



**HOLLAND**  
**PUBLIC SCHOOLS**

**Special Education Policies  
& Procedures Manual**

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# Introduction:

The Student Services Department of Holland Public Schools provides support and resources to students with disabilities. Our district follows the federal and state mandates in accordance with the IDEA & MARSE. As a result, we are committed to ensuring that:

“Students with (1) handicapping conditions and (2) in need of special education must be provided programs and services according to state and federal mandatory special education laws. While the federal law (P.L. 94-142, 1975) mandates services from age 3 through 21, Michigan law (P.A. 451, 1976) mandates services from birth through age 26. Local school districts are ultimately responsible for the provision of programs and services to resident students.”

## I. Vision and Mission Statement

### Vision Statement

To provide an Inclusive education environment to best prepare ALL students for success in their lives.

### Mission Statement

Holland Public Schools believes in an uncompromising commitment to student achievement and an unending quest to maximize student success. In partnership with our parents and community, we provide opportunities and high-quality education to ALL students, which will allow them to reach their full potential and prepare them for the future.

### A. Purpose of Special Education

This policy and procedural manual has three purposes. First, to provide interested individuals with a detailed description of the programs and services offered to the students of Holland Public Schools, including a complete program directory. Secondly, to provide specific information about some of the unique and innovative features of our programs and services. Lastly, we want to make available various guidelines and documentation related to the provision of programs.

Holland Public Schools operates both “District” and “Center” programs and services. These are defined as follows: District: Those programs and services that serve primarily Holland Public Schools resident students. Students from other districts may attend on a tuition basis only. These programs and services are funded on an “added cost” basis. The additional costs (after subtracting membership from total costs) are reimbursed on a percentage basis through Act 18 (I.S.D.) and Section 52 (state) funds. Center: Those programs and services operated by Holland Public Schools to serve students from throughout the Ottawa Area Intermediate School District. These include programs and services for students who are Deaf & Hard of Hearing, students with Autism Spectrum Disorder, or those with cognitive or emotional impairments aged three through grade twelve.

Below are two links specific to the day to day functioning of Holland Public Schools that affect the delivery of special education programs and services. The Student Services department employs a variety of individuals to support the learning and therapeutic needs of our students. The main office for the department is located within the central administration building. Individual programs, including the associated employees, are located within each of our individual school buildings. An organizational chart is located on the upcoming page.

Throughout this manual is information regarding the federal and state mandates (IDEA & MARSE) requiring the provision of special education programs and services for public school resident students. Details about how and when requests for special education eligibility evaluations can occur is included. Lastly, the manual provides instruction for navigating concerns or seeking guidance on special education matters.

## B. School District Bylaws and Policies

[Holland Public Schools Bylaws & Policies](#)

## C. Student Handbook

[Student Handbook](#)

## D. Student Services Organizational Chart

# Student Services' Organizational Chart



## II. Federal and State rules regarding special education

### A. What is the IDEA?

The Individuals with Disabilities Act (IDEA) ensures that all children with disabilities are entitled to a free and appropriate education to meet their unique learning needs and prepare them for further education, employment, and

independent living. IDEA has four parts. Each is described below. Parts B & C outline specific guidance for students ages birth through age 21.

\*Please note that Michigan extends the continuum of special education through age 26 for eligible students as defined through the MARSE (Michigan Administrative Rules for Special Education).

## **Part A**

Part A of IDEA lays out the basic foundation for the rest of the Act. This section defines the terms used within the Act as well as providing for the creation of the Office of Special Education Programs, which is responsible for administering and carrying out the terms of IDEA (IDEA, 1997).

## **Part B**

Part B of IDEA is the section which lays out the educational guidelines for school children 3-21 years of age. By law, states are required to educate students with disabilities (Martin, Martin, & Terman, 1996). IDEA provides financial support for state and local school districts. However to receive funding, school districts must comply with six main principles set out by IDEA:

- Every child is entitled to a free and appropriate public education (FAPE).
- When a school professional believes that a student between the ages of 3 and 21 may have a disability that has substantial impact on the student's learning or behavior, the student is entitled to an evaluation in all areas related to the suspected disability.
- Creation of an Individualized Education Program (IEP). The purpose of the IEP is to lay out a series of specific actions and steps through which educational providers, parents and the student themselves may reach the child's stated goals.
- That the education and services for children with disabilities must be provided in the least restrictive environment, and if possible, those children be placed in a "typical" education setting with non-disabled students.
- Input of the child and their parents must be taken into account in the education process.
- When a parent feels that an IEP is inappropriate for their child, or that their child is not receiving needed services, they have the right under IDEA to

challenge their child's treatment (due process). (DREDF, 2008; Kastiyannis, Yell, Bradley, 2001; Turnbull, Huerta, & Stowe, 2004).

## **Part C**

Part C of IDEA recognizes the need for identifying and reaching very young children with disabilities. This portion of IDEA provides guidelines concerning the funding and services to be provided to children from birth through 2 years of age. Families are entitled to several services through part C of IDEA (IDEA, 1997).

- Every family is entitled to appropriate, timely, and multidisciplinary identification and intervention services for their very young child. These services must be made available to all families with infants and toddlers.
- Families are required to receive an Individualized Family Service Plan (IFSP). This plan lays out the priorities, resources and concerns of the family. In addition it describes the goals of the child, the services to be provided to the child, and steps for eventual transitioning of the child into formal education.
- Families have a right to participate in the creation of the IFSP, and must give consent prior to the initiation of intervention services.
- Lastly, parents are entitled to timely resolution of all conflicts or complaints regarding the evaluation or services provided to their child.” (apa.org)

Please visit the Ottawa Area Intermediate School District website for additional information about birth to three evaluations and services as well as preschool services.

