



# PREPARE FOR POSSIBILITY

Dance, Vocal and Instrumental Music, Traditional and Digital Visual Art, Creative Writing, and Acting are a part of every student's schedule – ART EVERY DAY. Our extensive arts program is integrated into our solid academic curriculum. The Arts Academy in the Woods is chartered by the Macomb Intermediate School District's Board of Education

## SPECIAL EDUCATION PROCEDURES IEP Implementation Discipline Updated September 2023

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These procedures have been adopted by the Arts Academy in the Woods as of September 2023

Compliant provision of these procedures will be supervised by the building administrator and special education administrator(s.)

These procedures will be reviewed for compliance after each IEP meeting, before notice is provided.

Any changes to these procedures will be communicated by the building administrator and special education administrator(s) at the next regular staff meeting. They will be communicated by posting on an electronic staff bulletin board or shared hard drive

## Transfer of Students with Disabilities

This procedure will be used when a student with an IEP transfers into the school district from another district within the same school year. This includes students who are enrolled in a center program outside the district who may remain in that center program even though the district of residence changes due to a family relocation.

NOTE: There are other times in the IEP process when Prior Written Notice may be required; those other situations are addressed in a separate procedure entitled "Prior Written Notice."

Staff involved in the registration/enrollment process and/or special education service providers and IEP Team members from the school district, including (but not limited to) special education teachers and related services staff

## Legal Requirement with Citation

**§300.323 of the Individuals with Disabilities Education Act (IDEA)** describes the process for providing a free, appropriate, public education to students who transfer into the school district from another district from within the State or from another State, within the same school year. The new school district, in consultation with the parents, must provide a free, appropriate, public education (FAPE) to the child, including services comparable to those described in the child's IEP from the previous district, until the new school district either adopts the child's IEP from the previous district or conducts an evaluation for transfers from another State pursuant to §§300.304 through 300.306 (if determined necessary by the new public agency), develops, adopts, and implements a new IEP that meets the applicable requirements in §§300.320 through 300.324.

**§300.503 of the Individuals with Disabilities Education Act (IDEA)** describes the required content of Prior Written Notice Written. Notice must be given to the parents of a child with a disability a reasonable time before the school district:



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- Proposes to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or
- Refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child.

Notice must include all the following:

- A description of the action proposed or refused by the district;
- An explanation of why the district proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record, or report the district used as a basis for the proposed or refused action;
- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained.
- Sources for parents to contact to obtain assistance in understanding the provisions of IDEA;
- A description of other options that the IEP Team considered and the reasons why those options were rejected;
- A description of other factors that are relevant to the district's proposal or refusal.

The notice must be:

- Written in language understandable to the general public; and
- Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so.
  - If the native language or other mode of communication of the parent is not a written language, the district must take steps to ensure that the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; that the parent understands the content of the notice; and that there is written evidence that these requirements have been met.

Procedural Steps:

1. Upon enrollment, the district will determine, through a review of available records and/or consultation with the parent, whether the student had an IEP in the previous district.
  - a. The individual responsible for determining whether a newly enrolled student has an existing IEP is the school secretary/registration clerk.



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2. As soon as the district becomes aware that the student had an IEP in the previous district, the district will consult with the parent regarding how a FAPE will be immediately provided to the student in the new district. The following individual(s) may be responsible for consulting with the parent the building administrator and special education administrator(s)
  
3. The consultation with the parent may occur in-person, over the phone, via email, or through other virtual means, but will include the opportunity for meaningful, two-way communication. The consultation will include a review of the existing IEP and discussion regarding:
  - a. What programs, services, and supports did the student receive in the previous district?
  - b. Is the new district able to implement the existing IEP exactly as written?
  - c. If the new district cannot implement the IEP as written, what programs, services, and supports will the new district provide to approximate the existing IEP for (up to) the first 30 school days in the new district?
  
4. Decisions resulting from the consultation will be documented on the PowerSchool Special Programs TSWD form.
  - a. If, after the consultation, the district intends to implement the existing IEP as written, the parent will be provided with Prior Written Notice of this decision.
    - i. NOTE: This includes situations where the district intends to continue a student in a center program in which the student is currently enrolled under the existing IEP.
  - b. If, after the consultation, the district determines it will not adopt the existing IEP as written, the TSWD form will describe the programs/services that will be provided immediately to the student for (up to) the first 30 school days of enrollment in the new district.
  
