

District #318 Total Special Education System (TSES)

This document serves as the Total Special Education System Plan for Grand Rapids School District #318 in accordance with Minn. R. 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, sections 1400 et seq., 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).

Branda Story, District 318's special education director, is responsible for program development, coordination, and evaluation; in-service training; and general special education supervision and administration. Jody Labernik may be reached at 218-327-5705.

I. Child Study Procedures.

The district's identification system is developed according to the requirement of nondiscrimination as District 318 does 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

District 318 has 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 Grand Rapids School District 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:

A. the child meets the criteria of one of the disability categories in United States Code, title 20, chapter 33, sections 1400, et. seq., as defined in Minnesota Rules; or

B. the child meets one of the criteria for developmental delay in subitem (1) or the criteria in subitem (2);

(1) 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

(2) 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:

- (a) cognitive development;
- (b) physical development, including vision and hearing;
- (c) communication development;
- (d) social or emotional development; and
- (e) adaptive development.

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:

A. 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

B. the child meets one of the criteria for developmental delay in subitem (1) and the criteria in subitem (2). Grand Rapids School District has elected the option of implementing these criteria for developmental delay.

(1) The child:

(a) has a diagnosed physical or mental condition or disorder that has a high probability or resulting in developmental delay; or

(b) 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.

(2) The child's need for special education is supported by:

(a) 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;

(b) a developmental history; and

(c) 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 references instruments, language samples, or curriculum-based measures.

Grand Rapids School District's plan for identifying a child with a specific learning disability is attached as Appendix A.

B. Evaluation

The evaluation used to determine whether a child is eligible for infant and toddler intervention services must be conducted within the timelines established in Code of Federal Regulations, title 34, part 303. It must be based on informed clinical opinion; and must be multidisciplinary in nature, involving two or more disciplines or professions; and must be conducted by personnel trained to utilize appropriate methods and procedures. The evaluation must include:

- A. A review of the child's current records related to health status and medical history;
- B. an evaluation of the child's levels of cognitive, physical, communication, social or emotional, and adaptive developmental functioning;
- C. an assessment of the unique needs of the child in terms of each of the developmental areas in item B; and
- D. at least one documented, systematic observation in the child's daily routine setting by an appropriate professional or, if observation in the child's daily setting is not possible, the alternative setting must be justified.

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. For Infant and Toddler (Part C) referrals, the team has 45 calendar days after the initial referral is made. The referral day is considered day zero.

Grand Rapids School District 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 an 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.

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

A. Grand Rapids School District 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.

B. In conducting the evaluation, Grand Rapids School District shall:

(1) use 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;

(2) 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

3) use technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

C. Grand Rapids School District ensures that:

1) 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;

2) 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;

3) 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;

4) 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;

5) evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided;

6) 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;

7) 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;

8) 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

9) 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.

D. 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.

E. 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:

A. 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:

(1) 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

(2) 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.

B. 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).

C. 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.

D. 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.

E. A district shall evaluate a pupil in accordance with this part before determining that the pupil is no longer a pupil with a disability.

When restrictive procedures are used twice on separate days within 30 days or when a pattern emerges and restrictive procedures are not included in a child's individualized education program or behavior intervention plan, the district must hold a meeting of the individualized education program team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the individualized education program or behavior intervention plan as appropriate. At the meeting, the team must

review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the individualized education program or behavior intervention plan. See Appendix J for district restrictive procedure policy.

Procedures for determining eligibility and placement.

A. 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:

(1) draw 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

(2) ensure that the information obtained from all of the sources is documented and carefully considered.

B. 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 part 3525.2810.

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:

A. a summary of all evaluation results;

B. 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;

C. the pupil's present levels of performance and educational needs that derive from the disability;

D. 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

E. 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. Grand Rapids School District's 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.

Grand Rapids School District provides 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 Grand Rapids School 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 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 the special education services for the identified pupils:

Examples: one on one services, small group, direct, in-direct, co-teaching, etc.

- a) Small group
- b) One on one
- c) Direct
- d) In-direct

2. Alternative sites available at which services may occur:

Examples: residential, day programs, mental health, chemical dependency, eating disorders), hospitals, correctional facilities (juvenile and adult detention centers, jails), shelter care facilities, alternative learning centers and programs. Also include early childhood sites, i.e., home, district early childhood special education classroom, and community-based programs.

- a) Itasca Resource Center/Home/Daycare, ECSE, 1209 SE 2nd Avenue, Grand Rapids, MN 55744
- b) Area Learning Center, Alternative Education, 409 SE 13th St., Grand Rapids, MN 55744
- c) Itaskin Education Center, Juvenile Detention, Residential Treatment, and Evaluation, 1880 River Road, Grand Rapids, MN 55744
- d) Cohasset Invest Early Program, ECFE, 450 Columbus Avenue, Cohasset, MN 55721
- e) Grand Rapids Early Childhood Center, ECFE, 820 NW 1st Avenue, Grand Rapids, MN 55744
- f) Itasca Community College, ECFE, 1851 East Hwy. 169, Grand Rapids, MN 55744
- g) Northland Education Center, Residential Treatment, 510 SE 13th St., Grand Rapids, MN 55744
- h) Success, Secondary Level 4 EBD Program, 800 Conifer Dr., Grand Rapids, MN 55744
- i) Early Success, Elementary Level 4 EBD Program, 800 Conifer Dr., Grand Rapids, MN 55744

3. Available instruction and related services:

Examples: physical therapy, counseling, psychological services, social work services, etc.

- a) Physical Therapy
- b) Occupational Therapy
- c) School Counseling
- d) Indian Education
- e) Speech Therapy
- f) Developmental Adaptive Physical Education (DAPE)
- g) Deaf Hard of Hearing Consultant
- h) Vision Consultant
- i) Autism Consultant
- j) Behavior Coach
- k) Physically Impaired Consultant
- l) School Psychologist
- m) Traumatic Brain Injury Consultant
- n) Other Health Disability Consultant
- o) Licensed School Nurse

III. Administration and Management Plan.

Grand Rapids School District utilizes 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:

- A. 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:	Additional Information:

Jody Labernik	jlabernik@isd318.org 218-327-5705	Oversee all special education procedures and service	
Tina Jorgenson	tjorgenson@isd318.org 218-327-5705	Consult with staff and serve on CST committee	
Karen Leslie	kleslie@isd318.org 218-327-5800	Consult with staff and serve on CST committee	
Angie Ledermann	aledermann@isd318.org 218-327-5870	Prepare agenda and run CST in elementary building	
Melissa King	mking@isd318.org 218-327-5890	Prepare agenda and run CST in elementary building	
Jessica Everett	jeverett@isd318.org 218-327-5880	Prepare agenda and run CST in elementary building	
Brenda Mattei	bmattei@isd318.org 218-327-5860	Prepare agenda and run CST in elementary building	
Dora Pierson	dpierson@isd318.org 218-743-3444	Prepare agenda and run CST for Pre K-12 in Bigfork	
Renee Johnson	rjohnson@isd318.org 218-327-5800	Prepare agenda and run CST at the Middle School level	
Jamie Riendeau	jriendeau@isd318.org 218-327-5760	Prepare agenda and run CST at the High School level	
Tracy Hutchinson	thutchinson@isd318.org 218-327-5572	Prepare agenda and run CST for Early Childhood 3-5 years	

Suzanne Ducharme	sducharme@isd318.org 218-327-5570	Review incoming referrals for Birth to 3 years	
Heather Fleischer	hfleischer@isd318.org 218-999-0307	Oversee incoming SpEd students paperwork and initiate evals as needed	

B. Due Process assurances available to parents: Grand Rapids School District has 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 is as follows:

1. 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.
2. Grand Rapids School District 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.
3. 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.
4. 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.
5. 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. Grand Rapids School District holds 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.

6. In addition to offering at least one conciliation conference, Grand Rapids School District informs 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.

7. Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in Grand Rapids School District's Procedure Safeguard Notice, attached as Appendix C.

IV. Operating Procedures of Interagency Committees

A. Community Transition Interagency Committee:

1. Grand Rapids School District's Community Transition Interagency Committee is established in cooperation with other districts 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.

