Accommodations and Modifications (Checks)

|  |  |
| --- | --- |
| Preferential Seating  | Copies of notes  |
| Extended time for assignments  | Notes allowed on tests  |
| Extended time for test taking  | Visual Work Samples  |
| Tests in a quiet setting  | Redirect attention to task  |
| Tests  | Tests read aloud  |
| Students dictates answers to an adult  | Students answers orally  |
| Allowed to retake tests  | Other:  |

List any Modifications to tests or assignments (Check)

|  |  |
| --- | --- |
| Modified Spelling List  | Reduced Multiple Choice  |
| Reduce Assignment Length  | Other:  |

Other Concerns (Check)

|  |  |
| --- | --- |
| Speech Articulation  | Speech – Expressive Language  |
| Speech – Receptive Language  | Motor Skills (Fine/Gross)  |

Other Factors:

|  |
| --- |
| Medical Diagnosis:  |
| Medications:  |
| Outside Agency Therapy:  |
| Family Stressors:  |
| Participates in School Counselor Programs:  |
| Attached Medical Reports:  |

 Behavior:  Check if it is a Concern

|  |  |
| --- | --- |
| Lack of focus  | Gets angry often  |
| Stares off  | Lack of friends  |
| Doesn’t sit still  | Blurts out  |
| Distracted by environment  | Lack of homework completion  |
| Loses assignment  | Uses work time unwisely  |
| Gives up easily  | Forgets information  |
| Lacks following one-step directions  | Lacks following multistep directions  |
| Processes information slowly  |   |

Academics:  Check areas of concern

|  |  |
| --- | --- |
| Basic addition facts  | Grade level spelling  |
| Basic subtraction facts  | Expressing thoughts in writing  |
| Basic multiplication facts  | Writing is illegible  |
| Basic division facts  | Writing fluency  |
| Math reasoning  | Writes incomplete sentences  |
| Grade level reading fluency  | Poor test taker  |
| Grade level comprehension  |   |
| Basic Early Literacy Skills (LNF, LSF, etc.)  |   |

Grade Level School Wide Assessments

|  |  |  |  |
| --- | --- | --- | --- |
| FAST Scores  | Date  | Scores  | Grade level target  |
| aReading  |   |   |   |
| aMath  |   |   |   |
| RCBM  |   |   |   |
| MCA Scores  | Date  | Scores  | Past Scores  |
| Reading  |   |   |   |
| Math  |   |   |   |

Attach Current Progress Monitoring and Benchmarks for Math and Reading

Attach Current Report Card

Please turn into MTSS Gatekeeper

Reading:  Tara Gimbel

Math:  Kim Lea

Behavior:  Kristin Romeo

**Appendix C:**

ZED/Blooming Prairie Procedural Safeguard Notice



# **PART B NOTICE OF PROCEDURAL SAFEGUARDSPARENTAL RIGHTS FOR PUBLIC SCHOOLSPECIAL EDUCATION STUDENTS**

The material contained in this document is intended to provide general information and guidance regarding special education rights and procedural safeguards afforded to parents of children age 3 through 21 under state and federal law. This document explains a selection of some of the rights and procedural safeguards provided to parents under the Individuals with Disabilities Education Act (IDEA), the implementing regulations at 34 C.F.R Part 300, and applicable Minnesota laws and regulations; it is not a complete list or explanation of those rights. This notice is not a substitute for consulting with a licensed attorney regarding your specific legal situation. This document does not purport to include a complete rendition of applicable state and federal law, and the law may have changed since this document was issued.

## **INTRODUCTION**

This document provides an overview of parental special education rights, sometimes called procedural safeguards. These same procedural safeguards are also available for students with disabilities who have reached the age of 18.

The district must provide you with this Notice of Procedural Safeguards at least one time per year. It must also be given to you:

1. The first time your child is referred for a special education evaluation or if you request an evaluation,
2. The first time you file a complaint with the Minnesota Department of Education (MDE) in a school year,
3. The first time you or the district requests a due process hearing in a school year,
4. On the date the district decides to change the placement of your student by removing the student from school for a violation of the district discipline policy; or
5. Upon your request.

## **PRIOR WRITTEN NOTICE**

The district must provide you with prior written notice each time it proposes to initiate or change, or refuses to initiate or change:

* the identification of your child,
* the evaluation and educational placement of your child,
* the provision of a free appropriate public education (FAPE) to your child; or
* When you revoke consent for services for your child in writing and before the district stops providing special education and related services.

This written notice must include:

1. A description of the action proposed or refused by the district,
2. An explanation of why the district proposes or refuses to take the action,
3. A description of each evaluation procedure, assessment, record, or report the district used as a basis for its proposal or refusal,
4. A statement that you, as parents of a child with a disability, have protection under these procedural safeguards and information about how you can get a copy of the brochure describing the procedural safeguards,
5. Sources for you to contact to obtain assistance in understanding these procedural safeguards,
6. A description of other options the IEP team considered and the reasons why those options were rejected; and
7. A description of other factors relevant to the district’s proposal or refusal.

In addition to federal requirements, prior written notice must inform you that, *except for the initial placement of your child in special education*, the school district will proceed with its proposal for your child’s placement, or for providing special education services, unless you notify the district of an objection within 14 days of when the district sent you the prior written notice. The district must also provide you with a copy of the proposed IEP whenever the district proposes to initiate or change the content of the IEP.

The prior written notice must also state that, if you object to a proposal or refusal in the prior written notice, you must have an opportunity for a conciliation conference, and the school district must inform you of other alternative dispute resolution procedures, including mediation and facilitated IEP team meetings, under Minnesota Statutes, section 125A.091, Subdivisions 7-9.

## **FOR MORE INFORMATION**

If you need help in understanding any of your procedural rights or anything about your child’s education, please contact your district’s special education director or the person listed below. This notice must be provided in your native language or other mode of communication you may be using. If your mode of communication is not a written language, the district must take steps to translate this notice orally or by other means. The district must ensure that you understand the content of this notice and maintain written evidence that this notice was provided to you in an understandable mode of communication and that you understood the content of this notice.

If you have any questions or would like further information, please contact:

Name: Stacy Magnus

Phone: 507-583-4426

For further information, you may contact one of the following organizations:

ARC Minnesota (advocacy for persons with developmental disabilities)

www.thearcofminnesota.org

651-523-0823

1-800-582-5256

Minnesota Association for Children’s Mental Health

www.macmh.org

651-644-7333

1-800-528-4511

Minnesota Disability Law Center

www.mndlc.org

612-334-5970 (Twin Cities Metro)

1-800-292-4150 (Greater Minnesota)

612-332-4668 (TTY)

PACER (Parent Advocacy Coalition for Educational Rights)

www.pacer.org

952-838-9000

1-800-53-PACER,

952-838-0190 (TTY)

Minnesota Department of Education

www.education.state.mn.us

651-582-8689

651-582-8201 (TTY)

## **ELECTRONIC MAIL**

If your school district gives parents the choice to receive notices by email, you can choose to receive your prior written notice, procedural safeguards notice, or notices related to a due process complaint via email.

## **PARENTAL CONSENT**

### **Definition of Consent**

Consent means that you have been fully informed of all information relevant to the activity for which your consent is sought, in your native language, or through another mode of communication. In order to consent you must understand and agree in writing to the carrying out of the activity for which your consent is sought. This written consent must list any records that will be released and to whom.

### **Revocation of Consent**

Consent is voluntary and may be revoked in writing at any time. However, revocation of consent is not retroactive; meaning revocation of consent does not negate an action that has occurred after the consent was given and before the consent was revoked.