5. After documenting the decisions about the immediate offer of a FAPE on the TSWD form, the district provides the parent with Prior Written Notice (PWN) of the district's immediate offer of a FAPE using the TSWD form.
  - a. The following individual(s) are authorized to sign the TSWD form as the superintendent's designee: The building administrator or the special education administrator(s)



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- b. The following individual(s) may be responsible for providing PWN to the parent: The building administrator or the special education administrator(s)
- 
6. If the district does not adopt the existing IEP exactly as written, a new IEP will be conducted and a new offer of a FAPE will be made within 30 school days of enrollment. The person responsible for ensuring that the IEP is conducted in a timely manner is the building administrator or the special education administrator(s)
  
  7. Students who transfer in from a district outside the state of Michigan require an initial special education evaluation in Michigan. In these cases, the following additional steps apply:
    - a. Consider the need for a REED (technically not required but strongly recommended.)
      - Consider what evals are already on file.
      - Determine what additional assessments are necessary to determine initial eligibility in Michigan.
      - Complete the Evaluation Plan section of the PowerSchool REED/Consent form.
      - Request parent consent to evaluate.
    - b. Complete an initial MET and initial IEP within 30 school days. ("initial" because it's the 1st one in Michigan.)

For more detailed information see separate but related procedures relative to REED Process, Initial Evaluations, and Reevaluations.

## Documentation and Compliance

The following forms and resources will be considered when deciding and documenting:

- TSWD form from PowerSchool Special Education
- REED/Consent form for out-of-state transfer students

Compliance with this procedure is documented on the TSWD form.

Compliance with the requirements to immediately provide FAPE to transfer students with disabilities will be supervised by the building administrator or special education administrator(s)



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TSWD forms and practices will be reviewed for compliance after each TSWD form is completed.

## IEP Implementation

This procedure will be used when providing and documenting the provision of programs/services and supplementary aids and services (supports) in accordance with a student's IEP, including transition activities/services, extended school year services, and specialized transportation. Such documentation will occur on a schedule consistent with the frequency/duration/circumstances of each programs/service and supplementary aid as described in the IEP.

Special education service providers, general education staff, transportation staff, and other individuals who are responsible for providing or implementing a program/service under an IEP, including transition activities/services, extended school year service, a supplementary aid/support, a state assessment accommodation, and/or specialized transportation

## Legal Requirement with Citation

**§300.320 of the Individuals with Disabilities Education Act (IDEA)** defines an individualized education program. The IEP must include, among many other components, a statement of the special education programs and related services that will be provided to the student as well as the supplementary aids and services to be provided.

**§ 300.323 of IDEA** requires that at the beginning of each school year the school district must have in effect an IEP for each child with a disability. The IEP must be accessible to each regular education teacher, special education teacher, related services provider, and any other service provider who is responsible for its implementation. Each teacher and provider must be informed of his or her specific responsibilities related to implementing the child's IEP, as well as the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

**MARSE R 340.1722** requires that each school district shall provide special education and related services to a student in accordance with the student's individualized education program. Further, the superintendent or his or her designee shall appoint a staff person to be responsible for the implementation of the IEP, including services provided by other agencies. The staff person responsible for the implementation of the IEP shall be either the principal of the building where the primary educational program is provided to the student or another staff person who is generally accessible to the staff and who will be working with the student.



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**34 CFR §76.731 of the Code of Federal Regulations** describes records that are required for compliance with all state-administered programs, including IDEA. This regulation indicates that a state and a subgrantee (i.e., a recipient of IDEA funds) shall keep records to show its compliance with program requirements

## Procedural Steps:

1. The initial IEP will be implemented only with the written consent of the parent/guardian.
2. The initial IEP (with the consent of the parent) and all subsequent IEPs will be implemented:
  - as soon as possible after the conclusion of the IEP meeting; AND
  - not later than 15 school days after the conclusion of the IEP meeting; AND
  - within 364 days of the implementation date of the previous IEP.

The person responsible for ensuring that the IEP is implemented within the required timeframe is the special education administrator and the building administrator.

3. The district will have in effect at the beginning of each school year, and IEP for every child identified as having a disability under IDEA. The person responsible for ensuring that each student has an IEP in effect is the special education administrator and the building administrator.
4. At the beginning of each school year, every regular education teacher, special education provider, and any other any other service provider who is responsible for IEP implementation will be informed of his or her specific responsibilities related to implementing each child's IEP. The responsibility for informing these people of their responsibility rests with the special education case manager.
5. Each student's IEP must be accessible to each person who has a responsibility in implementing it. Staff members will have access to IEPs in the following ways:

Special education providers (teachers and related services staff) have access to IEPs via the electronic IEP system (i.e., PowerSchool Special Programs.)