[Early On & Infant Evaluations/services](#)

[Early Childhood Information & Application](#)

## B. MARSE

The Michigan Administrative Rules for Special Education (MARSE) provides information regarding how Michigan implements compliance of IDEA.

The Michigan Administrative Rules for Special Education can be found at [https://www.michigan.gov/documents/mde/MARSE\\_Supplemented\\_with\\_IDEA\\_Regs\\_379598\\_7.pdf](https://www.michigan.gov/documents/mde/MARSE_Supplemented_with_IDEA_Regs_379598_7.pdf)



## Ottawa Area Intermediate School District (OAISD)

The OAISD serves as the county hub for oversight of special education services & programs provided through local school districts within Ottawa County. Whereas Holland Public Schools provides programs and services for students aged 3 through 12th grade, the OAISD assumes primary responsibility for child find activities and outreach for preschool children. The same is true for students aged 20-26 who are deemed eligible for the continuation of special education supports. The assistant superintendent for special needs or designee will be responsible for coordinating child find activities and outreach. All local school districts also assume responsibility for the special education referral process and local public awareness activities. OAISD staff will promote public awareness of disabilities, the available special education programs/services and establish cooperative liaisons with other agencies and professionals who may be potential referral sources. OAISD staff coordinates the Project Find campaign through the use of State Project Find materials.

## The Americans with Disabilities Act (ADA)

became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

In 2008, the Americans with Disabilities Act Amendments Act (ADAAA) was signed into law and became effective on January 1, 2009. The ADAAA made a number of significant changes to the definition of "disability." The changes in the definition of disability in the ADAAA apply to all titles of the ADA, including Title I (employment practices of private employers with 15 or more employees, state and local governments, employment agencies, labor unions, agents of the employer and joint management labor committees); Title II (programs and activities of state and local government entities); and Title III (private entities that are considered places of public accommodation). (<https://adata.org>)

### III. Multi-Tiered Systems of Support

When students are struggling, staff or parents may wish to engage in general education supports and interventions prior to moving toward a special education evaluation. This problem solving approach uses guidance and consultation to support students struggling with academic, social emotional, or behavioral needs. Holland Public Schools uses two main strategies to ensure strong student outcomes. These are the PBIS system and the Student Collaboration Team model.

#### Positive Behavior Interventions & Supports (PBIS)

Holland Public Schools works to provide a positive school climate for all learners. HPS implements the following strategies to help achieve this goal:

Continuum of behavior supports:

Universal prevention for ALL students  
Targeted intervention for SOME students  
Intensive intervention for FEW students

Big Ideas to improve behavior:

Specify appropriate behavior  
Teach appropriate behavior  
Monitor behavior  
Encourage appropriate behavior  
Correct inappropriate behavior  
Use data for decision making

Through curriculum taught and modeled by staff, students learn the rules for achieving both academic and behavioral success within the school environment. Most students need only guiding principles for expectations. Some students require additional time and reminders to achieve understanding. A small number of students do require more intensive support to assist with this process. Holland Public Schools works with you and your student at whichever level is necessary to achieve success.

#### Student Collaboration Team (SCT)

Student Collaboration Team, which is similar to child study, focuses on a collaboration model. Students who are struggling at school are recommended to building level SCT for review and discussion. A meeting is then held which allows team members to provide input toward a problem-solving process. The goal of this process is to help students be successful within the least restrictive environment possible. Each team is comprised of teaching and diagnostic professionals who recommend strategies and/or interventions. These individuals and additional team members then help monitor

implementation and effectiveness of recommendations.

Core team members typically include:

- School Psychologist
- Referring Teacher
- Building Administrator
- School Social Worker, Occupational Therapist, or Speech Pathologist
- Behavioral, reading, or math interventionist

Students who are referred to SCT for academic, behavioral, or social-emotional needs typically go through a 6-9 week cycle of intervention. The success of the intervention is closely monitored with data being brought back to the intervention team at the end of the trial cycle. Interventions are often successful and adopted by the teaching team moving forward. When interventions are not successful, SCT team members will recommend next steps such as fidelity checks or new trial strategies. At times, SCT members may decide that additional supports should be explored.

If your student already has a medical diagnosis or a suspected diagnosis then exploring a 504 plan may be your next step.

## 504 Plans

A 504 plan is not special education. 504 plans are general education tools that recognize your student's disability status, afford protection under certain circumstances, and ensure access to identified areas of needed accommodation. A 504 plan is a document that lists a qualifying student's school based accommodations. Some examples of possible accommodations include extended time on tests or alternative setting for test taking.

A 504 plan is different than an IEP. In order to qualify for an IEP, a student must meet the eligibility criteria for one of the 13 categories under IDEA/MARSE. A 504 plan is

available to a student who has a physical or mental impairment which substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

Parents interested in learning more about Section 504 plans should contact their child's guidance counselor, building administrator, or designated 504 representative.