### **When the District Must Obtain Your Consent**

#### ***A. Initial Evaluation***

The district must obtain your written and informed consent before conducting its initial evaluation of your child. You or a district can initiate a request for an initial evaluation. If you do not respond to a request for consent or if you refuse to provide consent for an initial evaluation, the district cannot override your refusal to provide consent. An initial evaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation, unless a conciliation conference or hearing is requested.

A district will not be found in violation of meeting its child find obligation or its obligations to conduct evaluations and reevaluations if you refuse to consent to or fail to respond to a request for consent for an initial evaluation.

If you consent to an initial evaluation, this consent cannot be construed as being consent for the initial provision of special education and related services.

#### ***B. Initial Placement and Provision of Special Education Services and Related Services***

The district must obtain your written consent before proceeding with the initial placement of your child in a special education program and the initial provision of special education services and related services to your child determined to be a child with a disability.

If you do not respond to a request for consent, or if you refuse to consent to the initial provision of special education and related services to your child, the district may not override your written refusal.

If you refuse to provide consent for the initial provision of special education and related services, or you fail to respond to a request to provide consent for the initial provision of special education and related services, the district will not be considered in violation for failure to provide your child with special education and related services for which the district requested consent.

#### ***C. Reevaluations***

Your consent is required before a district conducts a reevaluation of your child. If you refuse consent to a reevaluation, the district may not override your written refusal. A reevaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation or within 30 days from the expiration of the 14 calendar-day time period during which you can object to the district’s proposed action.

#### ***D. Transition Services***

Your consent is required before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

#### ***When Your Consent is Not Required***

*Except for an initial evaluation and the initial placement and provision of special education and related services*, if you do not notify the district of your objection within 14 days of when the district sends the notice of the district’s proposal to you, the district’s proposal goes into effect even without your consent.

Additionally, your consent is not required for a district to review existing data in your child’s educational file as part of an evaluation or a reevaluation.

Your consent is also not required for the district to administer a test or other evaluation that is given to all children, unless consent is required from parents of all children.

**Parent's Right to Object and Right to a Conciliation Conference**
You have a right to object to any action the district proposes within 14 calendar days of when the district sends you the prior written notice of their proposal. If you object to the district’s proposal, you have the right to request a conciliation conference, mediation, facilitated IEP team meeting or a due process hearing. Within ten calendar days from the date the district receives notice of your objection to its proposal or refusal in the district’s prior written notice, the district will ask you to attend a conciliation conference.

Except as provided under Minnesota Statutes, section 125A.091, all discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five days after the final conciliation conference, the district must prepare and provide to you a conciliation conference memorandum that describes the district’s final proposed offer of service. This memorandum is admissible evidence in any subsequent proceeding.

You and the district may also agree to use mediation or a facilitated individualized education program (IEP) team meeting to resolve your disagreement. You or the district can also request a due process hearing (see section about Impartial Due Process Hearings later in this document). The district must continue to provide an appropriate education to your child during the proceedings of a due process hearing.

### **Confidentiality and Personally Identifiable Information**

Personally identifiable information is information that includes, but is not limited to, a student's name, the name of the student's parent or other family members, the address of the student or student's family, a personal identifier, such as the student's Social Security number, student number, or biometric record, another indirect identifier, such as the student's date of birth, place of birth, a mother's maiden name, other information that, alone or in combination, is linked to or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Districts and MDE must protect the confidentiality of any personally identifiable data, information, and records they collect, maintain, disclose, and destroy.

Generally, your written consent is required before a district may disclose personally identifiable information from your child's educational record with anyone other than officials of participating agencies collecting or using the information under the Individuals with Disabilities Education Act (IDEA) or for any purpose other than meeting a requirement of that law.

When your consent is not required to share personally identifiable information. Your consent, or the consent of an eligible student (age 18 or older), is not required before personally identifiable information contained in education records is released to officials of a school district or the state department of education for meeting IDEA requirements.

Your child’s educational records, including disciplinary records, can be transferred without your consent to officials of another school, district, or postsecondary institution if your child seeks to enroll in or attend the school or institution or a school in that district.

Disclosures made without your consent must be authorized under the Family Educational Rights and Privacy Act (FERPA). Please refer to 34 C.F.R. Part 99 for additional information on consent requirements concerning data privacy under federal law.

### **Directory Information**

Directory information can be shared without your consent. This type of information is data contained in an education record of your child that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, a student's address, telephone number, email address, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in official activities and sports, weight and height of athletic team members, degrees, honors, and awards received, the most recent educational agency or institution attended, and a student ID number, user ID, or other unique personal identifier used for accessing or communicating electronically if certain criteria are met. Directory information does not include a student's Social Security number, or a student ID number not used in connection with accessing or communicating electronically as provided under federal law.

Districts must give you the option to refuse to let the district designate any or all data about your child as directory information. This notice can be given to you by any means reasonably likely to inform you or an eligible student of this right. If you do not refuse to release the above information as directory information, that information is considered public data and can be shared without your consent.

Data about you (meaning parents) is private data but can be treated as directory information if the same procedures that are used by a district to designate student data as directory information are followed.

## **WRITTEN ANNUAL NOTICE RELATING TO THIRD PARTY BILLING FOR IEP HEALTH-RELATED SERVICES**

Before billing Medical Assistance or MinnesotaCare for health-related services the first time, and each year, the district must inform you in writing that:

1. The district will share data related to your child and health-related services on your child’s IEP with the Minnesota Department of Human Services to determine if your child is covered by Medical Assistance or MinnesotaCare and whether those services may be billed to Medical Assistance or MinnesotaCare.
2. Before billing Medical Assistance or MinnesotaCare for health-related services the first time, the district must obtain your consent, including specifying the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided), the purpose of the disclosure, the agency to which the disclosure may be made (i.e., the Department of Human Services) and which specifies that you understand and agree that the school district may access your (or your child’s) public benefits or insurance to pay for health-related services.
3. The district will bill Medical Assistance or MinnesotaCare for the health-related services on your child’s IEP.
4. The district may not require you to sign up for or enroll in Medical Assistance or MinnesotaCare or other insurance programs in order for your child to receive special education services.
5. The district may not require you to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for health services provided but may pay the cost that you otherwise would be required to pay.
6. The district may not use your child's benefits under Medical Assistance or MinnesotaCare if that use would: decrease available lifetime coverage or any other insured benefit; result in your family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time your child is in school; increase your premiums or lead to the discontinuation of benefits or insurance; or risk your loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.
7. You have the right to receive a copy of education records the district shares with any third party when seeking reimbursement for IEP health-related services.

You have the right to stop your consent for disclosure of your child’s education records to a third party, including the Department of Human Services, at any time. If you stop consent, the district may no longer share your child’s education records to bill a third party for IEP health-related services. You can withdraw your consent at any time, and your child’s IEP services will not change or stop.

## **INDEPENDENT EDUCATIONAL EVALUATIONS**

An independent educational evaluation (IEE) is an evaluation by a qualified person(s) who is not an employee of your district. You may ask for an IEE at school district expense if you disagree with the district’s evaluation. A hearing officer may also order an independent educational evaluation of your child at school district expense during a due process hearing.

Upon request for an IEE, the district must give you information regarding its criteria for selection of an independent examiner and information about where an independent education evaluation may be obtained.

If you request an IEE, the district must, without delay, ensure that it is provided at public expense or request a hearing to determine the appropriateness of its evaluation. If the district goes to hearing and the hearing officer determines the district’s evaluation is appropriate, you still have the right to an independent evaluation, but not at public expense.