Regular education teachers have access to IEPs via the electronic IEP system (i.e., PowerSchool Special Programs.)

Paraprofessionals have access to IEPs via the electronic IEP system (i.e., PowerSchool Special Programs.)



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Transportation staff have access to IEPs via the electronic IEP system (i.e., PowerSchool Special Programs.)

6. After being informed of a responsibility for implementing an IEP, each person who is involved with implementing an IEP will review the student's current IEP in order to fully understand what programs/services and supplementary aids/supports are required, including transition activities/services, extended school year services, assessment accommodations, and specialized transportation. If necessary, the individual will clarify with the special education case manager or special education administrator which staff members have a responsibility for implementing and documenting the programs/services and supplementary aids/supports.
7. All responsible parties will implement the special education programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized transportation for which they are responsible in accordance with the IEP, providing the frequency/duration/location that is required by the IEP. The frequency/duration of the program/service or supplementary aid may not be less than what is prescribed in the IEP, nor may it be more than what is prescribed in the IEP.
8. Providers will document in writing that each **special education program and related service, transition activity/service, extended school year service, or assessment accommodation** was provided in accordance with the IEP using classroom teacher attendance record and service provider log

NOTE: Documentation must show that each item above was provided with the exact frequency/duration described in the IEP. If the student was absent or refused to participate, that also must be documented. Documentation must be in a format that is retained over time, even if the provider leaves their position or the school district.

9. Providers will document in writing that each supplementary aid/support was provided in accordance with the IEP using district-provided documentation form and/or district-approved google doc or other electronic format titled: "Current IEP and 504" annual update

NOTE: Documentation must show that the supplementary aid/support was provided with the exact frequency/duration or under the specific conditions described in the IEP. If the student was absent or refused to participate, that also





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must be documented. Documentation must be in a format that is retained over time, even if the provider leaves their position or the school district.

10. Providers must document in writing that each statewide assessment accommodation identified in the IEP, including the provision of an alternate assessment, was provided in accordance with the IEP using district-provided documentation form and/or district-approved google doc or other electronic format titled: "Current IEP and 504" annual update

NOTE: Documentation must show that the assessment accommodation or alternate assessment was provided in accordance with the specific conditions described in the IEP. If the student was absent or refused to participate, that also must be documented. Documentation must be in a format that is retained over time, even if the provider leaves their position or the school district.

11. Providers must document in writing that specialized transportation was provided in accordance with the IEP using district-provided documentation form
12. If, during the period of the IEP, the district temporarily halts in-person instruction due to the pandemic, there will be documentation that the student continued to receive the all the services identified in the IEP, including services as modified via a Contingency Learning Plan that had been incorporated into the IEP.
13. The person responsible for documenting the provision of special education programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized transportation in accordance with the IEP is the student's designated special education case manager.
14. Documentation of the provision of special education programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized transportation, must be available for administrative or parent review at any time, and will be housed in a secure location such as on a secure district website and/or in the district's electronic data management system.
15. Documentation of the provision of special education programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized



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transportation, will be maintained for at least two years after the student exits the school district

## Documentation and Compliance

These procedures will be documented using District-determined documentation tools or electronic format

Compliance with this procedure is documented by each provider using one or more of the tools listed above. Documentation is expected to occur in "real time" with records being up to date no later than the end of each school week.

Documentation of the provision of programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized transportation, will be supervised by the building administrator and special education administrator(s)

Documentation of the provision of programs/services, including transition activities/services, extended school year services, supplementary aids and supports, assessment accommodations, and specialized transportation, will be reviewed for compliance prior to each student's IEP meeting

## Monitoring and Reporting Progress on Annual Goals

This procedure will be used when monitoring progress on IEP goals and objectives and reporting to parents regarding the student's progress.

Special education service providers, including special education teachers and related service providers will implement these procedures

## Legal Requirement with Citation

**§300.320 of the Individuals with Disabilities Education Act (IDEA)**

**§ 300.323 of IDEA**

**34 CFR §76.731 of the Code of Federal Regulations** describes records that are required for compliance with all state-administered programs, including IDEA. This regulation indicates that a state and a subgrantee (i.e., a recipient of IDEA funds) shall keep records to show its compliance with program requirements.



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## Procedural Steps:

### Documentation and Compliance

These procedures will be documented using District-determined documentation tools or electronic format

Compliance with this procedure is documented by each provider using one or more of the tools listed above. Documentation is expected to occur in "real time" with records being up to date no later than the end of each school week.