2. Grand Rapids School District's Community Transition Interagency Committee consists of the following individuals:

- a) Jody Labernik (Grand Rapids School District – Director of Special Education)
- b) Ann Carlson (Grand Rapids School District – Work Experience Coordinator)
- c) Jenna Boedigheimer (Grand Rapids School District – Regular Education)
- d) Melanie DeBay (Grand Rapids School District – Community Education)
- e) Staci Gilpin (ISD #316, ISD #317, ISD #319, ISD #002, ISD#118, and ISD #698 Special Education Director)
- f) Kyle Inforzato (ISD #316, ISD #317, ISD #319 Work Experience Coordinator)
- g) Eric Peterson (Vocational Rehabilitation Services)
- h) Emily Curtiss and Shaundell Wascher, Division Coordinator (Occupational Development Center)
- i) Anne Vidovic (Itasca Community College)
- j) Ross Jespersen, Christina Motherway, and Krista Maki (North Homes, Inc.)
- k) Breanna Terwey (adult with disability who has received transition services)
- l) Ann Carlson (parent of youth with disability)
- m) Kyle Erickson and Kari Schultz (Deer River Hired Hands)
- n) Mary Metzger (Itasca Life Options)
- o) Linda Lorentz (Itasca County Health and Human Services)

- p) Kelly Chandler (Itasca County Public Health)
- q) Cheryl Gullickson, Peter McDermot, and Diane Meyers (Minnesota Diversified Industries)
- r) Judy Ruppert and Erin Fontaine (Access North)
- s) Kelli Petersen (Partners 2 Work)

3. The chairs of the Community Transition Interagency Committee are Ann Carlson and Kyle Inforzato.

4. The Community Transition Interagency Committee meets quarterly throughout the school year.

5. The Community Transition Interagency Committee's operating procedures are attached as Appendix D, and include the following:

- 1) identification of current services, programs, and funding sources provided within the community for secondary and postsecondary aged youth with disabilities and their families;
- 2) facilitation of the development of multiagency teams to address present and future transition needs of individual students on their individualized education programs;
- 3) 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;
- 4) recommendations of changes or improvements in the community system of transition services;
- 5) exchange of agency information such as appropriate data, effectiveness students, special projects, exemplary programs, and creative funding of programs; and
- 6) 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.

6. Grand Rapids School District disseminates the summary to all adult services agencies involved in the planning and the MDE by October 1 of each year. The most current summary is attached as Appendix E.

B. Interagency Early Intervention Committee

1. Grand Rapids School District's Interagency Early Intervention Committee is established in cooperation with other districts in cooperation with the health and human service agencies located in the county or counties in which the district or cooperative is located, for children with disabilities under age five and their families.

2. Grand Rapids School District's Interagency Early Intervention Committee (IEIC – Region 3) consists of the following individuals:

- a) Suzanne Ducharme (Help Me Grow Coordinator, Grand Rapids)
- b) Carol Cheslak (Help Me Grow Coordinator, Duluth ISD)

- c) Dee Kneeland (Help Me Grow Coordinator, NLSEC)
- d) Theresa Nelson Cox (Help Me Grow Coordinator, Hibbing)
- e) Connie Kotonias (ECSE Teacher, ISD 318)
- f) Rebecca Crane (ECSE Teacher, ISD 709)
- g) Tiffany Madsen (ECSE Teacher, ISD 316)
- h) Tina Fredrickson and Marilyn Nelson (ECSE Teachers, NLSEC)
- i) Kelly Chandler (Itasca County Health Services)
- j) Nancy Lee (Koochiching County Health Services)
- k) Jim Kneeland (Carlton County Human Services)
- l) Keith Nelson (SLC County Commissioner)
- m) Mary Spang (School Board, ISD 2154)
- n) Judy Kelly (Head Start, AEOA)
- o) Kirsten Webb (Head Start, Kootasca)
- p) Jill Gebeck (Parent, Lake Superior ISD)
- q) Marie Pank (Parent/MN Hands and Voices)
- r) Linda Bergstrand (Child care resource and referral agency)
- s) Diane Mikolich and Reenie Engstrom (Private Agency, ARC)
- t) Mari Wagner (Private Medical Provider, Essentia)

3. The chair of the Early Intervention Committee is Rebecca Crane.

4. The Early Intervention Committee meets every other month of the school year starting in September (9/23/13, 11/26/13, 1/28/14, 3/25/14, & 5/20/14).

5. The Early Intervention Committee's operating procedures are attached as Appendix F, and include the following:

1) development of 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) reduction of 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) establishment and evaluation of the identification, referral, child and family assessment systems, procedural safeguard process, and community learning systems to recommend, where necessary, alterations and improvements;
- 4) assurances of the development of individualized family service plans for all eligible infants and toddlers with disabilities from birth through age two, and their families, and individualized education programs 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) implementation of a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;
- 6) facilitation of the development of a transitional plan if a service provider is not recommended to continue to provide services;
- 7) identification of the current services and funding being provided within the community for children with disabilities under age five and their families;
- 8) development of 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) (this plan is attached as Appendix G); and
- 9) development of 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 (this policy is attached at Appendix H).
- 10) identification and assistance in removing state and federal barriers to local coordination of services provided to children with disabilities;
- 11) identification of adequate, equitable, and flexible use of funding by local agencies for these services;
- 12) implementation of policies that ensure a comprehensive and coordinated system of all state and local agency services, including multidisciplinary assessment practices, for children with disabilities ages three to 21;
- 13) use of a standardized written plan for providing services to a child with disabilities developed under section 125A.023;
- 14) access the coordinated dispute resolution system and incorporate the guidelines for coordinating services at the local level, consistent with section 125A.023;
- 15) use the evaluation process to measure the success of the local interagency effort in improving the quality and coordination of services to children with disabilities ages three to 21 consistent with section 125A.023;
- 16) development of a transitional plan for children moving from the interagency early childhood intervention system under sections 125A.259 to 125A.48 into the interagency intervention service system under this section;

17) coordination of services and facilitation of payment for services from public and private institutions, agencies, and health plan companies; and

18) share needed information consistent with state and federal data practices requirements.

6. The Early Intervention Committee participates in needs assessment and program planning activities conducted by local social service, health and education agencies for young children with disabilities and their families.

7. The Early Intervention Committee reviews and comments on the early intervention service of this Total Special Education System Plan for Grand Rapids School District, the county social service plan, the section(s) of the community health services plan that addresses 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.

V. Interagency Agreements the District has Entered.

Grand Rapids School District has 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 coordinated interagency services are coordinated, provided, and paid for, and that payment is facilitated from public and private sources:

Name of Agency, Terms of Agreement, Agreement Termination/Renewal Date, Comments

VI. Special Education Advisory Council.

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, Grand Rapids School District has a special education advisory council.

1. Grand Rapids School District's Special Education Advisory Council is individually established.

2. Grand Rapids School District's Special Education Advisory Council is not a subgroup of existing board/council/committee.

3. Grand Rapids School District's Special Education Advisory Council consists of the following individuals:

- a) Jody Labernik (Special Education Director)
- b) Melissa King (Special Education Teacher, Grand Rapids Elementary School)
- c) Nancy Koenig (Special Education Teacher, Grand Rapids High School)
- d) Amy Luke (Special Education Teacher, Grand Rapids Middle School)
- e) Denis Burich (Autism Consultant)

- f) Heidi Geisler (Parent of a student with a disability)
- g) Sherri Schmoll (Parent of student with disability)
- h) Vicki Johnson (Parent of a student with disability)
- i) Tonya Neuhaus (Parent of a student with disability)
- j) Jessica Jetland (Parent of student with disability)
- k) Sue Ziege (Grand Rapids school board)
- l) _____ (if applicable, parent of a nonpublic school student with a disability or employee of a nonpublic school if no parent is available to serve)

4. Grand Rapids School District's Special Education Advisory Council meets twice per year.

5. The operational procedures of Grand Rapids School District's Special Education Advisory Council are attached as Appendix I.

VII. Assurances

34 C.F.R. § 300.201: Consistency with State policies. Grand Rapids School District, 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 §§ 300.101 through 300.163, and §§ 300.165 through 300.174. (Authority: 20 U.S.C. § 1413(a)(1)).