([Michigan Alliance For Families](#))

## **Holland Public Schools' commitment to Special Education:**

### **IV. Child Find**

Holland Public Schools is responsible for executing "Child Find". This means that HPS is responsible for informing the community that specially designed instruction (special education) is available to school aged children residing within the public school system's boundaries who meet state and federal eligibility criteria as a student with a disability. Children who meet eligibility criteria under medical or clinical models, however, do not always meet school based eligibility requirements for this level of program and service provision.

The OAISD's local plan for special education program and service provision at Holland Public Schools, including deviations, can be found at [www.oaisd.org](http://www.oaisd.org).

Who is considered an eligible student?

MARSE R 340.1702 (Rule 2) "Student with a disability" means a person who has been evaluated according to the individuals with disabilities education act and these rules, and is determined by an individualized education program team, an individualized family service plan team, or an administrative law judge to have 1 or more of the impairments specified in this part that necessitates special education or related services, or both, who is not more than 25 years of age as of September 1 of the school year of enrollment, and who has not graduated from high school. A student who reaches Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 27 the age of 26 years after September 1 is a "student with a disability" and entitled to continue a special education program or service until the end of that school year.

MARSE identifies the following disability categories for school based teams to consider:

- Early Childhood Developmental Delay
- Cognitive Impairment
- Emotional Impairment
- Hearing Impairment
- Visual Impairment
- Physical Impairment
- Other Health Impairment
- Speech & Language Impairment
- Specific Learning Disability
- Severe Multiple Impairment
- Autism Spectrum Disorder
- Traumatic Brain Injury
- Deaf-blindness

Definitions for each of the above categories can be found at:

[MARSE](#)

## **Procedural Safeguards:**

A copy of procedural safeguards, the legal rights afforded to students and their families/guardians before/during/after an evaluation process, is provided in Spanish & English via links below. These safeguards are also offered at the beginning of each initial and re-evaluation cycle for consideration of eligibility for special education programs and services. Please refer to one of the following manuals for additional information:

Procedural Safeguards (ENGLISH)

[Procedural Safeguards](#)

Aviso de garantías de procedimiento (ESPAÑOL)

[AVISO DE GARANTIAS DE PROCIDEMIENTO](#)

## **Initial Evaluation requests:**

Within the school setting, there are a variety of supports and resources available to students prior to exploring a special education evaluation. Parents/guardians are always encouraged to discuss student performance concerns with their child's teacher first.

As mentioned previously, The Student Collaboration Team (SCT) process allows teachers or parents/guardians to request a review for students who are not achieving academic, social, or behavior success. 504 plans are an additional layer of general education support available to students with a disability. Students who continue to struggle despite these supports are frequently considered for special education testing.

A referral for a special education evaluation can be made by a parent, guardian, general education teacher, or a Holland Public Schools staff member who has regular contact with the student. Community based provider requests (i.e. pediatrician, psychologist, ABA therapist, caseworker) must be made through the parent or guardian.

All student referrals require an accompanying written request from the parent or guardian. Written requests can be submitted in the parent's language of preference and are not required to be translated to English.

When submitting requests for initial evaluations, it is helpful to include recent or historical testing results from community providers. Procedures for identifying potential school age special education students may also include review of existing school records and interagency collaboration for referral of student dropouts.

## **Evaluation Process**

Once a written parental consent is received and processed, parents/guardians can expect coordination of their child's special education evaluation in the following manner:

- An initial contact by an evaluative team member who will provide introductions and request background information and history on your child.
- A formal REED meeting that will review existing information and establish a plan for what will be included in the evaluation.
- An approximate 30 day timeframe in which your child will be observed within the school setting and provided individualized assessment as outlined on the REED document. The evaluation will also include a review of school based records, parent and teacher interviews.
- At times, an evaluation team may request a 30 day extension to the original timeline. Additional consent is required when making this amendment.
- A contact at the end of the evaluative process with updates and an invitation to a formal IEP meeting where final decisions regarding eligibility will occur.

Throughout the evaluation process, school based assessment, home reported, and community provider report information are considered when determining eligibility or programs/related services. Medical or Clinical diagnosis do not guarantee that a student will meet eligibility requirements. Special education eligibility is about ensuring access or progress within the school setting as opposed to verification of diagnoses. Similarly recommendations by physicians or other community based professionals for particular programs, accommodations or related services, may or may not meet criteria for such provision.

The following is a summary of some of the MARSE rules governing evaluations:

Response timeline for initial evaluation requests -

R340. 1721 (Rule 21) “Within **10 school days** of receipt of a written request for an initial evaluation of a student suspected of having a disability, and before any formal evaluation designed to determine eligibility for special education programs and services, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503 and, when necessary shall request written consent to evaluate.”

Timeline for the completion of an initial evaluation -

(1) (i) Must be conducted within **60 days** of receiving parental consent for the evaluation; or (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; and

(2) Must consist of procedures— (i) To determine if the child is a child with a disability under § 300.8; and (ii) To determine the educational needs of the child.

(d) Exception. The time frame described in paragraph (c)(1) of this section does not apply to a public agency if— Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 56

(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or

(2) A child enrolls in a school of another public agency after the relevant time frame in paragraph (c)(1) of this section has begun, and prior to a determination by the child’s previous public agency as to whether the child is a child with a disability under § 300.8.

(e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed. (Authority: 20 U.S.C. 1414(a))

Requirement for parental consent prior to initial evaluations -

§ 300.300 Parental consent. (a) Parental consent for initial evaluation. (1) (i) The public agency proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under § 300.8 must, after providing notice consistent with §§ 300.503 and 300.504, **obtain informed consent**, consistent with § 300.9, from the parent of the child before conducting the evaluation. (ii) Parental consent for initial evaluation must not be construed as consent for initial provision of special education and related services. (iii) The public agency must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation to determine whether the child is a child with a disability.