Documentation of the provision of programs/services, including transition activities/services, extended school year services, supplementary aids/supports, assessment accommodations, and specialized transportation, will be supervised by the building administrator and/or special education administrator(s)

Documentation of the provision of programs/services, including transition activities/services, extended school year services, supplementary aids and supports, assessment accommodations, and specialized transportation, will be reviewed for compliance prior to each student's IEP meeting.

### IEP Amendments Procedures

This procedure will be used when the district and the parent agree that changes to the IEP are necessary and that those changes may be made outside of an IEP meeting and/or without the participation of the entire IEP team.

This procedure will be implemented by special education service providers and other individuals who are responsible for IEP development and implementation

### Legal Requirement with Citation

**§300.320 of the Individuals with Disabilities Education Act (IDEA)** defines an individualized education program. The IEP must include, among many other components, a statement of the special education programs and related services that will be provided to the student as well as the supplementary aids and services to be provided.

**§300.324(a) of the Individuals with Disabilities Education Act (IDEA)** indicates that changes to the IEP may be made either by the entire IEP Team at an IEP Team meeting, or by amending the IEP rather than by redrafting the entire IEP. In making changes to a child's IEP after the annual IEP Team meeting for a school year, the parent and the school district may agree not to convene an IEP Team meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the child's current IEP.



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Upon request, a parent must be provided with a revised copy of the IEP with the amendments incorporated

If changes are made to the child's IEP as described above, the school district must ensure that the child's IEP Team is informed of those changes.

## Procedural Steps:

1. In general, changes to an IEP are made by reconvening the IEP Team and developing a new IEP in accordance with established procedures for IEP Development.
2. In some cases, the district and the parent may agree that, although changes to the IEP are needed, there is no need to develop a new IEP. In that case, an IEP amendment may be developed.

The person who has authority to determine on behalf of the district whether an amendment is necessary and appropriate is the special education administrator

The individual who has the authority to make this determination on behalf of the district also is responsible for contacting the parent to discuss whether an amendment is necessary and appropriate. The result of that discussion (and whether there is agreement or not between the parent and the district) will be documented in the PowerSchool Special Programs Events Log.

3. An IEP amendment may be developed by the full IEP team. If so, the following steps apply:
  - An IEP team meeting will be scheduled in accordance with established procedures for IEP Scheduling and Participants.
  - Sections of the IEP will be amended by consensus of the team, using the amendment tools within PowerSchool Special Programs.
  - Within 7 school days of completing the amendment, parents will be provided with Prior Written Notice of the district's intent to implement the amended IEP, including a copy of the IEP with amendments incorporated.
  - Copies of the amended IEP will be provided to all members of the IEP team.
4. The district and the parent may agree that an IEP meeting is not necessary to develop an amendment. If so, the following steps apply:
  - The individual who has the authority to determine on behalf of the district whether an amendment is necessary and appropriate also may determine



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- with the parent that an IEP meeting is not necessary to develop the amendment.
- The result of that discussion with the parent (and whether there is agreement or not between the parent and the district regarding the need for a meeting) will be documented in the PowerSchool Special Programs Events Log.
  - If the parent and the district agree that a meeting is not necessary to develop the amendment, sections of the IEP will be amended as discussed with the parent, using the amendment tools within PowerSchool Special Programs.
  - Within 7 school days of completing the amendment, parents will be provided with Prior Written Notice of the district's intent to implement the amended IEP, including a copy of the IEP with amendments incorporated.
  - Copies of the amended IEP will be provided to all members of the IEP team.

The person responsible for completing the amendment in PowerSchool Special Programs and providing the parent with Prior Written Notice and a copy of the IEP with amendments incorporated is the special education administrator and the building administrator

5. The amended IEP will be implemented:
  - as soon as possible after the parent has been provided with Prior Written Notice of the district's intent to implement the amended IEP; AND
  - not later than 15 school days after the amendment is developed.

Amending the IEP does not re-set the annual review or three-year reevaluation date.

## Documentation and Compliance

The following forms will be considered when implementing this procedure

- The student's current IEP and PowerSchool Special Programs IEP Amendment Tool

Compliance with this procedure is documented in the PowerSchool Special Programs Events Log and on the IEP Form.

The IEP amendment process, including any agreements with the parent relative to the need for an amendment and the need for a meeting, will be supervised by the building administrator and special education administrator(s)

Documentation of the amendment process will be reviewed for compliance prior to each student's IEP meeting and prior to each pupil accounting submission