Yes: Assurance given

Appendix A

TAT (Teacher Assistance Team) Process

Before Initial Meeting

- Talk with student
- Call parent regarding concern(s) and notify of TAT process
- Complete TAT form and give to TAT chair
- Attend meeting assigned to present data

At 1st TAT Meeting

- Review information on completed TAT form
- Further discuss concerns and identify specific problem to address
- Brainstorm intervention ideas
- Choose and further describe first intervention
- Develop data collection procedure

After 1st Meeting

- Record baseline data
- Begin intervention and run for four weeks
- Collect follow-up data weekly
- Call parents at least twice to report progress

At 2nd TAT Meeting

- Review results of 1st intervention
- Decide course of action
- If 2nd intervention is needed, follow previously identified procedure
- Call parents at least twice to report progress

At 3rd TAT Meeting

- Review results of 2nd intervention
- Decide course of action

After 3rd TAT Meeting

- Continue to monitor progress
- If referring to Child Study Team (CST), notify parent(s)
- Inform TAT chair when parent(s) has been notified
- Attend assigned CST meeting to present information gathered

Student Name: _____

INTERVENTION 1

Identify specific problem addressing: _____

Intervention Ideas: _____

Description of intervention chosen: _____

Baseline data: Tool: _____ Date: _____

Score: _____

Score: _____ Tool: _____ Date: _____

Date intervention started: _____

Follow-up data (1 week intervals):

Week 1: Tool: _____ Date: _____

Score: _____

Week 2: Tool: _____ Date: _____

Score: _____

Week 3: Tool: _____ Date: _____

Score: _____

Week 4: Tool: _____ Date: _____

Score: _____

Parent contact dates: 1. _____ 2. _____

Action Taken: _____ Discontinue TAT referral (adequate progress made)

_____ Continue current intervention

_____ Develop 2nd intervention

Student Name: _____

INTERVENTION 2

Description of intervention chosen: _____

Baseline data: Tool: _____ Date: _____
Score: _____
Tool: _____ Date: _____
Score: _____

Date intervention started: _____

Follow-up data (1 week intervals):

Week 1: Tool: _____ Date: _____
Score: _____
Week 2: Tool: _____ Date: _____
Score: _____
Week 3: Tool: _____ Date: _____
Score: _____
Week 4: Tool: _____ Date: _____
Score: _____

Parent contact dates: 1. _____ 2. _____

Action Taken: _____ Discontinue TAT referral (adequate progress made)
_____ Continue current intervention

TAT Team Signatures:

_____ Referral to CST for evaluation

_____ ASD

_____ Speech/Language

_____ DCD

_____ Other (specify)

_____ EBD

_____ OHD

_____ SLD: Math _____ Reading _____ Written Language

Date parent notified of referral to CST: _____

Appendix B

Post Referral Actions

Receiving a referral

- 1) A primary referral source has identified and referred an infant or toddler who is NOT within 45 days of their third birthday and has a diagnosed condition, a suspected developmental delay or atypical development, or as the subject of a substantiated case of child abuse or neglect.
- 2) Referral made through statewide phone or online system. Minnesota Department of Education will contact designated local intake ASAP and in no case more than one business day after receiving referral or local education agency will receive referral and determine the appropriate next step.

Acting on a referral: Screen

- 1) No diagnosis, prior screening or other data indicating a suspected disability is available so the team determines screening is appropriate.
- 2) Provide prior written notice or intent to screen and make sure to include all required components of prior written notice and describe parent's right to request an evaluation at any point during screening.
- 3) Obtain written consent.
- 4) Screen the child using appropriate instruments and trained staff.
- 5) If the screening results indicate that the child is suspected of having a disability OR even with no evidence of a suspected disability the parent has requested an evaluation, begin the evaluation and assessment process described below.
- 6) If the screening results indicate that the child is NOT suspected of having a disability and parents have not requested an evaluation, provide prior written notice containing screening results. Include all required components of the prior written notice and make sure to describe parent's rights to request an evaluation.

Acting on a referral: Evaluation and Assessment

- 1) A disability is suspected due to professional observation or prior screening OR evaluation is requested by parent. The team determines evaluation is appropriate.
- 2) Team will appoint a Service Coordinator for the family. The Service Coordinator will propose a comprehensive, multidisciplinary evaluation/assessment through a prior written notice.
- 3) Obtain informed consent from the parents.
- 4) Implement evaluations as planned. Make sure to review medical records that are available and interview parents regarding their concerns and observations. Make sure the evaluation includes evaluations of all five domain areas, observations in settings routine to the child and contains information from other sources as appropriate.
- 5) Consider all information using informed clinical opinion.
- 6) Determine if child meets criteria.
- 7) If child does meet eligibility criteria parents must have also given written consent on a prior written notice for the child assessment in ALL developmental areas. (This consent could have been obtained on the original prior written notice for evaluation.)
- 8) Conduct the child focused assessment in all areas thorough review of evaluation results, personal observations of the child and identification of the child need in each domain. A

criterion referenced tool may be used.

9) If the family gives verbal permission (prior written notice consent is not required) conduct a Family-directed Assessment. This must be voluntary for the family and requires the use of an assessment TOOL and INTERVIEW. It will highlight the individual family description of concerns, priorities and resources.

10) Conduct an initial Individual Family Service Plan meeting within 45 days of the referral date. Make sure that the meeting is at a time and place convenient to the family. Provide information in the native language or other mode of communication of the family unless not feasible. Provide written notice of a meeting date and location early enough to allow parents and other required team members to attend.

Acting on a referral: Informed Clinical Opinion

1) AFTER formal evaluation procedures have been conducted as described above the team determines that the child does not meet eligibility criteria based upon standardized evaluation measures. The team may choose to use informed clinical opinion to establish eligibility for Developmental Delay under Part C.

2) If the team believes the child does meet eligibility standards under this decision the parents must also give written consent on a prior written notice for the child assessment in ALL developmental areas.

3) Conduct the child focused assessment in all areas thorough review of evaluation results, personal observations of the child and identification of the child need in each domain. A criterion referenced tool may be used.

4) If the family gives verbal permission (prior written notice consent is not required) conduct a Family-directed Assessment. This must be voluntary for the family and requires the use of an assessment TOOL and INTERVIEW. It will highlight the individual family description of concerns, priorities and resources. 5) Conduct an initial Individual Family Service Plan meeting within 45 days of the referral date. Make sure that the meeting is at a time and place convenient to the family. Provide information in the native language or other mode of communication of the family unless not feasible. Provide written notice of a meeting date and location early enough to allow parents and other required team members to attend.

Acting on a referral: Independent Evaluation will be adopted

1) Evidence of a diagnosed condition OR documentation of previous evaluation results have been given to the educational team. Review of this data indicates that child has met the eligibility criteria for an infant or toddler with a disability under Part C criteria.

2) The team will appoint a Service Coordinator. The Service Coordinator will provide Part C procedural safeguards notice to family.

3) The parents must give written consent on a prior written notice for the child assessment in ALL developmental areas.

4) Conduct the child focused assessment in all areas thorough review of evaluation results, personal observations of the child and identification of the child need in each domain. A criterion referenced tool may be used.

5) If the family gives verbal permission (prior written notice consent is not required) conduct a Family-directed Assessment. This must be voluntary for the family and requires the use of an assessment TOOL and INTERVIEW. It will highlight the individual family description of concerns, priorities and resources.

6) Conduct an initial Individual Family Service Plan meeting within 45 days of the referral date. Make sure that the meeting is at a time and place convenient to the family. Provide information in the native language or other mode of communication of the family unless not feasible. Provide written notice of a meeting date and location early enough to allow parents and other

required team members to attend.

Acting on a referral: Evaluation and application of Informed Clinical Opinion results in NO eligibility

- 1) Formal evaluation and applied use of informed clinical opinion has determined that the child is NOT eligible; does not have a disability.
- 2) Provide parents with prior written notice describing outcome of the evaluation process. This notice must include a description of parent's right to dispute eligibility determination through dispute resolution mechanisms, e.g. mediation, hearing or complaint.
- 3) If available, provide information about community programs, resources and services.



PART B NOTICE OF PROCEDURAL SAFEGUARDS PARENTAL RIGHTS FOR PUBLIC SCHOOL SPECIAL 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.

This Notice of Procedural Safeguards must be given to you 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: _____

Phone _____

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.

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/IIP 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/IIP 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/IIP 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:
 - a. The series of removals total more than 10 school days in a year;
 - b. Your child's behavior is substantially similar to your child's behavior in previous incidents that resulted in a series of removals; and
 - c. 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

Itasca Area Community Transition Interagency Committee **COMMITTEE BYLAWS** (adopted 12/2013)

Article I

Section 1

Authority: The Itasca Area Community Transition Committee (CTIC) is established in order to fulfill the requirements of Minnesota Statute Chapter 120.17, Subdivision 16. The responsibility for the establishment rests with a District or group of Districts or a Special Education Cooperative in cooperation with the County or Counties in which the District or Districts are located. The Districts are;

- Grand Rapids – District 318
- Greenway – District 316
- Deer River – District 317
- Nashwauk/Keewatin – District 319
- Hill City – District 002
- Floodwood – District 698

The counties are: Itasca, St. Louis, and Aitkin

Section 2

Vision: All transition age youth/young adults (grade 9 to age 21) with disabilities in our community will develop the necessary skills to prepare themselves for successful futures.

Mission: To connect youth/young adults (grade 9 to age 21) with disabilities and their families to community resources, empower them to strengthen advocacy skills in order to navigate their life plan.