If you obtain an IEE, the results of the evaluation must be considered by the IEP/IIIP (Individual Interagency Intervention Plan) Team and may be presented as evidence at a due process hearing regarding your child.

## **EDUCATION RECORDS**

### **Definition of an Education Record**

Under federal law an education record means those records that are directly related to a student and that are maintained by the department or the district.

### **Your Access to Records**

If you want to look at your child’s education records, the district must give you access to those records for your review. Education records include most of the information about your child that is held by the school. However, information held solely by your child’s teacher for his or her own instructional use may not be included in the education records.

The district must allow you to review the records without unnecessary delay, and before any meeting regarding an IEP, or any hearing or resolution session about your child. In addition, the district must comply with your request to review your child’s education records immediately, if possible, or within 10 days of the date of the request (excluding Saturdays, Sundays and legal holidays), if immediate compliance is not possible.

Your right to inspect and review records includes the right to:

1. An explanation or interpretation from the district of your child’s records upon request,
2. Have your representative inspect and review the records on your behalf,
3. Request that the district provide copies of your child’s educational records to you; and
4. Review your child’s records as often as you wish in accordance with state law. State law provides that if you have been shown private data and have been informed of its meaning, that data does not need to be disclosed to you for a period of 6 months unless a dispute or action is pending, or new information is created or collected.

### **Transfer of Rights**

Your rights regarding accessing your child’s education records generally transfer to your child at age 18. Notice must be provided to you and your child regarding this transfer of rights.

### **Records on More Than One Child**

If any education record includes information on more than one child, you have the right to inspect and review only information relating to your child. You can seek consent to review and inspect education records that include information about children in addition to your own, but those parents of those children have a right to refuse your request for consent.

### **List of Types and Locations of Information**

Upon your request, the district and the department must provide you with a list of the types and locations of education records they collect, maintain or use.

### **Record of Access by Others**

The district must keep a record of each request for access to, and each disclosure of, personally identifiable information in your child’s education records. This record of access must include the name of the individual who made the request or received personally identifiable information from your child’s education records, the date access was given and the purpose of the disclosure or the individual’s legitimate interest in the information.

### **Consent to Release Records**

Generally, your consent is required before personally identifiable information is released to unauthorized individuals or agencies. The consent must be in writing and must specify the individuals or agencies authorized to receive the information: the nature of the information to be disclosed; the purpose for which the information may be used; and a reasonable expiration date for the authorization to release information. Upon request, the district must provide you with a copy of records it discloses after you have given this consent.

The district may not disclose information contained in your child’s IEP/IIIP, including diagnosis and treatment information, to a health plan company without your signed and dated consent.

### **Fees for Searching, Retrieving and Copying Records**

The district may not charge a fee to search or retrieve records. However, if you request copies, the district may charge a reasonable fee for the copies, unless charging that fee would prevent you from exercising your right to inspect and review the education records because you cannot afford to pay it.

### **Amendment of Records at Parent’s Request**

If you believe that information in your child’s records is inaccurate, misleading, incomplete or in violation of your child’s privacy or other rights, you may request in writing that the district amend or remove the information.

The district must decide within a reasonable time whether it will amend the records. If the district decides not to amend the records, it must inform you that you have the right to a hearing to challenge the district’s decision. If, as a result of that hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of your child’s privacy right, it must inform you that you have the right to include a statement of your comments and disagreements alongside the challenged information in your child’s education records. A hearing to challenge information in education records must be conducted according to the procedures for such hearings under FERPA.

### **Transfer of Records**

Minnesota Statutes require that a district, a charter school, or a nonpublic school transfer a student’s educational records, including disciplinary records, from a school a student is transferring from to a school in which a student is enrolling within 10 business days of a request.

### **Destruction of Records**

The district must inform you when personally identifiable information is no longer needed in order to provide education services to your child. That information must be destroyed at your request. However, the school may retain a permanent record of your child’s name, address, phone number, grades, attendance records, classes attended, grade level completed, and year completed.

Under federal law, destruction means the physical removal of personal identifiers from information so that the information is no longer personally identifiable. Thus, the student’s record does not need to be physically destroyed to comply with your request to destroy special education related records. Districts can appropriately comply with this requirement by removing personally identifiable information from the student’s records. The choice of destruction method generally lies with the school district.

The district shall not destroy any education records if there is an outstanding request to inspect or review the records.

Despite your request to destroy records a district can keep certain records necessary to comply with the General Education Provision Act (GEPA), which requires that recipients of federal funds keep records related to the use of those funds. You may want to maintain certain special education records about your child for documentation purposes in the future, such as for applying for SSI benefits.

## **MEDIATION**

Mediation is a free, voluntary process to help resolve disputes. You or your district may request free mediation from the Minnesota Department of Education’s Special Education Alternative Dispute Resolution program at 651-582-8222 or 1-866-466-7367. Mediation uses a neutral third party trained in dispute resolution techniques. Mediation may not be used to deny or delay your right to a due process hearing. Both you and district staff must agree to try mediation before a mediator can be assigned. At any time during the mediation, you or the district may end the mediation.

If you and the district resolve all or a portion of the dispute or agree to use another procedure to resolve the dispute, the mediator shall ensure that the resolution or agreement is in writing and signed by both you and the district and that both parties receive a copy of the document. The written resolution or agreement shall state that all discussions that occurred during mediation are confidential and may not be used as evidence in any hearing or civil proceeding. The resolution or agreement is legally binding on both you and the district and is enforceable in state or federal district court. You or the district can request another mediation to resolve a dispute over implementing the mediation agreement.

## **FILING A WRITTEN COMPLAINT**

Any organization or individual may file a complaint with the Minnesota Department of Education (MDE). Complaints sent to MDE must:

1. Be in writing and be signed by the individual or organization filing the complaint,
2. Allege violations of state or federal special education law or rule,
3. State the facts upon which the allegation is based,
4. Include the name, address and telephone number of the person or organization making the complaint,
5. Include the name and address of the residence of the child and the name of the school the child is attending,
6. A description of the nature of the child’s problem; including facts relating to the problem,
7. A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed; and
8. Be forwarded to the public agency providing services to the child at the same time the complaint is sent to MDE.

The complaint must be sent to:

Minnesota Department Education

Division of Compliance and Assistance

Due Process Supervisor

1500 West Highway 36

Roseville, MN 55113-4266

651.582.8689 Phone

651.582.8725 Fax

The complaint must be received by MDE no later than one year after the alleged violation occurred. MDE will issue a written decision within 60 days, unless exceptional circumstances require a longer time, or you or the district agree to extend the time to participate in mediation. The final complaint decision may be appealed to the Minnesota Court of Appeals by you (the parent) or the school district injured-in-fact by the decision within 60 days of receiving notice of the final decision.

## **MODEL FORMS**

MDE has developed model forms that can be used to file special education or due process complaints. These forms are not required but are available as a resource to use when filing a complaint. These model forms are available MDE’s website: MDE > School Support > Compliance and Assistance > Due Process Forms.

## **IMPARTIAL DUE PROCESS HEARING**

Both you and the district have a right to request an impartial due process hearing in writing within two years of the date you or the agency knew or should have known about the alleged action that forms the basis of the due process complaint.

A due process hearing can be requested regarding a proposal or refusal to initiate or change a child’s evaluation, IEP, educational placement, or to provide FAPE.