## **Re-evaluations:**

Students will receive a new evaluation every three years once deemed eligible. This is to ensure that special education programs and services are still needed and to have current information regarding needs on each child. HPS is responsible for tracking this timeline. When your student is due for an evaluation, a team member from their assigned school or program will contact you. Parents may, however, contact their student's special education case manager if the need for an evaluation arises prior to this 3 year deadline.

### Timeline and requirements for subsequent re-evaluations -

§ 300.303 (a) General. A public agency must ensure that a reevaluation of each child with a disability is conducted in accordance with §§ 300.304 through 300.311—

- (1) If the public agency determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
- (2) If the child's parent or teacher requests a reevaluation. (b) Limitation.

A reevaluation conducted under paragraph (a) of this section—

- (1) May occur not more than once a year, unless the parent and the public agency agree otherwise; and
- (2) Must occur at least **once every 3 years**, unless the parent and the public agency agree that a reevaluation is unnecessary. (Authority: 20 U.S.C. 1414(a)(2))

### Requirement for parental consent prior to re-evaluations -

(c) Parental consent for reevaluations. (1) Subject to paragraph (c)(2) of this section, each public agency— (i) Must obtain informed parental consent, in accordance with § 300.300(a)(1), prior to conducting any reevaluation of a child with a disability. (ii) If the parent refuses to consent to the reevaluation, the public agency may, but is not required to, pursue the reevaluation by using the consent override procedures described in paragraph (a)(3) of this section. Michigan Administrative Rules for Special Education



With Related IDEA Federal Regulations 52 (iii) The public agency does not violate its obligation under § 300.111 and §§ 300.301 through 300.311 if it declines to pursue the evaluation or reevaluation.

Requirement for individual and comprehensive evaluation -

MARSE (Related IDEA Federal Regulations § 300.15 Evaluation.) (a) General. Each public agency must conduct a full and individual initial evaluation, in accordance with §§ 300.305 and 300.306, before the initial provision of special education and related services to a child with a disability under this part. (b) Request for initial evaluation. Consistent with the consent requirements in § 300.300, either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

## **FAPE**

Free Appropriate Public Education (FAPE) is an educational right of All children in the United States that is guaranteed by the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA).

The written offer of a free and appropriate public education (FAPE) is a formal offer made by Holland Public Schools (LEA) of educational placement, including supplemental aids and services. The FAPE statement offered to you at the end of an IEP meeting, serves the requirements outlined in IDEA for written prior notice.

## **V. PROGRAM AND/OR RELATED SERVICE PROVISION**

At the end of the evaluation process, a meeting will be held to determine if your child meets eligibility requirements. If your child is found to be eligible, you along with the school based team will devise a “program” for one calendar year. This serves as your child’s IEP (Individualized Education Program). The IEP meeting agenda addresses:

- Present Level of Academic and Functional Performance
- Parent comments/concerns
- Recommendations for programs (what type of classroom)
- Recommendations for related service (what additional therapy support)

- Accommodations
- Modifications
- Need for special considerations under areas such areas as hearing, vision, and behavior
- Extended School Year
- The percentage of time your child will be accessing special education versus general education supports

Both the IEP document & the associated FAPE offer are Holland Public Schools' assurances that appropriate program and related service considerations have occurred within the context of the IEP process & meeting. These formal documents are your student's detailed information regarding what, why, and how specially designed instruction will occur.

§300.320(a)(7) outlines that an IEP must include:

(7) The projected date for the beginning of the services and modifications described in paragraph (a)(4) of this section, and the anticipated frequency, location, and duration of those services and modifications.

In other words, your student's IEP will include:

FREQUENCY – how many days per week and how many weeks per month the programs and/or related services will happen

LENGTH – the number of minutes that each program or related service will take place per session

LOCATION - where the program or service provision will occur (classroom or therapist office)

TIMEFRAME – the start date and end date for when programs and or related services will begin and end

Holland Public Schools' employees work in collaboration to ensure that programs and services are provided to your student throughout the duration of their current IEP. Both general education and special education employees are responsible for this effort.

Documentation verifying provision of programs and or related service is maintained in the form of: attendance records, therapy logs, and progress reports.

Our district offers specialized instruction in reading, writing, and mathematics. Programs such as our Autism Spectrum Disorder, Cognitively Impaired, Deaf & Hard of Hearing, and Emotionally Impaired provide support in the above areas as well as a whole child approaches to teaching executive functioning, life, and vocational skills. Related services are offered in the areas of speech & language, social work, occupational & physical therapy, as well as hearing and visual impairment.

## **VI. Transportation**

### How is special education busing determined?

During the IEP meeting, a discussion about the need for specialized bussing will occur. Special Education Transportation is different than typical bussing available to your student based upon how far you live from the school building. Special Education transportation is designed to help with specific needs related to equipment (wheelchair lift), access to programming (program resides at an alternative location), or additional behavioral support. Every decision is made as part of an IEP team process to ensure access and safety for your student.

The federal regulations for implementation of the Individuals with Disabilities Education Act (IDEA) define Transportation as follows:

34 CFR § 300.34 Related Services. (October 12, 2006)

“(16) Transportation includes –

- (i) Travel to and from school and between schools;
- (ii) Travel in and around school buildings; and
- (iii) Specialized equipment (such as special or adapted buses, lifts, and ramps), if required to provide special transportation for a child with a disability.”