Section 3

Responsibilities: As specified in Minnesota Statutes, Chapter 125A.22, the responsibilities of the committee are as follows:

- 1) Identification of current services, programs and funding sources provided within the community for secondary and post-secondary aged youth with disabilities and their families;
- 2) Facilitation of the development of multi-agency teams to address present and future transition needs of individual students on their individual education programs;
- 3) Development of a community plan to include mission, goals and objectives and an implementation plan to assure that transition needs of youth with disabilities are met;
- 4) Recommendations of changes or improvements in the community system of transition services;
- 5) Exchange of agency information such as appropriate data, effectiveness studies, special projects, exemplary programs and creative funding of programs; and
- 6) 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. The summary must be disseminated to all adult service agencies involved in the planning and to the commissioner by October 1 of each year.

Article II

Section 1

Structure of Membership: Based on the number of school districts served and the geographical range, a multi-level CTIC is established consisting of:

- 1) The Itasca Area Community Transition Interagency Committee is established in cooperation with other districts in cooperation with the county or counties in which the district is located, for youth with disabilities beginning at grade 9 or age equivalent, and their families.
- 2) The Itasca Area Community Transition Interagency Committee consists of the following individuals/representatives:
 - a) Grand Rapids School District Special Education Director
 - b) Grand Rapids School District Vocational Education Teacher
 - c) Grand Rapids School District Regular Education Teacher
 - d) Grand Rapids School District Community Education
 - e) Deer River, Greenway, Nashwauk-Keewatin, Floodwood, and Hill City Special Education Director
 - f) Deer River, Greenway, and Nashwauk-Keewatin Vocational Education Teacher
 - g) Postsecondary Education and Training
 - h) Mental Health
 - i) An adult with a disability who has received transition services
 - j) Parent of youth with disability
 - k) Local business or industry
 - l) Rehabilitation Services
 - m) County Social Services
 - n) Health Agency
 - o) As appropriate: public or private adult service providers

Section 2

Term: Members will notify the committee if they are unable to continue serving on the Governing CTIC and a replacement will be appointed from their respective constituent group. Efforts will be made to provide a two-year rotation of constituent group members as appropriate.

Section 3

Communication: The Governing CTIC members and all sub-committee members agree to communicate with the constituents they represent and will in turn provide feedback to the CTIC committee from those same groups. Communication efforts may include written reports, newsletters, surveys, verbal reports and e-mail.

Article III

Section 1

Meetings: The Itasca Area CTIC shall meet on a regular (or at least quarterly) basis. Work groups and subcommittees will meet as needed or as directed by the Governing CTIC. All meeting will be open to others who have an interest in the CTIC.

Section 2

Notification: Committee members will be notified of all meetings. Members are expected to attend and participate in all meetings. Members who cannot attend a meeting are encouraged to send a representative, who may participate in discussion, but may not vote.

Section 3

Voting: Each member of the Governing CTIC committee will be entitled to one vote on each matter submitted. A simple majority of the membership shall constitute a quorum. A quorum shall be necessary to take action. Decisions are determined by consensus whenever possible or by a vote of a simple majority.

Article IV

Section 1

Officers: The Itasca Area CTIC will have a Chairperson and a Co-chairperson. The officers will be elected by the members and serve for two years.

Section 2

Facilitator: The Itasca Area CTIC will have a facilitator provided by the school districts in collaboration with the counties.

Section 3

Duties: The Chairperson will work with the committee to develop the agenda, convene/facilitate the CTIC meetings and assume the role of spokesperson for the CTIC. The Co-chairperson will assist the Chair when appropriate and preside at the meetings in the absence of the Chair. The Facilitator will prepare the agenda and minutes, maintain membership roster, complete all communications, submit required reports, collect data, assist in development of work plan, and assist subcommittees as needed and other duties as assigned.

Article V

These bylaws may be altered, by a vote of two thirds of the Governing CTIC quorum providing that written notice of the proposed action is provided to all members at least five days in advance of the meeting.

Bylaws approved: 12/2013

Appendix E

Community Transition Interagency Committee

1) The CTIC will update the current Resource Guide, Flowchart of services and add on the minnesotahelp.info website.

2) Community Transition Interagency Committee Members:

Jody Labernik	ISD #318 Special Education Director
Ann Carlson	ISD #318 Work Experience Coordinator
Melanie DeBay	ISD #318 Community Education
Linda Lorentz	Itasca County Health and Human Services
Kelly Chandler	Itasca County Public Health
Anne Vidivic	Itasca Community College
Eric Peterson	Workforce Center
Ross Jespersen	North Homes Inc.
Christina Motherway	North Homes, Inc.
Krista Maki	North Homes, Inc.
Kyle Erickson	Deer River Hired Hands
Kari Schultz	Deer River Hired Hands
Mary Metzger	Itasca Life Options
Emily Curtiss	Occupational Development Center
Cheryl Gullickson	Minnesota Diversified Industries
Peter McDermot	Minnesota Diversified Industries
Diane Meyers	Minnesota Diversified Industries
Jenna Boedigheimer	ISD #318 Regular Education Teacher
Breanna Terwey	Adult with a disability who has received transition services
Jody Labernik	ISD #316, ISD 317, ISD #319, ISD #002, and ISD #698 Special Education Director
Kyle Inforzato	ISD #316, ISD #317, and ISD #319 Work Experience Coordinator
Judy Ruppert	Access North

Erin Fontaine

Access North/CILNM

Kelli Petersen

Partners 2 Work

Shaundell Wascher

Occupational Development Center, Division Coordinator

3) Community Plan:

Vision Statement: *All transition age youth/young adults with disabilities in our community will develop the necessary skills to prepare themselves for successful futures.*

Mission Statement: *To connect youth/young adults with disabilities and their families to community resources, empower them to strengthen advocacy skills in order to navigate their life plan.*

Goals:

Update and distribute a Resource Guide to aid students and families with the transition process.

Participate in area Career and College Fairs

Develop a system to follow up on students after graduation from high school.

Adult Service Agencies will provide in-services to area high school classrooms, parent groups and IEP meetings.

4) For recommendations of changes or improvements in the community system of transition services: see goals above.

5) Information is exchanged between agencies monthly at the Itasca Strategic Alliance Committee meetings.

2013 Meeting Dates

January 28, 2013

February 25, 2013

March 11, 2013

April 8, 2013

April 23, 2013

May 13, 2013

June 10, 2013

No meeting dates in June or July

September 9, 2013

November 18, 2013

December 9, 2013

January 13, 2014

The Itasca Strategic Alliance committee along with the school district put on a Transition Expo for high school students with disabilities and their parents. The Expo was held on April 23, 2013 in the evening. The purpose of this event was to give parents and students an opportunity to discover the wide variety of services available to them as they transition from high school to adult services.

The CTIC Chair attended a workshop titled Minnesota Secondary Transition Toolkit: Next Generation Training on May 22, 2013 which was put on by MDE.

The CTIC Chair attended a seminar titled Collaborations in Transition by Northern Bridge on April 25, 2013.

The CTIC Chair attended the Community of Practice Meetings facilitated by Jayne Spain, Secondary Transition Specialist for the Minnesota Department of Education.

6) Seniors with identified disabilities who graduated in 2013 are currently involved in the following:

Trade School	2
Community College	6
Military	1
Work in sheltered workshop	1
Back to high school for transition year	3
Incarcerated	1
Foster Care (at home)	2
Unknown	2

Appendix F

OPERATING PROCEDURES

10/18/2011 Edition *minor revisions made by entire group 11/29/2010*
Draft Revisions 1/10/14

Region 3 Interagency Early Intervention Committee (IEIC)

Glossary of terms:

ICC – Governor’s Interagency Coordinating Council

IEIC – Interagency Early Intervention Committee

Regional IEIC – Region 3 IEIC

Purpose of the Committee

The purpose of the Region 3 IEIC is to develop and assure the implementation of interagency policies and procedures, in a way that is consistent with other regions throughout the state, so that eligible children ages birth to five and their families are identified and have access to appropriate services and supports.

Requirements of the Committee

Statutory Requirements:

Purpose of Interagency Early Intervention Committee: M.S. 125A.30

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. 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.

The Committee must develop and implement interagency policies and procedures concerning the following ongoing duties:

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;

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;

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;

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;

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

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

identify the current services and funding being provided within the community for children with disabilities under age five and their families;

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

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.

The Regional Committee shall also:

(1) 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 districts, the county social service plan for the counties, 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 as called upon.

Relationships/ Alignment / Priorities

This section serves to clarify the required roles of the state, regional and local entities within the statewide early intervention system. Roles and responsibilities have either changed from how things have been done in the past or they have been clarified to comply with state statute. Clarifying the roles will help to ensure that communication occurs within and between the three entities.