A due process hearing may address any matter related to the identification, evaluation, educational placement, manifestation determination or provision of a free and appropriate public education of your child. Within 15 days of receiving notice of your due process complaint, and prior to the due process hearing, the school district must arrange for a resolution meeting with you and the relevant members of the IEP Team who have knowledge of the facts alleged in the due process complaint.

The purpose of this meeting is for you to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the school district has the opportunity to resolve the dispute that is the basis for the due process complaint.

The resolution meeting need not be held if you and the school district agree in writing to waive the meeting or agree to mediation. A resolution meeting is also not required to be held when the district is the party who requests a due process hearing.

If the matter is not resolved within 30 days of receipt of the due process complaint, the hearing timelines begin.

If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint.

### **Loss of Right to a Due Process Hearing**

NOTE: Due to an interpretation of state law by the 8th Circuit Court of Appeals, if your child changes school districts and you do not request a due process hearing before your child enrolls in a new district, you may lose the right to have a due process hearing about any special education issues that arose in the previous district. You do still have a right to request a due process hearing about special educational issues that may arise in the new district where your child is attending.

### **Procedures for Initiation of a Due Process Hearing**

Upon a written request for a hearing, the district must give you a copy of this procedural safeguard notice and a copy of your rights at hearing. If you or the district request a hearing, the other party must be provided with a copy of the request and submit the request to the department. Once it receives the request, the department must give a copy of the procedural safeguards notice to you. All written requests must include:

1. The name of your child,
2. The address of your child,
3. The name of the school your child is attending,
4. A description of the problem(s), including your view of the facts; and
5. A proposed resolution of the problem to the extent known and available to you at the time.

MDE maintains a list of qualified hearing officers. Upon receipt of a written request for a hearing, MDE will appoint a hearing officer from that list to conduct the hearing. Below are a few of your rights at hearing. This is not a complete list of rights.

Both you and the district have the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities,
2. Present evidence and confront, cross-examine and compel the attendance of witnesses,
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five business days before the hearing, including evaluation data and recommendations based on that data, and
4. Receive a free copy of the hearing transcript or electronic recording of findings of fact and decisions.

As a parent, you, specifically, have the right to:

1. Have your child, who is the subject of the hearing, present,
2. Open the hearing to the public; and
3. Have the record or transcript of the hearing and the hearing officer’s findings of fact, conclusions of law and decisions made provided to you at no cost.

### **Responding to the Hearing Request**

If you file a hearing request and you did not previously receive a prior written notice from the district about the subject matter of the hearing request, the district must send you a written explanation of why the district refused to take the action raised in the hearing request within 10 days of receiving the hearing request. This explanation must include a description of other options considered by the IEP team, why those options were rejected, a description of each evaluation procedure, assessment, record, or report that the district used as the basis for the proposed or refused action, and a description of the factors relevant to the district’s proposal or refusal decision.

The district can assert that the hearing request does not meet the requirements under state law. A hearing request is considered sufficient unless the party who received the request notifies the hearing officer in writing within 15 days of receiving the request that they believe the request does not meet statutory requirements. The hearing officer must determine whether the hearing request meets statutory requirements within 5 days of receiving the request and notify the parties.

Upon receiving your hearing request, the district must also send you a written response that addresses the issues you raised in the hearing request within 10 days of receiving the request.

### **Disclosure of Additional Evidence Before a Hearing**

A prehearing conference must be held within 5 business days of the date the commissioner appoints a hearing officer. This conference can be held in person, at a location within the district, or by telephone. At least 5 business days before a hearing, you and the district must disclose to each other all evaluations of your child completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. A hearing officer may refuse to allow you to introduce any undisclosed evaluations or recommendations at the hearing without consent of the other party.

### **The Hearing Decision**

A hearing decision must be issued and provided to each party within 45 calendar days, or within an appropriately extended time period, upon the expiration of the 30-day resolution period after the due process complaint was received by the state agency. A hearing officer may extend the time beyond the 45-day period if requested by either party for good cause shown on the record. A hearing officer must conduct oral arguments in a hearing at a time and place that is reasonably convenient to you and your child. A hearing officer’s decision on whether your child received FAPE must be based on evidence and arguments that directly relate to FAPE. The hearing decision is final unless you or the district files a civil action. A hearing officer lacks the authority to amend a decision except for clerical and mathematical errors.

### **Separate Request for Due Process Hearing**

You have the right to file a separate due process complaint on an issue separate from a due process complaint already filed.

### **Free or Low-Cost Legal Resources**

The district must inform you of any free or low-cost legal and other relevant services available in the area if you request the information or if you or the school district file a due process complaint. A list of free or low-cost legal resources is also available on [MDE’s Special Education Hearings web page](http://education.state.mn.us/MDE/SchSup/ComplAssist/Hearing/index.html) (MDE> Select School Support > Compliance and Assistance > Special Education Hearings).

## **COMPLAINT AND HEARINGS DATABASE**

Final decisions on special education complaints and due process hearings are available to the public on the MDE website. MDE maintains a public database called the Complaints, Hearings, and Letters Search Engine. Decisions available in the database are redacted and all personally identifiable information is removed. This database is available on the Compliance and Assistance webpage on the MDE website at: http://w20.education.state.mn.us/WebsiteContent/ComplianceSearch.jsp.

## **CIVIL ACTION**

When you or the district disagrees with the findings or decisions made by a hearing officer, either party may file a court action. The action may be brought in federal district court or the state court of appeals. Different standards of review apply in each court. An appeal to the state court of appeals must be made within 60 calendar days of your receipt of the decision. An appeal to federal district court must be made within 90 days of the date of the decision.

## **PLACEMENT DURING A HEARING OR CIVIL ACTION**

During a hearing or court action, unless you and the district agree otherwise, your child will remain in the educational placement where he/she is currently placed and must not be denied initial admission to school. This is commonly referred to as the “stay-put” rule.

Two exceptions to the “stay-put” rule exist:

1. Students may be removed from their educational setting for not more than 45 school days to an interim alternative educational placement for certain weapon, drug or serious bodily injury violations, and
2. A hearing officer’s decision agreeing with you that a change in placement is appropriate as the “stay-put” placement during subsequent appeals.

## **EXPEDITED HEARINGS**

You (the parent) or the district can request an expedited hearing in the following situations:

1. Whenever you dispute the district’s proposal to initiate or change the identification, evaluation or educational placement of your child or the district’s provision of FAPE to your child,
2. Whenever you dispute the district’s refusal to initiate or change the identification, evaluation or educational placement of your child or the district’s provision of FAPE to your child,
3. Whenever you dispute the manifestation determination; and
4. Whenever the district believes that maintaining the current placement of your child is substantially likely to result in injury to the child or to others.

You or a school district may file a written request for an expedited due process hearing as described above.

### **Timelines for Expedited Hearings**

Expedited hearings must be held within 20 school days of the date the hearing request is filed. The hearing officer must issue a decision within 10 school days after the hearing. A resolution meeting must occur within 7 days of receiving the hearing request, unless you and the school district agree in writing to either waive the resolution meeting or use the mediation process. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receiving the request.

### **Dismissal of Complaint**

If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint.

### **Placement by a Hearing Officer**

A hearing officer may decide to move your child to an interim alternative educational setting for up to 45 school days if the hearing officer determines your child is substantially likely to injure himself or herself or others if he/she remains in the current placement.

### **Right to Appeal Decision**

You or the district can appeal the decision of a hearing officer in an expedited due process hearing.