34 CFR § 300.107 Nonacademic services. (October 12, 2006)

“The State must ensure the following:

- (a) Each public agency must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child’s IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.
- (b) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the public agency, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both

employment by the public agency and assistance in making outside employment available.”

#### Requesting provision

Special education transportation is determined as part of the multi-disciplinary process within the IEP meeting. Parents/guardians who are interested in special education transportation should contact their student’s case manager in order to schedule an IEP meeting. Special education transportation requests are typically related to ambulation, program access, or student safety needs.

## **VII. EMERGENCY PROTOCOLS**

Holland Public Schools adheres to emergency practices as identified by MDE. Staff members who participate in supporting during emergency situations have been trained in accordance with Nonviolent Crisis Intervention (CPI) techniques.

The following links provide specific information regarding the restraint and seclusion practices at Holland Public Schools.

#### [Seclusion Restraint Documents](#)

State law governing use of Emergency Restraint & Seclusion

[Michigan Policy for the Emergency Use of Seclusion & Restraint](#)

District practices

[HPS In house Procedural Manual](#)

[Safety Plan](#)

## **VIII. Discipline rights and procedures**

The Holland Public Schools Board of Education acknowledges that conduct is closely related to learning and that an effective instructional program requires an orderly school environment, which is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions.

The Board shall require each student of this District to adhere to the Code of Conduct promulgated by the administration and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Superintendent shall promulgate administrative guidelines for student conduct which carry out the purposes of this policy and:

- A. are not arbitrary but bear a reasonable relationship to the need to maintain a school environment conducive to learning;
- B. do not discriminate among students;
- C. do not demean students;
- D. do not violate any individual rights constitutionally guaranteed to students.

The Superintendent shall designate sanctions, excluding corporal punishment, for the infractions of rules which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

The Board shall attempt to provide, as resources permit, alternative programs and activities for disruptive students as a means to prevent or reduce discipline problems. In planning such programs, the Superintendent shall include procedures which ensure cooperation with those community agencies and organizations which can provide assistance to such students.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct, the sanctions which may be imposed for breach of those rules, and the due process procedures that will be followed in administering the Code of Conduct.

Discipline on District vehicles shall be the responsibility of the driver on regular bus runs. When District vehicles are used for field trips and other District activities, however, the teacher, coach, or advisor shall be responsible for student discipline. If a student becomes a serious discipline problem on the vehicle, the Superintendent may suspend the transportation privileges of the student providing such suspension conforms with due process.

The principal shall have the authority to assign discipline to students, subject to District administrative guidelines and the student's due process right to notice, hearing, and appeal.

Teachers and other employees of this Board having authority over students shall have the authority to take such means as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board, when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

No student is to be detained after the close of the regular school day unless the student's parent has been contacted and informed that the student will be detained. No student shall be refused transportation services until the parent has been notified or other suitable transportation arrangements have been made. Notification to the parent is the responsibility of District personnel and should be made prior to the departure of school buses. If a parent cannot be contacted, the child should be detained on another day.

Board Policy 5600

Reviewed 12/96

Revised 12/18/17

## [Discipline Procedures](#)

### Manifestation Determination Review (MDR)

Prior to an expulsion hearing or after 10 days of suspension within a school year, Holland Public Schools will conduct a meeting for eligible students with disabilities to determine whether the behavior exhibited by the student that resulted in the disciplinary

recommendation was a result of the disability or a district failure to implement the student's IEP (or 504 plan).

If the behavior in question is found to be a “manifestation” of the disability and/or the result of a district failure to implement the IEP or 504 plan, then the student is returned to their educational setting with no further disciplinary action. If, however, the behavior is not found to be a manifestation or the result of a district implementation failure, then general education disciplinary proceedings may continue.

## **IX. ABA Observation requests**

HPS strives to develop and maintain good working relationships with parents and their representatives. Our core focus at Holland is maintaining high quality instruction for your child. Observations provide distraction and disruption to the natural learning environment. Special education and 504 students are also afforded specific privacy and protection rights under FERPA. For these reasons, Holland does not permit non school staff to conduct observations on school grounds. As part of our FAPE obligation, we are happy to have conversations with approved community providers for both purposes of eligibility determination and program or service provision considerations.

## **X. Homebound and Hospital Bound**

Homebound and hospitalized services provide continuity of educational services for pupils with medical conditions that prevent them from physically attending school during the school year. The pupil's inability to attend school due to a medical condition must be certified by the pupil's licensed attending physician. Homebound and hospitalized services are designed to be a self-study program that allows pupils to maintain their coursework and studies while they are unable to attend school. These services allow the classroom teacher to work through the homebound and hospitalized teacher to help distribute course materials, deliver instruction, and monitor pupil progress in the course. Each district or intermediate district shall provide appropriate instructional services, as determined by the district or intermediate district, to an enrolled pupil who is certified by the pupil's attending physician as having a medical condition that requires the pupil to be hospitalized or confined to his or her home during regular school hours and that is expected to require the hospitalization or confinement for a period longer than five school days.

The district or intermediate district may provide the services itself or may contract with an intermediate district, a hospital, a treatment center, or another district to provide the services. In choosing a provider for the instructional services, the district or intermediate

district shall consider which of those potential providers is best able to deliver the appropriate instructional services. The district or intermediate district shall pay reasonable costs as agreed upon between the district or intermediate district and the provider for services provided to a pupil under this section.