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 3 IEIC as ex officio members. Minnesota Department of Education will determine a way to establish this across the state (i.e., state staff could be a liaison with each region for attendance at meetings, etc.).

Governor’s Interagency Coordinating Council (ICC): The Region 3 IEIC 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 3 IEIC will collaborate with SEAUs to examine and distinguish local vs. regional priorities. Funding priorities will be established to help guide 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 3 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. Districts are strongly encouraged to align training with the COE to avoid duplication of training efforts.

Operational Considerations

Fiscal Host: A fiscal host has been designated by the IEIC. The fiscal host for the Region 3 IEIC is Northeast Service Cooperative. 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 3 IEIC is Northeast Service Coop. 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 support for data collection efforts.

Maintain documents: The Local Primary Agency will maintain Region 3 IEIC documents. Examples of documents include Operating Procedures, Work Plan, approved meeting minutes, fiscal host, membership rosters, meeting sign-in sheets, and other documents as identified.

Website posting: <http://region3lowincidenceproject.org>

Process to change Operating Procedures: Changes to the Operating Procedures for Region 3 IEIC which are proposed will be voted on at Region 3 IEIC Committee of the Whole meeting.

Demographics

Geographic area served is the Region 3 Arrowhead Minnesota Economic Region.

School Districts:

Barnum Public School District
Birch Grove Community School
Carlton Public School District
Chisholm Public School District
Cloquet Public School District
Cook County Public School District
Cromwell-Wright Public School District
Deer River Public School District
Duluth Public School District
Duluth Edison
Ely Public School District
Esko Public School District
Eveleth-Gilbert Public School District
Grand Rapids Public School District
Great Expectations
Greenway Public School District
Floodwood Public School District
Hibbing Public School District
Hill City Public School District
Hermantown Public School District
International Falls Public School District
Lake Superior Public School District
Little Fork/Big Falls Public School District
McGregor Public School District
Moose Lake Public School District
Mesabi East Public School District
Mountain Iron-Buhl Public School District
Nashwauk-Keewatin Public School District
Nett Lake Public School District
Northern Lights Community School
North Shore Community School
Oshki Ogimaag Charter School
Proctor Public School District

South Koochiching/Rainey River Public School District
St. Louis County Public School District
Virginia Public School District
Willow River Public School District
Wrenshall Public School District

Counties:

Aitkin, Carlton, Lake, Pine, St. Louis, Koochiching, Itasca, Cook

Head Start:

Arrowhead Economic Opportunity Agency (AEOA), Lakes and Pine, Duluth, Kootasca, Bois Forte, and Fond du Lac

Reservations:

Fond du Lac, Bois Forte, Grand Portage, Leech Lake, and Mille Lacs

Membership

See membership list for the current fiscal year.

Mandated Sector Membership requirement: *(according to M.S. 125A.30)*

Representation:

County Health:

Education:

County Human Services:

County board:

School board:

Early Childhood Family Education programs and School Readiness:

Head Start:

Parents of young children with disabilities under age 12:

Guests:

Regional Public Health Nurse representing Minnesota Children with Special Health Need

Region 3 Center of Excellence

Northeast Service Cooperative

Recruitment/ selection of members: To be determined by the Region 3 IEIC.

Chair and Co-Chair:

These positions will also function as IEIC Meeting Facilitators.

2013-2014 Rebecca Crane, Chair, and Judy Kelly, Co-Chair

Recording Secretary and Backup Secretary

2013-2014 Mari Wagner, Recording Secretary

Assurance of area representation: There is representation from each geographic area. The representative will bring information to and share information from those whom they represent.

Attendance including Designees and Removal Of IEIC Member & Replacement of IEIC Member: In the event a Regional IEIC committee member steps down or is unable to attend Regional IEIC meetings the committee may remove the absent member and the vacancy thereby created.

Designees: When members are unable to attend scheduled Region 3 IEIC meetings, they may assign a designee. The designee shall have the authority to exercise the full privileges of the absent member.

Conflict of interest: Any individual working for an agency that may benefit from a decision that is made would need to disclose that potential personal 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.

Terms of IEIC Officers: The Chairperson will be elected to two-year terms: year one as a Co-Chair and year two as the Chair. The Recording Secretary will be elected to two-year terms: year one as the Backup and the year two as the Recording Secretary. Nominations for the positions will occur at the March meeting; voting for the positions will occur during the May meeting.

Meetings

Meetings of members:

Meeting cycle:

A minimum of four Region 3 IEIC Meetings will be held each calendar year.

Meeting notification: Notices, agendas, and supporting documents will be sent out electronically (unless requested otherwise) 2 weeks prior to meetings, by the Chair or Co-Chair.

Ground rules: Region 3 IEIC will follow Robert's Rules of Order. *

Decision-making process/voting: This decision will be left up to the Region 3 IEIC to determine what type of decisions could be made electronically.

Distribution of meeting minutes to other stakeholders, interested parties: There will be communication mechanisms (e.g., website postings) in place to ensure that decisions and regional committee work are available to all interested parties.

Electronic participation: It may be acceptable to vote on some items electronically as a Regional IEIC.

Standing agenda format: The Region 3 IEIC will determine if a standing agenda format is needed.

Voting: Decisions by the Region 3 IEIC shall be made up of the majority vote by current year's members (and designees).

Conflict: When a decision cannot be reached, an outside facilitator could be brought in to assist, if needed.

Reimbursement policies: The Region 3 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, expenses will not be reimbursed by the Region 3 IEIC.

Standing Sub-Committees:

The committee structure shall be determined by the Regional IEIC. The Regional IEIC Chair(s) shall appoint IEIC members, community representatives, agency liaisons to each committee, considering individual interests and expertise. Other workgroups and task forces shall be designated in order to conduct the business of the Regional IEIC.

2013-2014 IEIC Subcommittees are:

Fiscal , Child Find, Administrative, and Public Awareness

2011-2012 Subcommittee Chairs

Dee Kneeland/Fiscal

Carol Cheslak/Child Find

Rebecca Crane/Administrative

Connie Kotonias/Public Awareness

Appendix G

FIN 423 IDEA Part C Regional IEIC Grant

FY 2013

FY 2013 Grand Award	\$32,244.86
Carryover from FY12	\$26,244.92
Total Funds Available for FY13	\$58,489.78

FY13 Expenses

303 Contracted Services

Subcommittee mtg, prep & follow up (Sept - Feb 4 - Marilyn Nelson)	\$237.50
Sept - Nov Meeting Minutes - Jill Gebeck	\$125.00
KDLH/KBJR advertising	\$1,000.00
LAMAR billboard advertising	\$8,095.00
Nancy Vega - Public Awareness Website	\$537.50
Help Me Grow booth 4/27/13 - Suzanne Ducharme	\$125.00
Child Find Committen Meeting Prep 4/24/13 - Carol Cheslak	\$25.00
Duluth News Tribune - Week of the Young Child newspaper spot	\$477.56
All Over Media Indoor Advertising - A and D Media	\$1,900.00
	<hr/>
	\$12,522.56

366 Travel

Mileage for Sept. Meeting	\$275.84
Parent Stipend for Sept. Meeting	\$150.00
Mileage, Meals & Hotel for State IEIC Meeting Oct. 2012	\$2,274.93
Mileage & subs for Nov. and March IEIC meetings and sub-committee meetings thru May 2nd	\$2,773.15
Parent Stipends Nov - Feb	\$450.00
Reg fees for Birth & Baby Fair, Lk Sup. Fun Fest and MACMH booths	\$734.00
Help Me Grow's Annual Partnership Fee for Baby Steps	\$220.00
	<hr/>
Subtotal	\$6,877.92

401 General Supplies

Tablecloth (NLSEC) - American Diversity	\$233.75
Tablecloth (Grand Rapids) - American Diversity	\$233.75
Office Supplies - St. Louis County Follow Along Program	\$568.12
Retractor Kit (Grand Rapids) - Mellin Promotional Advertising	\$205.35
Promotional Supplies - Duluth Public Schools	\$2,159.96
Subtotal	<u>\$3,400.93</u>

403 Instructional Supplies

Help Me Grow Brochures - Reimbursed Grand Rapids School District	\$256.50
Help Me Grow Brochures - Reimbursed Duluth Print Shop	\$566.50
Revision of Milestones bookmark	\$75.00
5000 Bookmarks - Pro Print	\$363.82
Help Me Grow Posters - Pro Print	\$302.58
Subtotal	<u>\$1,564.40</u>

490 Food

September Meeting Continental Breakfast	\$160.72
November Meeting Continental Breakfast	\$193.19
March Meeting Continental Breakfast and Lunch	\$376.25
Subtotal	<u>\$730.16</u>