## **INTERIM ALTERNATIVE EDUCATIONAL PLACEMENT**

The district may change your child’s educational placement for up to 45 school days, if your child:

1. Carries a dangerous weapon to or possesses a dangerous weapon at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law;
2. Knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE. This does not include alcohol or tobacco; or
3. Inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law.

On the date the district decides to remove your child and the removal is a change of placement of a child with a disability because of a violation of a code of student conduct, the school district must notify you of that decision, and provide you with the procedural safeguards notice.

The IEP/IIIP team determines the interim alternative educational setting and appropriate special education services. Even though this is a temporary change, it must allow your child:

1. To continue to participate in the general education curriculum and progress towards meeting goals set out in your child's IEP, although in a different setting; and
2. Include services and modifications designed to prevent the behavior from recurring.

If your child is placed in an interim alternative educational setting, an IEP/IIIP meeting must be convened within 10 school days of the decision. At this meeting, the team must discuss behavior and its relationship to your child’s disability. The team must review evaluation information regarding your child’s behavior and determine the appropriateness of your child’s IEP/IIIP and behavior plan. The team will then determine if your child’s conduct was caused by, or had a direct relationship to his or her disability, or if your child’s conduct was the direct result of the school district’s failure to implement the IEP.

## **ATTORNEY’S FEES FOR HEARINGS**

You may be able to recover attorney fees if you prevail in a due process hearing. A judge may make an award of attorney’s fees based on prevailing rates in your community. The court may reduce an award of attorney’s fees if it finds that you unreasonably delayed the settlement or decision in the case. If the district prevails and a court agrees that your request for a hearing was for any improper purpose, you may be required to pay the district’s attorney’s fees.

## **EXCLUSIONS AND EXPULSION OF PUPILS WITH A DISABILITY**

Before your child with a disability can be expelled or excluded from school, a manifestation determination must be held. If your child’s misbehavior is related to his or her disability, your child cannot be expelled.

When a child with a disability is excluded or expelled under the Pupil Fair Dismissal Act, Minnesota Statutes Sections 121A.41-56, for misbehavior that is not a manifestation of the child’s disability, the district shall continue to provide special education and related services after the period a period of suspension, if imposed.

## **DISCIPLINARY REMOVALS**

If a child with a disability is removed from his or her current educational placement, this is considered a change of placement if:

1. The removal is for more than 10 school days in a row, or
2. Your child has been subjected to a series of removals that constitute a pattern because:
3. The series of removals total more than 10 school days in a year,
4. Your child’s behavior is substantially similar to your child’s behavior in previous incidents that resulted in a series of removals; and
5. Of additional factors such as the length of each removals, the total amount of time your child has been removed, and the proximity of the removals to one another.

The determination of whether a pattern of removals constitutes a change of placement is made by the district. If this determination is challenged it is subject to review through due process and judicial proceedings.

## **CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES**

If your child has not been determined eligible for special education and related services and violates a code of student conduct, and the school district knew before the discipline violation that your child was a child with a disability then your child can utilize the protections described in this notice.

A district is deemed to have knowledge that your child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. You expressed concern in writing to supervisory or administrative personnel at the district or to your child’s teacher that your child is in need of special education and related services,
2. You requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
3. Your child’s teacher or other district personnel expressed specific concerns about a pattern of behavior demonstrated by your child directly to the district’s director of special education or to other district supervisory staff.

### **Exceptions to a District’s Knowledge**

A district would not be deemed to have such knowledge if:

1. You have previously refused consent for an evaluation of your child, or you have previously refused special education services; or
2. Your child has already been evaluated and determined to not be a child with a disability under Part B of IDEA.

### **Conditions that Apply if There is No Basis of Knowledge.**

If a district does not have knowledge that your child is a child with a disability prior to taking disciplinary measures against your child, your child may be subjected to similar disciplinary consequences that are applied to children without disabilities who engage in similar behaviors.

If a request is made for an evaluation of your child during the time period in which your child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is complete, your child remains in the educational placement determined by the district, which can include suspension or expulsion without educational services. In Minnesota, regular special education services are provided on the sixth day of a suspension and alternative education services are provided.

## **REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES**

A district can report a crime committed by a child with a disability to appropriate authorities and State law enforcement and judicial authorities can exercise their responsibilities under the law related to crimes committed by a child with a disability.

### **Transmittal of records**

If a district reports a crime committed by a child with a disability, the district must ensure that copies of the child’s special education and disciplinary records are transmitted to the appropriate authorities to whom the crime is reported for consideration. However, the district may only transmit copies of your child’s special education and disciplinary records to the extent permitted by FERPA.

## **PRIVATE SCHOOL PLACEMENT**

IDEA does not require the district to pay for the cost of educating your child, including special education and related services, at a private school if the district made FAPE available to your child and you chose to place your child in a private school. However, you may be able to recover tuition expenses for a private school placement if you informed the district of your intent to enroll your child in a private school at public expense in a timely manner and if a hearing officer finds that the district did not promptly make FAPE available to your child prior to your child being enrolled in the private school and if the private placement is appropriate. You must inform the district of your intent to place your child in a private placement at public expense at the most recent IEP/IIIP meeting prior to removal of your child from public school or by written notice to the district at least 10 business days prior to removal of your child from public school.

Your notice must state why you disagree with the district’s proposed IEP/IIIP or placement. If a hearing officer or court finds that the district failed to provide or is unable to provide your child with an appropriate education and that the private placement is appropriate, you may be reimbursed for the cost of the private placement. Failure to tell the school of your intent to enroll your child in a private school at public expense, failure to make your child available for evaluation prior to placing your child in a private school after the district has given you notice of its intent to evaluate your child, or other unreasonable delay on your part could result in a reduction or denial of reimbursement for the private school placement.

A hearing officer cannot reduce or deny the cost of reimbursement if: the district prevented you from being provided with this notice; you did not receive notice of your responsibilities as discussed above in this section; or if compliance with the above requirements would likely result in physical harm to your child and if you failed to provide the required notice because you cannot write in English or if compliance with the above requirements would likely result in serious emotional harm to your child.

**Appendix D:** Operating Procedures

Community Transition Interagency Committee (CTIC)

## **REGION 10 LOW INCIDENCE PROJECTS**MNRegion10_logo_small_jpg.jpg

801 FRONTAGE RD NW

BYRON, MN 55920

(507) 775-2037

[WWW.region10projects.org](http://region10projects.org/)

## **Region 10 Community Transition Interagency Committee (CTIC)**

### **Mission Statement**

*Minnesota will be a place where people with disabilities are living, learning, working and enjoying life in the most integrated setting.*

### **Purpose Of the Committee**

Region 10 Community Transition Interagency Committee (CTIC) will develop and ensure the implementation of interagency policies and procedures so that eligible students and their families are identified and have access to appropriate services and supports.

### **Glossary Of Terms:**

* CTIC– Community Transition Interagency Committee
* Regional CTIC – Region 10 CTIC
* SEAU – Special Education Administrative Unit
* RLIP – Regional Low Incidence Projects
* RLIF - Regional Low Incidence Facilitator
* CTE - Career and Technical Education

## **Requirements Of the Committee**

### **Statutory Requirements:**

[**125A.22 COMMUNITY TRANSITION INTERAGENCY COMMITTEE.**](https://www.revisor.mn.gov/statutes/?id=125a.22)

* A district, group of districts, or special education cooperative, in cooperation with the county or counties in which the district or cooperative is located, may establish a community transition interagency committee for youth with disabilities, beginning at grade 9 or age equivalent, and their families. Members of the committee may include representatives from special education, vocational and regular education, community education, postsecondary education and training institutions, mental health, adults with disabilities who have received transition services if such persons are available, parents of youth with disabilities, local business or industry, rehabilitation services, county social services, health agencies, and additional public or private adult service providers as appropriate. The committee may:
1. identify current services, programs, and funding sources provided within the community for secondary and postsecondary aged youth with disabilities and their families that prepare them for further education; employment, including integrated competitive employment; and independent living,
2. facilitate the development of multi-agency teams to address present and future transition needs of individual students on their individualized education programs,
3. develop a community plan to include mission, goals, and objectives, and an implementation plan to assure that transition needs of individuals with disabilities are met,
4. recommend changes or improvements in the community system of transition services; and
5. exchange agency information such as appropriate data, effectiveness studies, special projects, exemplary programs, and creative funding of programs.