The school is responsible for the delivery of all content of the homebound and hospitalized instruction, the textbooks required for the course and related materials, as well as course assignments and grading.

The school district is required to provide a minimum of two 45-minute instructional periods per week for general education pupils; or, a minimum of two nonconsecutive 60-minute instructional periods per week for pupils with an IEP. The two one-hour sessions for a pupil with an IEP may be on the same day; however, there must be an adequate break between the two sessions.

These periods of instruction are the minimum requirements. When a district determines the amount of time for homebound and hospitalized services for a pupil with an IEP, the school district must consider a pupil's entitlement to a free appropriate public education under federal regulations implementing the Individuals with Disabilities Education Act (IDEA) at 34 CFR § 300.17.

[Homebound & Hospitalized Services](#)  
[Requesting procedures](#)

## **X. Parent Concerns/Due Process**

MARSE R 340.1724f Due process complaints; procedures. Rule 24f

Holland Public Schools strives for both individual student success and parent satisfaction when it comes to the provision of special education programs and services.

Parents/guardians are encouraged to contact either the Director of Student Services or the building level administrator first if concerns have not been addressed in a satisfactory manner at the classroom or provider level. Parents/guardians may also contact central administration at Holland Public Schools or the Intermediate School District. Mediation is an additional option for parents to consider in resolving disputes. If concerns still remain after exercising these options, parents may wish to contact the Michigan Department of Education (MDE) via the due process complaint procedure below:

(1) This rule applies only to due process complaints filed on or after July 1, 2006.



(2) Due process complaints under this rule shall be administered by the department of education.

(3) A parent, a public agency, or the department of education may initiate a hearing by filing a written due process complaint with the department of education, office of special education, and providing a copy of the complaint to the public agency or other party or parties that are the subject of the due process complaint. A due process complaint shall be all of the following:

(a) In writing.

(b) Signed by the complainant.

(c) Properly filed when the office of special education and the other party or parties that are the subject of the due process complaint have received a due process complaint that meets the requirements of these rules and 34 CFR §300.508(a) and (b)(1) to (4).

(d) Delivered to the office of special education in the following manner: (i) By mail, by facsimile, or in person. (ii) With a statement describing the facts of delivery to the party or parties that are the subject of the due process complaint in the following manner:

(A) If by mail, to whom the complaint was addressed and the date it was mailed.

(B) If by facsimile, to whom the complaint was addressed, the date and time it was sent.

(C) If in person, the date and place the complaint was delivered and to whom it was given.

(4) Due process timelines begin when the office of special education and the other party that is the subject of the due process complaint have received a due process complaint that meets the requirements of these rules and 34 CFR §300.508.

(5) A hearing may be initiated on matters related to any of the following:

(a) Identification.

(b) Evaluation.

(c) Educational Placement.

(d) Provision of a free appropriate public education.

(e) Provision of appropriate services under 34 CFR part 303 to the child or the child's family. Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 85

(f) Assignment of financial obligations for services under 34 CFR part 303 to the parents.

(g) Determination that behavior was not a manifestation of the student's disability.

(h) Determination of an appropriate interim alternative educational setting by the individualized education program team. (i) Placement in an interim alternative setting for not more than 45 school days, because maintaining the current placement is substantially likely to result in injury to the student or others.

(6) Upon receipt of a due process complaint that meets the requirements of these rules and 34 CFR §300.508(a) and (b)(1) to (4), the department of education will refer the complaint to the Michigan administrative hearing system which will appoint an administrative law judge to conduct a hearing in accordance with the individuals with disabilities education act, 20 U.S.C. §1401 et seq., 1976 PA 451, MCL 380.1701 et seq. R 340.1883 to R 340.1885 and these rules.

(7) Any party who is aggrieved by the final decision in a hearing conducted under this rule may appeal to a court of competent jurisdiction within 90 days after the mailing date of the final decision.

(8) Unless otherwise specified in the administrative law judge's decision, the decision shall be implemented by the public agency within 15 school days of the agency's receipt of the decision.

(9) When required by an administrative law judge order and decision the public agency shall submit proof of compliance to the department of education, office of special education, documenting that the public agency has implemented the provisions of the final decision.

[Due Process Complaint Form](#)

## **XI. ENSURING COMPLIANCE OF BOTH THE IDEA & MARSE**

Holland Public Schools strives to achieve the highest level of compliance in all activities. In the Student Services Department this is accomplished through both student monitoring and staff monitoring.

Student monitoring occurs through both the ISD and MDE monitoring processes. Catamaran is the online database system used to track activities/data related to IDEA & MARSE for the Michigan Department of Education Offices of Special Education and Early Childhood Development and Family Education. Catamaran is designed to support districts and service areas in meeting their obligations of the IDEA, the MARSE, and state identified priorities. Information uploaded into the Catamaran system is monitored by local special education administration, ISD special education administration, and finally MDE. Information about HPS's compliance obligations and associated corrective actions if found to be non-compliant are located at the following link:

[MDE Corrective Action Process for Non-Compliance with the IDEA & MARSE](#)

Staff members, both teaching and diagnostic, are evaluated annually through either STAGES or 5D evaluative tools. These tools review a staff member's individual compliance activities as members of the multidisciplinary team. Staff members are held accountable to our school board policies and contractual agreements in addition to MARSE.

