

Indicator 11: Child Find

Applicable Michigan Administrative Rules for Special Education

R 340.1721 Parental consent for initial evaluation; contents of notice; refusal to consent or respond.

(1) Within 10 calendar days of receipt of a referral of a student suspected of having a disability, and before any formal evaluation designed to determine eligibility for special education programs and services, the public agency shall notify the parent and shall request written consent to evaluate. The written notice shall contain both of the following:

- (a) The reason or reasons an evaluation is sought and the nature of the evaluation.
- (b) A description of the types of special education programs and services currently available within the intermediate school district.

R 340.1721a Evaluation procedure.

(1) Each student suspected of having a disability shall be evaluated by a multidisciplinary evaluation team as defined in R 340.1701b(b). If an initial evaluation review is conducted by the individualized education program team, then the multidisciplinary evaluation team shall complete the evaluation as determined by the individualized education program team in addition to requirements as defined in R 340.1705 to R 340.1716 as applicable to the suspected impairment.

(2) The multidisciplinary evaluation team shall do both of the following:

- (a) Complete a diagnostic evaluation.
- (b) Make a recommendation of eligibility and prepare a written report to be presented to the individualized education program team by the appointed multidisciplinary evaluation team member. The report shall include information needed to determine a student's present level of educational performance and educational needs of the student. Information presented to the individualized education program team shall be drawn from a variety of sources, including parent input.

(3) Special education personnel who are authorized to conduct evaluations of students suspected of having a disability may provide prereferral consultation to general education personnel in accordance with procedures established by the department.

R 340.1721b Individualized education program team participants.

(1) The superintendent or his or her designee shall appoint participants to an individualized education program team and shall invite the parents to be participants.

(2) Upon request of the parent, a representative of the school district of residence shall be invited to attend the individualized education program team meeting if the district of residence has authorized the operating district to conduct program team meetings.

R 340.1721c Scheduling individualized education program team

meeting; requesting parent participation.

(1) The school district of residence is responsible for conducting the initial individualized education program team meeting involving a student in its district and shall conduct, or authorize the operating district to conduct, each subsequent individualized education program team meeting at a mutually agreed upon time and place.

(2) The time from referral or from receipt of parental consent to an initial evaluation to the completion of the individualized education program or the determination of ineligibility shall not be more than 30 school days. This time line begins upon receipt of the signed parental consent by the public agency requesting it and may be extended if agreed to by the parent and public agency.

R 340.1721d Responsibilities of the individualized education program team.

Upon completing the individualized education program, the individualized education program team shall submit the individualized education program to the superintendent. The individualized education program shall not be restricted to the programs and services available.

R 340.1721e Individualized education program team meeting; determination of eligibility for special education programs and services; individualized education program.

(1) The superintendent or his or her designee shall convene an individualized education program team meeting.

(2) An individualized education program shall be based on all diagnostic, medical, and other evaluative information requested by the team, or provided by the parent or student who is disabled and shall include all of the following information, in writing:

(a) A statement of the student's present level of academic achievement and functional performance.

(b) A statement of annual goals, including short-term objectives.

(c) Appropriate objective criteria and evaluation procedures and schedules for determining whether the objectives are being achieved.

(3) The individualized education program team shall determine whether the student has a need for placement with a special education teacher who is endorsed in a particular disability category.

(4) Any participant in the individualized education program team's deliberations who disagrees, in whole or in part, with the team's determination may indicate the reasons on the team's individualized education program report or may submit a written statement to be attached to the report.

(5) The Michigan school for the deaf shall be considered a part of the total continuum of services for students with a hearing impairment. The resident district shall conduct the individualized education program team meeting that initiates an assignment into the Michigan school for the deaf.

Representatives of the intermediate school district of residence and the

Michigan school for the deaf shall be invited to participate in the individualized education program team meeting. The state board of education shall adopt procedures for placement at the Michigan school for the deaf.

(6) The Michigan school for the blind shall be considered a part of the total continuum of services for students with a visual impairment. The resident district shall conduct the individualized education program team meeting that initiates an assignment into the Michigan school for the blind. Representatives of the intermediate school district of residence and the Michigan school for the blind shall be invited to participate in the individualized education program team meeting. The state board of education shall adopt procedures for placement at the Michigan school for the blind.

R 340.1722 Placement in special education programs and services.

(1) The individualized education program team determines the educational placement of a student with a disability in programs and services from a continuum of alternative placements, such as instruction in general education classes, special classes or special instruction in general education classes, special classes or special schools, home instruction in hospitals and institutions, resource rooms, or itinerant instruction with general education class placements.

(2) The superintendent or his or her designee shall appoint a staff person to be responsible for the implementation of the individualized education program, including services provided by other agencies. The person shall be either the principal of the building where the primary educational program is provided to the student who has a disability or other staff person who is generally accessible to the staff and who will be working with the student who has a disability.

R 340.1722a Implementation of individualized education program.

(1) The superintendent of the school district of residence, upon receipt of the individualized education program, shall, within 7 calendar days, provide written notice to the parent of the agency's intent to implement special education programs and services. The notice shall identify where the programs and services are to be provided and when the individualized education program begins.

(2) The parent, upon receipt of notification from the superintendent, shall have the right, at any time, to appeal the decision under R 340.1724. If the parent does not appeal, then the superintendent shall initiate the individualized education program as soon as possible, but not later than 15 school days after the parent has been notified. An initiation date may be later than 15 school days if clearly specified in the individualized education program; however, a projected initiation date shall not be used to deny or delay programs or services because they are not available and shall not be used for purposes of administrative convenience.

(3) For the purposes of 34 C.F.R. 300.300(b), if a student with a disability is to be provided special education or related services for the first time, then the parent has 10 calendar days after receipt of the notice from the superintendent to provide the public agency with written consent to provide special education programs and services.

(4) Each public agency shall provide special education and related services to a student with a disability in accordance with the student's individualized education program.