### **Relationships/ Alignment / Priorities**

Lead Agency and State Partners

* Minnesota Department of Education (MDE)
* Minnesota Department of Employment and Economic Development (DEED)
* Minnesota Vocation and Rehabilitation Services (VRS)
* Minnesota Workforce Development Inc. (WDI)
* Minnesota Department of Health (MDH)
* Minnesota Olmstead Plan
* Workforce Innovation and Opportunity Act

Local Agencies

* Region 10 Low Incidence Projects and Member Districts
	+ [ALBERT LEA AREA SCHOOLS](http://albertlea.k12.mn.us/)
	+ [AUSTIN PUBLIC SCHOOLS](https://www.austin.k12.mn.us/Pages/default.aspx)
	+ [AUSTIN ALBERT LEA AREA SPECIAL EDUCATION COOPERATIVE](http://aalasec.org/)
	+ [CANNON VALLEY SPECIAL EDUCATION COOPERATIVE](https://www.cannonvalleyspecialed.org/)
	+ [FARIBAULT PUBLIC SCHOOLS](http://www.faribault.k12.mn.us/)
	+ [FILLMORE CENTRAL PUBLIC SCHOOLS](http://www.fillmorecentral.k12.mn.us/)
	+ [GOODHUE COUNTY EDUCATION DISTRICT](http://gced.k12.mn.us/)
	+ [HIAWATHA VALLEY EDUCATION DISTRICT](https://www.hved.org/)
	+ [MEDFORD PUBLIC SCHOOLS](http://www.medford.k12.mn.us/)
	+ [MINNESOTA STATE ACADEMY](http://www.msa.state.mn.us/)
	+ [NORTHFIELD PUBLIC SCHOOLS](http://northfieldschools.org/)
	+ [OWATONNA PUBLIC SCHOOLS](http://www.owatonna.k12.mn.us/)
	+ [ROCHESTER PUBLIC SCHOOLS](http://www.rochester.k12.mn.us/)
	+ [SOUTHERN MINNESOTA EDUCATION CONSORTIUM](http://www.smec-isd6083.com/)
	+ [WINONA AREA PUBLIC SCHOOLS](http://www.winona.k12.mn.us/)
	+ [ZUMBRO EDUCATION DISTRICT](http://zumbroed.org/)
* County Social Services in all 11 counties in Region 10
	+ Olmsted
	+ Dodge
	+ Steele
	+ Freeborn
	+ Rice
	+ Goodhue
	+ Winona
	+ Wabasha
	+ Houston
	+ Fillmore
	+ Mower
* Community Based Service Providers
* MaxAbility Southern Minnesota Disability Employment Network

### **Operational Considerations**

* Fiscal Host: The fiscal host for the Region 10 CTIC is the Zumbro Education District.
* Maintenance Of Documents: The Region 10 Low Incidence Projects will maintain CTIC documents. Examples of documents include Operating Procedures, Work Plan, meeting minutes, fiscal host, membership rosters, meeting sign-in sheets, and other documents as identified.
* Website Posting: Minutes, agendas, etc. will be on [http://region10projects.org](http://region10projects.org/).
* Process to change Operating Procedures:
	+ Changes proposed at one meeting will be voted on at the meeting or within two weeks electronically. If electronic voting is needed, proper documentation explaining the proposed change will be sent with the request for electronic vote.

### **Demographics**

* Geographic Area Served:
	+ Region 10 Low Incidence Projects covers 11 counties
	+ 6,770 square miles
	+ Population of 497,763
	+ Serving approximately 82,400 students.
	+ Serving approximately 12,300 special education students.
	+ Serving approximately 550 Birth – 2 students
* Counties Served:
	+ Dodge
	+ Goodhue
	+ Houston
	+ Olmsted
	+ Fillmore
	+ Freeborn
	+ Wabasha
	+ Winona
	+ Rice
	+ Mower
	+ Steele
* Head Start Programs Served:
	+ Tri Valley Migrant Head Start, Families First of Minnesota, Head Start- Freeborn & Olmsted Fillmore Head Start, Three Rivers, & SEMCAC
* Reservation Served:
	+ Prairie Island Reservation
* School Districts Served
	+ 44 School Districts
	+ 6 Non-Public Schools
	+ 11 Charter Schools
	+ 1 Online Charter
	+ 3 Cooperatives
	+ 3 Education Districts
	+ 1 Consortium

### **Membership**

* Terms Of Membership: Membership is at will and reviewed annually at the Spring CTIC meeting.
* Membership Representation may include:
	+ Region 10 Low Incidence Facilitator
	+ Special Educator Director
	+ Special Education Teacher
	+ Vocational Education / Career and Technical Education
	+ Regular Education
	+ Community Education
	+ Postsecondary education and training institutions
	+ Mental health providers
	+ Adults with disabilities who have received transition services (if available)
	+ Parents
	+ Local business or industry
	+ MN Vocational Rehabilitation Services
	+ County Social Services
	+ MN Department of Health
* Additional Representative Membership:
	+ Private Agencies
	+ Public Agencies
	+ School Nurses
	+ Other Members
* A membership list is available upon request by the RLIF.

### **Meetings**

* Meetings are open and available to the public to participate.
* Quarterly meetings will be held.
	+ 1st Q: Summer July-September
	+ 2nd Q: Fall October-December
	+ 3rd Q: Winter January-March
	+ 4th Q: Spring April-June
* Meeting Notification: Notices, agendas, and supporting documents will be sent out electronically (unless requested otherwise) prior to the meetings.
* Decision-Making Process/Voting: Decisions are determined by consensus whenever possible or by a vote of a simple majority of those in attendance.
* Distribution Of Meeting Minutes To Other Stakeholders, Interested Parties: Minutes will be distributed to parties and posted on the website at [http://region10projects.org](http://region10projects.org/).
* Electronic Participation: It may be acceptable to attend/vote by contacting the Chair.

Adopted: December 7, 2017

**Appendix E**

**OPERATING PROCEDURES Region 10 Help Me Grow Interagency Early Intervention Committee (IEIC)**

**Mission Statement** *Promoting positive beginnings by identifying and serving eligible children and their families.*

**Purpose Of the Committee** Region 10 Help Me Grow IEIC will develop and assure the implementation of interagency policies and procedures so that eligible children ages birth to five and their families are identified and have access to

appropriate services and supports.