Our hope is that we meet or even exceed your expectations for your student's education needs. Parents or guardians who are dissatisfied with program or related service provision are encouraged to contact the Director of Student Services at (616) 494-2100. Additional options are available to you if speaking with the Director does not address your concern. Please see options in the attached link:

[MDE Special Education Problem Solving Process](#)

Additional online resources regarding complaints & due process -

[State Complaint Investigation Process](#)

[Special Education Due Process Hearing Decisions](#)

[Special Education Due Process Complaint Procedures](#)

MARSE R 340.1854 Corrective action and proof of compliance. Rule 154

- (1) The public agency shall correct violations as directed by the department.
- (2) The intermediate school district shall assist the public agency in monitoring the progress of the corrective action.
- (3) The public agency shall submit proof of compliance to the department and the intermediate school district documenting that the violation is corrected within the time-line specified in the corrective action.

Holland Public Schools uses the following strategies to ensure compliance on an on-going basis:

1. Review Infinite Campus (student database information) through quarterly reports
2. Review of and timely response to any parent or guardian concerns
3. Conduct audits of identified areas noted on MDE's Catamaran dashboard
4. Professional development through continuous school improvement activities
5. Annual review of appropriate professional certification or endorsement
6. Review of and timely response to any corrective action plans indicated by MDE
7. District and building level systems for both staff and students concerns, suggestions, and complaints

8. Parent representation on the county PAC (Parent Advisory Committee)

## **XII. SUMMARY STATEMENT**

Holland Public Schools provides a variety of academic, social emotional, and behavior supports for your student. Within Student Services, we support by ensuring individualization and monitoring of progress. Our team is here to serve you and your child. Please feel free to contact us with questions or comments at (616) 494-2100.

## **Glossary of Terms**

**504 Plan** - Under Section 504, a student with a disability in the elementary and secondary education context is defined as a person who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. The determination of whether a student has a physical or mental impairment that substantially limits a major life activity (and therefore has a disability) must be made on a case by case basis. In addition, when determining if someone meets the definition of a disability, the definition must be understood to provide broad coverage of individuals. If a student is deemed eligible then a “plan” is created in conjunction with parents or guardians that outlines supports required by the student to achieve success in school.

**Accommodations** - Alterations to the classroom environment, format of the curriculum, or resources to enable a student with a disability access to content or to assist in the completion of an assignment. Accommodations do not alter the rigor of what is being taught. A traditional grading scale is typically in effect. Some examples are: a sign language interpreter, speech to text, large print, and extended time.

**American with Disabilities Act (ADA)** - became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else. The ADA gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications. The ADA is divided into five titles (or sections) that relate to different areas of public life.

**Autism Spectrum Disorder (ASD)** - Autism, or autism spectrum disorder, refers to a range of conditions characterized by challenges with social skills, repetitive behaviors, speech and nonverbal communication, as well as by unique strengths and differences.

**Categorical (teacher, classroom, program)** - Programs specifically designed for low incidence special education populations of students such as Deaf & Hard of Hearing, Autism Spectrum Disorder, and Emotional Impairment. Teachers who oversee these programs require additional training and endorsement through the state of Michigan.

**Child Find** - Is a legal requirement that Holland Public Schools locate and offer evaluation to all eligible students (birth through 26 years) who have disabilities and may require special education programs & services.

**Cognitive Impairment** - (1) Cognitive impairment shall be manifested during the developmental period and be determined through the demonstration of all of the following behavioral characteristics: (a) Development at a rate at or below approximately 2 standard deviations below the mean as determined through intellectual assessment. (b) Scores approximately within the lowest 6 percentiles on a standardized test in reading and arithmetic. This requirement will not apply if the student is not of an age, grade, or mental age appropriate for formal or standardized achievement tests. (c) Lack of development primarily in the cognitive domain. (d) Impairment of adaptive behavior. (e) Adversely affects a student's educational performance. (2) A determination of impairment shall be based upon a full and individual evaluation by a

**Consultant (Behavior & Teacher)** - A staff member who provides targeted expertise in the defined area. HPS has consultants in special education, literacy, mathematics, and behavior.

**Deaf Blindness** - (1) Deaf-blindness means concomitant hearing impairment and visual impairment, the combination of which causes severe communication and other developmental and educational needs that cannot be accommodated in special education programs without additional supports to address the unique needs specific to deaf-blindness. Deaf-blindness also means both of the following: (a) Documented hearing and visual losses that, if considered individually, may not meet the requirements for visual impairment or hearing impairment, but the combination of the losses affects educational performance. (b) Such students function as if they have both a hearing and visual loss, based upon responses to auditory and visual stimuli in the environment, or during vision and hearing evaluations. (2) A determination of the disability shall be based upon data provided by a multidisciplinary evaluation team which shall include assessment data from all of the following: (a) Medical specialists such as any of the following: Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 48 (i) An ophthalmologist. (ii) An optometrist. (iii) An audiologist. (iv) An otolaryngologist. (v) An otologist. (vi) A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq. (b) A teacher of students with visual impairment. (c) A teacher of students with hearing impairment.

**Deaf or Hard of Hearing** - (1) The term "deaf or hard of hearing" refers to students with any type or degree of hearing loss that interferes with development or adversely affects

educational performance. "Deafness" means a hearing loss that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification. The term "hard of hearing" refers to students who have permanent or fluctuating hearing loss that is less severe than the hearing loss of students who are deaf and that Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 31 generally permits the use of the auditory channel as the primary means of developing speech and language skills. (2) A determination of impairment must be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include an audiologist and an otolaryngologist or otologist.