Total Expenses for FY13 to date (5/21/13)	\$25,095.97
Estimated Indirect Costs on current monies spent	\$777.98
Balance of Funds (after current expenses and estimated indirect costs)	\$32,615.83

FIN 423 IDEA Part C Regional IEIC Grant**FY 2013**

Carryover monies from FY12	\$26,244.92
Expenses to date (5/21/2013) including indirect costs on FY 12 monies	<u>\$25,873.95</u>

Balance of FY 12 monies \$370.97

Approvals/Expenses expected by June 30, 2013

5/22 Meeting expenses including food and mileage - estimate	\$830.00
Duluth Area, Carlton County and Itasca County Provider Days	\$3,400.00
Lake County Public Health home visiting supplies	\$417.24
Cook County Public Health Universal Follow Along Program postage/copies	\$250.00
Aitkin Cty Health & Human Services - Welcom Back to Follow Along - books/postage	\$312.00
	<u>\$5,209.24</u>
<i>*estimated indirect costs on these expenses</i>	\$161.49

Estimate of Funds for FY14

***This is a rough estimate assuming the following: a) the approvals/expenses in the box above will be submitted for reimbursement before June 30, 2013; b) the FY14 award is the same as FY13, less % for Federal Sequestration*

Balance from FY13 estimated to carryover to FY14	\$27,245.10
Estimated FY14 Award (\$32,244.86 less 5% for Federal Sequestration)	\$30,632.62
Less indirect costs for FY14	\$1,740.26
Estimate of funds for activities for FY14 budget	<u>\$56,137.46</u>

Appendix H
Authorization for Release of Information

Section I

Date: _____
Student Name: _____
Date of Birth: ___/___/___ (mm/dd/yy) Student ID #: _____
Grade: _____ School District: _____

Section II

Name: _____
Authorizes District # _____

___ to release the specific information identified below *to*:
___ to obtain specific information identified below *from*:

Name of individual or entity:

Address: _____

___ Health Records	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Medical Reports	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Chemical Abuse/ Dependency Report	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Psychological Reports	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Psychiatric Report	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Teacher, Counselor, Staff Observations	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Special Education Records	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Social Work Report	Created between ___/___/___ and ___/___/___ (mm/dd/yy)
___ Others (specify)	Created between ___/___/___ and ___/___/___ (mm/dd/yy)

For the purpose of :

Section III

I understand this authorization:

- takes effect the day I sign it;
- cannot exceed one year, and expires either:

___ on ___/___/___ (mm/dd/yy), or
___ one year from the date of my signature; and

· can be stopped any time by sending a written request to:

I further understand:

- I may refuse to sign this authorization and it will not affect my child's ability to receive educational services;
- the laws that protect the information identified on this release, in some situations, may allow or require this entity to re-disclose this information, but only as permitted by law, according to the Health Insurance Portability and Accountability Act (HIPAA), the Family Educational Rights and Privacy Act (FERPA), and the Minnesota Government Data Practices Act (MGDPA or Minnesota Statutes, Chapter 13);
- a copy of this release form is as valid as an original; and
- I will receive a copy of this authorization.

Signature: _____

Date: _____

Parent, legal representative or eligible student (mm/dd/yy)

Special Education Advisory Committee (SEAC) Standard Operating Procedures

The purpose of the Special Education Advisory Committee (SEAC) is to assure:

1. Parental input into the decision-making process of the Grand Rapids School District.
2. To advocate for high quality regular and special education programs.

Membership:

The committee shall include representatives from parents and district staff. The following are suggested areas of representation:

1. Four parents representing children from various grades and disability areas:

- A. Emotional/Behavioral Disorder
- B. Specific Learning Disability
- C. Early Childhood Special Education
- D. Developmental Cognitive Disability: Mild-Moderate
- E. Developmental Cognitive Disability: Severe-Profound
- F. Visual Impairment
- G. Deaf or Hard-of-Hearing
- H. Physical Impairment
- I. Other Health Disability
- J. Autism Spectrum Disorder
- K. Traumatic Brain Injury
- L. Speech and Language Impairment
- M. Severe Multiple Impairment
- N. Deaf-Blindness

2. School Staff

- A. Special education teachers representing multiple disability areas
- B. School Board Member
- C. Director of Special Education

3. Membership Term

- A. Three years

Terms of Membership:

Committee members will serve a three-year term. The term in office shall start with the first meeting in October. Those appointed during the year shall start their three-year term on the following October or shall finish the term according to above rotation schedule. The membership committee shall confirm continuation on a yearly basis for all members. Persons interested in membership should call the Special Education Office (218) 327-5705 for more information.

Meetings:

The Special Education Advisory Council shall meet two times per year in October and April, with special meetings called at the discretion of the Director of Special Education. Meetings shall be limited to two hours in length and will be open to the public. Agendas will be set by the director in consultation with the superintendent, principals, teachers, and parent membership.

Operational Procedures:

The committee shall advise the Director of Special Education regarding current issues, program development, parental concerns and involvement, guidelines and procedures.

The committee shall have access to the Superintendent of School through the Director of Special Education.

Reports of committee activities and recommendations shall be presented to the Special Education Advisory Board.

Staff:

The Director of Special Education shall serve as an ex-officio member of the Special Education Council and shall assure that a special education staff person shall be available to record and distribute minutes of meetings of the Council, arrange for appropriate meeting space and mail out meeting notices and agendas.

RESTRICTIVE PROCEDURES POLICY ISD 318 Grand Rapids Public Schools

The Grand Rapids School District promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation with any student the School District will adhere to the standards and requirements of Minnesota Statutes 125A.094 and 125A.0942 with respect to Restrictive Procedures for Children with Disabilities.

A. Definitions

The following terms have the meanings given them.

1. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists. Minn. Stat. 125A.0941 (b)
2. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. Minn. Stat. 125A.0941 (c) The term physical holding does not mean physical contact that:
 - (a) Helps a child respond or complete a task;
 - (b) Assists a child without restricting the child's movement;
 - (c) Is needed to administer an authorized health-related service or procedure;or
 - (d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
3. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. Minn. Stat. 125A.0941 (d)
4. "Restrictive procedures" means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child. Minn. Stat. 125A.0941 (f)
5. "Seclusion" means confining a child in a room from which egress is barred. Egress may be barred by an adult locking or closing a door in the room or preventing the child from leaving the room. Minn. Stat. 125A.0941 (g)

B. Personnel Development Activities

Personnel development activities will be provided to District staff and contracted personnel who have routine contact with students and who may use restrictive

procedures in the following areas:

1. Positive behavioral interventions;
2. Communicative intent of behaviors;
3. Relationship building;
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
5. De-escalation methods;
6. Standards for using restrictive procedures;
7. Obtaining emergency medical assistance;
8. Physiological and psychological impact of physical holding and seclusion;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used;
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;
11. District policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and
12. School wide programs on positive behavior strategies. Minn. Stat. 125A.0942, Subd. 5(a)(11) and (12)

C. Staff Training Requirements

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of training, attendees, and training dates.

D. Restrictive Procedures and Prohibited Procedures

Restrictive procedures that may be used in emergency situations include seclusion and physical holding.

Prohibited procedures include the following:

1. Corporal Punishment which include conduct involving: (1) hitting or spanking a person with or without an object; or (2) unreasonable physical force that causes bodily harm or substantial emotional harm;
2. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment;
4. Denying or restricting the student's access to equipment and devices such as wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible;
5. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;
6. Totally or partially restricting a student's senses as punishment;
7. Withholding regularly scheduled meals or water;
8. Denying the student access to bathroom facilities;
9. Physical holding that restricts or impairs a student's ability to breathe; or

10. Use of tasers or threatened use of tasers.

E. Documentation Procedures

The use of restrictive procedures in emergency situations will be documented using Appendix A & B and submitted to the Special Education Director and building Principal. The District will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee.

The use of restrictive procedures in behavioral intervention plans will be documented in the learner's file. Reviews will be conducted in accordance with the plan. In the case of a student with a disability, due process and documentation requirements will be followed. Record retention will be in accordance with administrative policies on student records.

F. Emergency Situations—Use of Restrictive Procedures

The School District shall make reasonable efforts to notify the parent/guardian on the same day by phone when restrictive procedures are used in emergency situations. Records will be reviewed quarterly.

Restrictive Procedures - Protocol for Using Physical Holding

Physical holding should only be used in an emergency. Notify parents the same day a restrictive intervention is used. Provide written or electronic notice within two days if unable to notify parents the same day. Staff must directly monitor the student to ensure that the student is safe. End the intervention when the threat of harm ends and staff determine if the student can safely return to his/her routine activities, education setting, intervention, and/or site determined by the team, Positive Behavior Intervention and Support Plan (PBISP) and/or administrator.