**Glossary Of Terms:** ICC – Governor’s Interagency Coordinating Council IEIC – Interagency Early Intervention Committee Regional IEIC – Region 10 Help Me Grow IEIC SEAU – Special Education Administrative Unit CoE – Centers of Excellence (project through MDE) RLIP – Regional Low Incidence Projects

**Requirements Of the Committee Statutory Requirements:** Purpose of Interagency Early Intervention Committee: M.S. 125A.30

a. A school district, group of districts, or special education cooperative, in cooperation with the health and human service agencies located in the county or counties in which the district or cooperative is located, must establish an Interagency Early Intervention Committee for children with disabilities under age five and their families under this section, and for children with disabilities ages three to 22 consistent with the requirements under sections 125A.023 and 125A.027. Committees must include representatives of local health, education, and county human service agencies, county boards, school boards, early childhood family education programs, Head Start, parents of young children with disabilities under age 12, child-care resource and referral agencies, school readiness programs, current service providers, and may also include representatives from other private or public agencies and school nurses. The Committee must elect a chair from among its members and must meet at least quarterly. b. The Committee must develop and implement interagency policies and procedures concerning the following ongoing duties:

1. develop public awareness systems designed to inform potential recipient families, especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, of available programs and services,

2. to reduce families' need for future services, and especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who: (i) is involved in a substantiated case of abuse or neglect or (ii) is identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure;

3. establish and evaluate the identification, referral, child and family assessment systems, procedural

safeguard process, and community learning systems to recommend, where necessary, alterations and improvements,

4. assure the development of individualized family service plans for all eligible infants and toddlers with disabilities from birth through age two, and their families, and individual education plans and individual service plans when necessary to appropriately serve children with disabilities, age three and older, and their families and recommend assignment of financial responsibilities to the appropriate agencies,

5. implement a process for assuring that services involve cooperating agencies at all steps leading to individualized programs,

6. facilitate the development of a transitional plan if a service provider is not recommended to continue to provide services,

7. identify the current services and funding being provided within the community for children with

disabilities under age five and their families,

8. develop a plan for the allocation and expenditure of additional state and federal early intervention funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313); and 9. develop a policy that is consistent with section 13.05, subdivision 9, and federal law to enable a member of an interagency early intervention committee to allow another member access to data classified as not public. c. The local Committee shall also:

b. Participate in needs assessments and program planning activities conducted by local social service,

health and education agencies for young children with disabilities and their families; and 2. review and comment on the early intervention section of the total special education system (TSES) for the district, the county social service plan, the section or sections of the community health services plan that address needs of and service activities targeted to children with special health care needs, the section on children with special needs in the county child care fund plan, sections in Head Start plans on coordinated planning and services for children with special needs, any relevant portions of early childhood education plans, such as early childhood family education or school readiness, or other applicable coordinated school and community plans for early childhood programs and services, and the section of the maternal and child health special project grants that address needs of and service activities targeted to children with chronic illness and disabilities.

**Relationships/ Alignment / Priorities**

**Lead Agency and State Partners:** Minnesota Department of Education is the lead agency for Part C Early Intervention services, with Minnesota Department of Health and Department of Human Services participating as state partners, in delivering a comprehensive and coordinated interagency system. State agency staff may attend and participate in the Region 10 HELP ME GROW IEIC as ex officio members.

**Governor’s Interagency Coordinating Council (ICC):** The Region 10 Help Me Grow designee will attend the ICC meetings and report the business of the Regional IEIC to the ICC in the role of a guest.

**Special Education Administrative Units (SEAU):** The Region 10 Help Me Grow IEIC will collaborate with SEAUs to examine and distinguish local vs. regional priorities. Funding priorities will be established to help guide the funding decisions at the SEAU.

**Other local agencies:** Linkages to local entities (community-based service providers) should be maintained. SEAUs and local agencies will collaborate to maintain established relationships.

**Centers of Excellence for Young Children with Disabilities Project (COE):** The Region 10 Help Me Grow IEIC will collaborate with the COE to ensure that ongoing training needs are met. The COE will participate in assessing district/local agency needs for training.

**Operational Considerations**

**Fiscal Host:** The fiscal host for the Region 10 Help Me Grow IEIC is the Zumbro Education District**.** *The agency designated as the fiscal host must be an eligible recipient of federal special education funds and agrees to expend these federal funds consistent with the approved budget and in accordance with the “Statement of Assurances” as signed by the district special education director and superintendent.*

**Local Primary Agency (LPA):** The local primary agency for the Region 10 Help Me Grow IEIC is the Zumbro Education District.

*The LPA will perform duties consistent with Minnesota Statutes, section 125A.31 including: providing oversight of funds received through the annual fund request and providing oversight for data collection efforts.*

**Maintenance Of Documents:** The Local Primary Agency will maintain IEIC documents. Examples of documents include Operating Procedures, Work Plan, meeting minutes, fiscal host, membership rosters, meeting sign-in sheets, and other documents as identified.

W**ebsite Posting:** Minutes, agendas, etc. will be on http://region10projects.org.

**Help Me Grow** Minnesota's early intervention system - **Help Me Grow** - includes two programs for eligible children. ***Help Me Grow: Infant and Toddler Intervention*** are special services and supports for children birth through age two and their families. ***Help Me Grow: Preschool Special Education*** is for eligible children ages three to five years. Minnesota children eligible for Help Me Grow can receive services in their home, childcare setting or school. Help Me Grow services are free to eligible families regardless of income or immigrant status. **Website: http://www.health.state.mn.us/divs/fh/mcshn/ecip.htm**

**Process to change Operating Procedures:** Changes proposed at one meeting will be voted on at the meeting or within two weeks electronically providing electronic quorum has been met (see description of a quorum). If electronic voting is needed, proper documentation explaining the proposed change will be sent with the request for electronic vote. Within 30 days of the date the proposed change is received, it shall be submitted in writing to the IEIC Chair, who will then distribute the request to the Regional IEIC membership (as defined below). The membership shall have received the proposed amendment or amendments at least 14 days prior to the meeting.

**Demographics**

**Geographic Area Served:** Region 10 Low Incidence Projects covers 10 counties

● 6,770 square miles

● Population of 460,102.

● Serving approximately 80,600 students.

● Serving approximately 10,300 special education students.

● Serving approximately 4,000 Birth – 2 students

**Counties Served:** Dodge, Goodhue, Houston, Olmsted, Fillmore, Freeborn, Wabasha, Winona, Rice, Mower, Steele

**Head Start Programs Served:** Tri Valley Migrant Head Start, CCR&R Head Start- Freeborn & Olmsted, Three Rivers, & SEMCAC

**Reservation Served:** Prairie Island Reservation

**School Districts Served:**

● 70 school districts

○ 45 Public Schools

○ 3 Education Districts

○ 1 Consortium

○ 11 Charter Schools

Albert Lea, Austin, Blooming Prairie, Byron, Caledonia, Cannon Falls Chatfield Dover-Eyota Faribault Fillmore Central Glenville-Emmons Goodhue Goodhue County Ed District Grand Meadow Hayfield Hiawatha Valley Ed District, Houston, Kasson-Mantorville, Kenyon-Wanamingo, Kingsland LaCrescent-Hoka, Lake City, Lanesboro, LeRoy-Ostrander, Lewiston Altura Lyle Mabel-Canton Medford Northfield Owatonna PEM Community Pine Island Redwing Rochester

Southeast Service Cooperative, Southland, Spring Grove,

St. Charles, Stewartville, Triton, Wabasha-Kellogg, Winona, Zumbro Ed District, Zumbrota-Mazeppa,

 Bethlehem Academy,

Divine Mercy, Faribault Lutheran Academy, Hollenndale Christian School, Rochester Catholic

Sacred Heart, St. Dominic,

St. Mary's in Owatonna,

St. Theodore Catholic, LaCrescent, Montessori

Academy, ROCCHS, Austin Catholic, Cannon River, STEM School, MN State Academies, Red Wing Public Schools, Rushford-Peterson

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**Membership Terms of Membership:** Membership is at will and reviewed annually at the Spring IEIC meeting.

**Mandated Sector Membership Representation:**

● Health

● Education

● County Human Services

● County Board

● School Board

● Early Childhood Family Education Programs

● Head Start

● Parents Of Young Children with Disabilities Under Age 12

● Child Care Resource and Referral

● School Readiness Programs

● Current Service

**Additional Representative Membership:** ● Private Agencies● Public Agencies
● School Nurses
● Other Members

**Ex Officio Membership**

● IEIC Coordinator

● MDE designee

● COE staff

● Regional Low Incidence Facilitator

**Recruitment/ Selection Of Membership:**

● Determined by the Region 10 Help Me Grow IEIC

**Chair & Co-Chair:**

●● Chair

● Co-Chair

● Note Taker

**Other officers:**

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● ICC Representatives (2)

**Meeting Facilitator:** The Chair/Co-Chair will be responsible to facilitate the Region 10 Help Me Grow IEIC meetings.

**Assurance Of Area Representation:** There will be 2 representatives from each county in the Region 10 IEIC including representation from the mandated sector membership. The representative will share information from those constituents.

**Removal/Replacement:** Members of the Region 10 Help Me Grow IEIC who are unable to continue on the Regional IEIC: Priority will be to fill the vacancy with the mandated sector membership defined in statute. If unable, another representative from that county may serve. In the event a Regional IEIC committee member shall miss two of the scheduled committee meetings in a twelve-month period without notifying the IEIC Chair(s), the Chair(s) of the Regional IEIC Committee shall have the right to remove the absent member and the membership committee shall fill the vacancy thereby created.

**Conflict Of Interest:** Any individual working for an agency that may benefit from a decision that is made would need to disclose that potential conflict of interest. No member of the Committee may cast a vote on any matter that would provide direct financial or other perceived benefit to that member or otherwise give the appearance of a conflict of interest.

**Meetings Meeting Cycle:** Quarterly meetings will be held.

1st Q: Summer July-September 2nd Q: Fall October-December 3rd Q: Winter January-March 4th Q: Spring April-June

**Meeting Notification:** Notices, agendas, and supporting documents will be sent out electronically (unless requested otherwise) 2 weeks prior to meetings.

**Parliamentary Authority:** Roberts Rule of Order

**Attendance:** Two consecutive absences without notifying the chair may result in dismissal from the Committee. Designees may be assigned as follows:

When members are unable to attend scheduled Region 10 Help Me Grow IEIC meetings, they may assign a designee, in writing, to the Chair. The designee shall have the authority to exercise the full privileges of the absent member.

**Decision-Making Process/Voting:** Decisions will be via electronic means at the Chair’s discretion.

**Distribution Of Meeting Minutes to Other Stakeholders, Interested Parties:** Minutes will be distributed to parties and posted on the website at http://region10projects.org.

**Electronic Participation:** It may be acceptable to attend/vote by contacting the Chair.

**Absentee Voting:** A member who is unable to attend a meeting may vote on any noticed action item by submitting his or her vote in writing to the Chair(s) in advance of the meeting in which the action will be taken. Such vote may be sent by mail, email or facsimile transmission.

**Standing Agenda Format:** The agenda format will follow the Roberts Rules

**Quorum:** Quorum will be a simple majority of current membership. **Voting:** A quorum must be present to hold a vote. Decisions by the Region 10 Help Me Grow IEIC shall, to the extent possible, be made by consensus of members (and designees). If there is no consensus, decisions shall be made by a majority vote (51%) of the voting members (and designees). **Conflict:** When a decision cannot be reached, an outside facilitator may be brought in to assist, if needed. **Reimbursement Policies:** The Region 10 Help Me Grow IEIC will determine if any members or positions shall receive reimbursement for participation and duties on the IEIC. If a Regional IEIC member is serving within his/her assigned job duties, the Regional IEIC committee will not reimburse expenses.

Stipend 1⁄2 day/full day Mileage = government rate

**Region 10**

**IEIC Operating Procedures**

**Establishment & Updates**

**YEAR IEIC ESTABLISHED:** FALL 2011
**APPROVAL SIGNATURES:** COLLEEN JOHNSON / MARK KRUG

SIGNED MARCH 27, 2012

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Appendix F

Special Education Advisory Council

## **ZED Special Education Advisory Council (SEAC)**

**BYLAWS**

l. SEAC Mission

To advocate for high quality educational programs for all learners and assure that the ZED district School Boards, District Administration, and community members are informed of special education successes, issues, and concerns.

To increase the involvement and add the informed perspective of parents and families of children with disabilities in the making and implementation of ZED District policies.

To fulfill the requirements of MN Statute 125A.24

ll. Operational Procedures:

The SEAC shall be advisory in nature to the Director of Special Education regarding recommendations for current or proposed special education policy, programs, or service at the district level. The Director of Special Education will have final authority on how to proceed with recommendations.

Information may be brought to SEAC by the members of SEAC, parents, the district representative(s), and the seven member communities at large. Topics shall be submitted to the chairperson of the SEAC, and approved items will be added to future agendas.

The SEAC shall establish and implement annual goals for the continuous improvement of special education services.

lll. Membership:

The SEAC shall be comprised of members from each district through local district appointment. Members will include parents of students with special needs, community members and district staff. Parents will represent at least fifty percent of the SEAC membership. Every effort will be made to ensure that the SEAC membership reflects a wide range of disabilities through the support of each district Coordinator.

lV. Terms of Membership:

SEAC members shall serve an initial two-year term. The term in office shall begin with the first meeting of the school year. Those who are appointed to the council during the course of the school year will start their two-year term the following school year. Members in good standing may be reappointed on a yearly basis at the discretion of the Director of Special Education.

V. Meetings

Meetings shall be held in October and April yearly at the ZED District Office conference room from 4:00 - 5:00 p.m. Mileage will be available to parents who attend by completing the necessary ZED mileage reimbursement paperwork. The SEAC shall determine if and when longer meeting times may be necessary. All meetings are open to the public.

1. Meeting procedures: Discussion, leading toward consensus of members present, will be the prevailing procedure in SEAC meetings.
2. Agenda: Topics shall be submitted to the Chairperson of SEAC, and approved items will be added to the agenda. Agendas will be sent to the SEAC members at least one week prior to the meetings.
3. Minutes: Minutes will be distributed to SEAC members at least one week following the meeting.
4. Officers: The officer elected for a two-year term will be the Chairperson, ZED will provide the Secretary to create the minutes and distribute them. Nominator for the Chairperson will be made by council representatives. See attached SEAC Chairperson Responsibilities.
5. Consultants: The SEAC may request consultation from professionals within and outside the ZED districts on a volunteer basis. All requests for consultants to share information with SEAC need to be approved by the Director of Special Education.

Vl. Attendance Requirements:

Members who acquire two absences during a one-year term will be asked to resign from the council. The SEAC will consider waving attendance requirements given extenuating circumstances.

**SEAC Chairperson Responsibilities**

1. Chairperson
* Develop meeting agenda with the approval of the Director of Special Education.
* Send ZED Administrative Assistant the approved agenda to be distributed to SEAC members at least one week prior to SEAC meeting.
* Arrange for consultants and/or speakers with approval and assistance from the Director of Special Education
* Facilitate the SEAC meeting
* Work with ZED District Coordinators to appoint new members (district student(s)/parent(s)/staff).