Complete the **Critical Incident Form for Restrictive Procedures** (Appendix A). Document the date, type of intervention, starting and ending time, and the location of the incident. If physical hold is used, document the type of hold used. The following physical holds are the only ones adopted by the Grand Rapids School District #318: CPI Children's Control Position, CPI Team Control Position, CPI Transport Position, and CPI Interim Transport Position. Summarize the student's behavioral and physical status during the intervention. Record names of staff present and involved in the intervention. Record the removal of shoes, belt and contents of pockets. Provide an explanation if scheduled meals are delayed. Record the date and time of parent notification as well as who made the contact, and brief summary of parent comments. Record if law enforcement was contacted regarding the incident, who called, and the outcome of the call.

Complete the **Critical Incident Form for Restrictive Procedures – Staff Debrief** (Appendix B). Document the attendees, date and time of debriefing. Note the person who is facilitating the debriefing and if the student is on an IEP and/or has a PBISP. Completely describe the incident, answering all the questions included on the form. Describe specific actions that both helped the situation and did not help the situation. Describe the procedure used to return the

child to his/her routine activities. Note if the behavior is likely to occur again. Note if the PBISP was followed, and if not, what circumstances prevented it. Describe the action plan to assist in the prevention of future incidents. Note if restrictive procedures have been used on two separate school days within the last 30 calendar days. If yes, note if an IEP meeting has been scheduled within 10 calendar days. Provide a copy of the Critical Incident Forms (Appendix A and B) to the Special Education Director and the building principal and also place a copy in the student's special education file. The Special Education Director, School Psychologists, Behavior Coach, ASD Consultant and a General Education Administrator will serve as the district oversight committee and will review all restrictive procedures quarterly.

If a restrictive intervention is used on two separate school days within 30 calendar days or when a pattern of behavior emerges, the district must hold a team meeting within 10 calendar days after the use of restrictive procedures. In the case of a nondisabled student, the team should develop an intervention plan. In the case of a student with a disability, the district must hold an IEP or 504 team meeting, conduct or review a functional behavioral analysis,

review data, consider developing additional procedures, and modify the IEP, PBISP, or 504 Plan. The District may use restrictive procedures in emergencies until the team meets, provided the emergency measures are deemed necessary by the district to protect the individual pupil or others from harm.

Before incorporating physical holding into the IEP or PBISP, the IEP team should ensure that an FBA has been completed. The team should use the FBA information along with the present levels of performance, needs, goals and objectives to develop a PBISP.

- (a) Include positive behavior supports, de-escalation procedures, instruction in appropriate behavior, and other preventative measures in the PBISP.
- (b) Document which restrictive procedure is being included and why it is the least restrictive effective intervention. The PBISP must identify the frequency and severity of target behaviors for which the regulated intervention is being considered; and anticipated criteria for returning the pupil to the routine activities and regular education environment if the intervention is used.
- (c) Document that the physical health and psychological assessments determined that seclusion is not contraindicated because of psychological or physical health reasons. The licensed school nurse can conduct the physical health assessment or review and the mental health facilitator can conduct the psychological assessment or review, restrictive procedure is used.
- (d) Document how the parent wants to be notified when a restrictive procedure is used.

Definitions:

"Emergency" means a situation in which immediate intervention is necessary to protect a pupil or other individual from physical injury. The emergency intervention must be the least intrusive intervention possible to reasonably react to the emergency situation. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists. Minn. Stat.

125A.0941 (b)

"Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. Minn. Stat. 125A.0941 (c)

The term "physical holding" does not mean physical contact that:

- (a) Helps a child respond or complete a task;
- (b) Assists a child without restricting the child's movement;
- (c) Is needed to administer an authorized health-related service or procedure; or
- (d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal.

"CPI Team Control Position" is a physical hold that is used to manage students who have become dangerous to themselves or others. Two staff hold the individual upright and additional members assess the student for signs of distress and take other safety measures as necessary.

"CPI Children's Control Position" is a physical hold that is designed to be used with a student that is a head size or smaller than the adult. Additional members need to be present to assist the adult, monitor the safety of the student and take other safety precautions as necessary.

"CPI Transport Position" is a physical hold that is an upright position that is used when the student is calm and needs to be moved to a safer place. Two staff assist with this position, one on either side of the student, with additional staff as needed.

"CPI Interim Control Position" is a physical hold that is a temporary, upright position that allows staff to maintain control of both of the individual's arms for a short period of time. One staff is needed for this position; however additional staff are necessary to monitor the student and assist with any other safety precautions.

"Outcome of A Personal Safety Technique" is a physical hold used when a student engages in a grab with peers/staff and the adult needs to immobilize a part of the student's body to minimize damage to the student, peers and/or school staff.

Schools that intend to use restrictive procedures are required to maintain and make publicly accessible a restrictive procedures plan for children. Restrictive procedures mean the use of physical holding or seclusion in an emergency.

An emergency means a situation where immediate intervention is needed to protect a child or other individual from physical injury.

Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child's individual education plan (IEP) or positive behavior intervention support plan (PBISP).

Standards for physical holding or seclusion may NOT be used to discipline a non-compliant child. Minn. Stat. 125A.0492 Subd. 3(a)(2)

I. The Grand Rapids School District intends to use the following restrictive procedures:

A. Physical holding:

1. Physical holding means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.
2. The term physical holding does not mean physical contact that:
 - (a) Helps a child respond or complete a task;
 - (b) Assists a child without restricting the child's movement;
 - (c) Is needed to administer an authorized health-related service or procedure; or
 - (d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
3. Grand Rapids School District intends to use the following types of physical holding:
 - (a) CPI Children's Control Position
 - (b) CPI Team Control Position
 - (c) CPI Transport Position
 - (d) CPI Interim Control Position

B. Seclusion: Grand Rapids School District has a policy of not using seclusion. The district has no seclusion rooms.

1. Seclusion means confining a child in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room.
2. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

II. The Grand Rapids School District will implement a range of positive behavior strategies and provide links to mental health services in the following manner:

A. Positive behavioral interventions and supports means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

B. Grand Rapids schools implement the following positive behavior strategies:

1. Murphy Elementary, Southwest Elementary, Forest Lake Elementary, and Cohasset Elementary implement the following:
 - (a) Social skills lessons taught by the school counselor on a rotating basis.
 - (b) Classroom management systems of recognizing appropriate behaviors. Individual positive intervention and support plans as necessary based on student needs.

- (c) Responsive Classroom strategies used by teachers that have been trained in the Responsive Classroom Strategies.
- (d) Each elementary school has different ways of recognizing students displaying outstanding positive behavior.

2. Robert J. Elkington Middle School implements the following:

- (a) Social Skills lessons taught by school counselors on a rotating basis. Social Skills lessons taught to special education classes by the special education teachers as needed based on information in the students' Individualized Education Plan.
- (b) Small group and individual counseling sessions with counselors for specific students.
- (c) Target awards earned by students for displaying outstanding social skills.
- (d) Classroom management systems of recognizing appropriate behaviors. Individual positive intervention and support plans as necessary based on student needs.

3. Grand Rapids High School implements the following:

- (a) Small group and individual counseling sessions with counselors.
- (b) Whole class social-emotional guidance lessons taught as needed in regular education classrooms. Whole class social-emotional lessons taught by special education staff as needed based on Individualized Education Plans.
- (c) Free hall—study hall earned by students who have achieved zero behavioral referrals and passing all classes.
- (d) Classroom management systems of recognizing appropriate behaviors. Individual positive intervention and support plans as necessary based on student needs.

4. Bigfork School implements the following:

- (a) Small group and individual counseling sessions with counselors.
- (b) Whole class social-emotional guidance lessons taught as needed in regular education classrooms. Whole class social-emotional lessons taught by special education staff as needed based on Individualized Education Plans.
- (c) Responsive Classroom strategies used by teachers that have been trained in the Responsive Classroom strategies.
- (d) Classroom management systems of recognizing appropriate behaviors. Individual positive intervention and support plans as necessary based on student needs.

C. Grand Rapids School District provides the following links to mental health services:

1. Itasca County Health & Human Services
2. Ross Resources
3. North Homes Children & Family Services
4. Children's Mental Health Services

III. Grand Rapids School District will monitor and review the use of restrictive procedures in the following manner:

A. Documentation

1. Each time physical holding is used, the staff person who implements or oversees the physical holding shall document, as soon as possible, but not to exceed more than 24 hours after the incident concludes, the following information:
 - (a) A description of the incident that led to the physical holding;
 - (b) Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
 - (c) The time the physical holding began and the time the child was released; and
 - (d) A brief record of the child's behavioral and physical status.
2. Attached as Appendix A is the Grand Rapids School District form used to document the use of physical holding.

B. Post-Use Debriefings, consistent with documentation requirements

1. Each time physical holding is used, the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing with staff involved, an administrator, and the Behavior Coach, as soon as possible but not to exceed 24 hours after the incident concludes.
2. The post-use debriefing will review the following requirements to ensure the physical holding was used appropriately:
 - (a) Whether the physical hold was used only in an emergency.
 - (b) Whether the physical hold was the least intrusive intervention that effectively responds to the emergency.
 - (c) Whether the physical holding was used to discipline a noncompliant child.
 - (d) Whether the physical holding ended when the threat of harm ended and the staff determined the child could safely return to the classroom or activity.
 - (e) Whether the staff directly observed the child while physical holding was being used.
 - (f) Whether the documentation was completed correctly.

- (g) Whether the parents were correctly notified.
 - (h) Whether an IEP team meeting needs to be scheduled. If yes, if it has been scheduled.
 - (i) Whether the appropriate staff used physical holding.
 - (j) Whether the staff that used physical holding was appropriately trained.
3. If the post-use briefing determines the physical holding was not used appropriately the Grand Rapids School District will ensure immediate corrective action is taken, such as reviewing appropriate use of the procedure, appropriate application of the procedure, and/or appropriate training of necessary staff.

C. Oversight committee

1. Grand Rapids School District publicly identifies the following oversight committee members:
- (a) Special Education Director—Jody Labernik
 - (b) Behavior Coach—Barb Mackey
 - (c) Elementary School Psychologist—Tina Jorgenson
 - (d) Secondary School Psychologist—Karen Leslie
 - (e) Autism Consultant—Denise Burich
 - (f) General Education Administrator—Sherry Colter
2. Grand Rapids School District oversight committee meets quarterly on Friday following the end of each quarter:
- (a) 2013-2014 School Year
 - 1. November 1, 2013
 - 2. January 4, 2014
 - 3. March 28, 2014
 - 4. May 30, 2014
 - (b) 2014-2015 School Year
 - 1. November 7, 2014
 - 2. January 23, 2015
 - 3. March 27, 2015
 - 4. May 22, 2015
3. The Grand Rapids School District oversight committee will review the following using attached Appendix C:
- (a) The use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of week, duration of the use of the restrictive procedure, the individuals involved, or other factors;
 - (b) The number of times a restrictive procedure is used school wide and for individual children;

- (c)The number and types of injuries, if any, resulting from the use of restrictive procedures;
- (d)Whether restrictive procedures are used in nonemergency situations;
- (e)The need for additional staff training; and
- (f)Proposed actions to minimize the use of restrictive procedures.

IV. Grand Rapids School District staff who use restrictive procedures, including paraprofessionals, receive training in the following skills and knowledge areas:

- A. Positive behavioral interventions
 - 1. CPI Training entitled Nonviolent Crisis Prevention
 - 2. Documentation available upon request
- B. Communicative intent of behaviors
 - 1. Girl's Circle
 - 2. Documentation available upon request
- C. Relationship building
 - 1. Girl's Circle
 - 2. Documentation available upon request
- D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
 - 1. CPI Training entitled Nonviolent Crisis Prevention
 - 2. Documentation available upon request
- E. De-escalation methods
 - 1. CPI Training entitled Nonviolent Crisis Prevention
 - 2. Documentation available upon request
- F. Standards of using restrictive procedures only in an emergency
 - 1. CPI Training entitled Nonviolent Crisis Prevention
 - 2. Documentation available upon request
- G. Obtaining emergency medical assistance
 - 1. CPI Training entitled Nonviolent Crisis Prevention and Grand Rapids School District #318 Restrictive Procedures Policy
 - 2. Documentation available upon request
- H. The physiological and psychological impact of physical holding
 - 1. CPI Training entitled Nonviolent Crisis Prevention
 - 2. Documentation available upon request
- I. Monitoring and responding to a child's physical signs of distress when physical holding is being used
 - 1. CPI Training entitled Nonviolent Crisis Prevention

2. Documentation available upon request
- J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used
 1. CPI Training entitled Nonviolent Crisis Prevention
 2. Documentation available upon request
 - K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure
 1. Grand Rapids School District #318 Restrictive Procedures Policies and Procedures, Critical Incident Forms Appendix A & B
 2. Documentation available upon request
 - L. School wide programs on positive behavior strategies
 1. Informational handout on the strategies being implemented in each of the buildings in the district
 2. Documentation available upon request
- V. Grand Rapids School District is committed to using positive behavioral interventions and supports.
- A. Positive behavioral interventions and supports:
 1. Positive behavioral interventions and supports mean interventions and strategies to improve the school environment and teach children the skills to behave appropriately to keep children safe.
 - B. The Grand Rapids School District will never use the following prohibited procedures on a child:
 1. Engaging in conduct prohibited under section 121A.58 (corporal punishment);
 2. Requiring a child to assume and maintain a specified physical position, activity or posture that induces physical pain;
 3. Totally or partially restricting a child's senses as punishment;
 4. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
 5. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others, in which case the equipment or device shall be returned to the child as soon as possible;
 6. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors);
 7. Withholding regularly scheduled meals or water;
 8. Denying access to bathroom facilities; and
 9. Physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a

child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.

Critical Incident Form for Restrictive Procedures—Appendix A

Student Name: _____ School: _____ Race (circle all that apply): _____ White, not Hispanic
 Disability: _____ Gender: _____ DOB: _____ Age: _____ American Indian or Alaska Native
 Black or African-American Hispanic/Latino
 Native Hawaiian/Pacific Islander Asian

Date	Time Intervention Started	Time Intervention Ended	Location	Record time offered water & use of restroom after 15 min.	Record type(s) of physical hold used: Childrent's control position Team control position Transport position Interim control position Outcome of Personal Safety Technique

Summarize behavioral and physical status during intervention	Staff Names	Record if shoes, belt, pocket contents are removed

Abbreviation Key: VA=Verbal Aggression C=Crying PA=Physical Aggression T=Talking to Self SW=Swearing Y=Yelling Q=Quiet

If meals are delayed or missed due to extreme behavior or safety concerns, provide an explanation:

Date(s) and Time(s) of Parent Notification: _____ **Who notified parent:** _____

Brief summary of parent comments:

(Notify parent(s) the same day the procedure is used. Provide written or electronic notice within two days if unable to notify the same day.)

Was law enforcement contacted? _____ **By whom?** _____ **Outcome of call:**

Critical Incident Form for Restrictive Procedures—Appendix B

Staff Debrief

Teacher _____ Student Name: _____
 Signatures of staff attending debrief (should include at least one person not involved in the incident who has knowledge of behavior):
 _____ Special Ed Director _____ Principal _____

Date and Time of Debrief:	Facilitator:
Is the student on an IEP? Yes No	Does the student have a Behavior Intervention Plan (BIP) in place? Yes No

Describe the incident:

- A. Which staff were involved in the incident?
- B. What led up to the incident? Were there specific triggers that can be identified?
- C. What proactive less restrictive interventions were used prior to escalation? What was the impact of those failed interventions?
- D. What was the emergency behavior that required a restrictive procedure?
- E. Was the intervention used to protect child/others from injury?
- F. Describe student and staff behavior during the intervention:

What actions helped? What did not help?

Describe the procedures used to return the child to his/her routine activities:

Critical Incident Form for Restrictive Procedures—Appendix B, cont.

Is the behavior likely to occur again? Yes No If the student is on a BIP, was it followed? Yes No (if no, document why not)

Follow-up action plan (to prevent need for future restrictive procedures):

Have there been any other restrictive procedures in the last 30 calendar days? Yes No (if restrictive procedures are used on two separate school days within 30 calendar days or a pattern emerges, the team needs to meet, even when procedures are included in a child's IEP or PBISP.)

An IEP meeting must be scheduled: Yes No

Staff involved were adequately trained: Yes No

Debriefing team determined hold was done correctly: Yes No

Debrief team feels paperwork was completed accurately: Yes No

RESTRICTIVE PROCEDURES Quarterly Summary—Appendix C

School _____ School Year _____ Quarter _____ Date Reviewed _____

Name _____ Title _____ Name _____ Title _____

Name _____ Title _____ Name _____ Title _____

Name _____ Title _____ Name _____ Title _____

Student Name	Date	Time	Day of Week	Duration	Staff Involved	Emergency? (Yes/No)	Other Factors	Number/Type of Injuries