**Early Childhood Developmental Delay** - "Early childhood developmental delay" means a child through 7 years of age whose primary delay cannot be differentiated through existing criteria within R 340.1705 to R 340.1710 or R 340.1713 to R 340.1716 and who manifests a delay in 1 or more areas of development equal to or greater than 1/2 of the expected development. This definition does not preclude identification of a child through existing criteria within R 340.1705 to R 340.1710 or R 340.1713 to R 340.1716.

(2) A determination of early childhood developmental delay shall be based upon a full and individual evaluation by a multidisciplinary evaluation team.

**Early On** - offers early intervention services for infants and toddlers, birth to three years of age, with developmental delay(s) and/or disabilities, and their families. Research has shown that by addressing delays early on - especially between birth and age 3 - we can more effectively impact a child's development, even into adulthood.

**Emergency Intervention Plan (EIP)** - An emergency intervention plan is a comprehensive document that provides an overview of the steps to be taken by school staff if your student experiences a behavioral crisis. Each plan is unique to the student and are typically covered with the parent in person at a formal meeting.

**Emotional Impairment (EI)** - (1) Emotional impairment shall be determined through manifestation of behavioral problems primarily in the affective domain, over an extended period of time, which adversely affect the student's education to the extent that the student cannot profit from learning experiences without special education support. The problems result in behaviors manifested by 1 or more of the following characteristics: (a) Inability to build or maintain satisfactory interpersonal relationships within the school environment. (b) Inappropriate types of behavior or feelings under normal circumstances. (c) General pervasive mood of unhappiness or depression. (d) Tendency to develop physical symptoms or fears associated with personal or school problems. (2) Emotional impairment also includes students who, in addition to the

characteristics specified in subrule (1) of this rule, exhibit maladaptive behaviors related to schizophrenia or similar disorders. The term "emotional impairment" does not include persons who are socially maladjusted, unless it is determined that the persons have an emotional impairment. (3) Emotional impairment does not include students whose behaviors are primarily the result of intellectual, sensory, or health factors. (4) When evaluating a student suspected of having an emotional impairment, the multidisciplinary evaluation team report shall include documentation of all of the following: (a) The student's performance in the educational setting and in other settings, such as adaptive behavior within the broader community. (b) The systematic observation of the behaviors of primary concern which interfere with educational and social needs. (c) The intervention strategies used to improve the behaviors and the length of time the strategies were utilized. (d) Relevant medical information, if any. (5) A determination of impairment shall be based on data provided by a multidisciplinary evaluation team, which shall include a full and individual evaluation by both of the following: Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 30 (a) A psychologist or psychiatrist. (b) A school social worker.

**Evaluation** - Evaluation means procedures used in accordance with §§ 300.304 through 300.311 to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs.

**Executive Functioning** - The ability to combine mental control and self-regulation. It refers to the "management" skills needed (in relation to self and resources) to successfully achieve a goal.

**FAPE** - § 300.101 Free appropriate public education (FAPE). (a) General. A free appropriate public education must be available to all children residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school, as provided for in § 300.530(d). (b) FAPE for children beginning at age 3. (1) Each State must ensure that— (i) The obligation to make FAPE available to each eligible child residing in the State begins no later than the child's third birthday; and (ii) An IEP or an IFSP is in effect for the child by that date, in accordance with § 300.323(b). (2) If a child's third birthday occurs during the summer, the child's IEP Team shall determine the date when services under the IEP or IFSP will begin. (c) Children advancing from grade to grade. (1) Each State must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade. (2) The determination that a child described in paragraph (a) of this section is eligible under this part, must be made on an



individual basis by the group responsible within the child's LEA for making eligibility determinations.

**Homebased** - Homebased services are provided for students unable to attend school due to disciplinary reasons. These services are typically provided at the central administration office building as opposed to the student's home school.

**Homebound/Hospitalized** - Homebound and hospitalized service is an individualized student program designed to help students who are unable to attend school for more than 5 days consecutively due to a medical condition. The goal is to assist the student in keeping up within their studies and progressing as far as possible given their documented medical condition. The homebound and hospitalized teacher coordinates work by bringing materials to the home, hospital, or treatment facility. This program also enables the classroom teacher(s) to maintain communication despite a medically necessary absence. For a student to qualify, they must be enrolled in public school. Parents should contact the Student Services Department when needing to request such services.

**IDEA** - Individuals with Disabilities Education Act - Is a federal law that requires public schools to serve the educational needs of eligible students with disabilities.

**IEP - Individualized Education Program** - (1) An individualized education program shall be developed in accordance with 34 CFR part 300 and shall include all of the following in writing: (a) A statement of measurable annual goals, including measurable short-term objectives. (b) A statement documenting that extended school year services were considered. (c) For children age 3 through 5, a statement of the child's socialization needs and ability to participate and progress in developmentally appropriate activities.

**Initial Evaluation** - Within 10 school days of receipt of a written request for an initial evaluation of a student suspected of having a disability, and before any formal evaluation designed to determine eligibility for special education programs and services, the public agency shall provide the parent with written notice consistent with 34 CFR § 300.503 and, when necessary shall request written consent to evaluate.

(a) Parental consent for initial evaluation. (1) (i) The public agency proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under § 300.8 must, after providing notice consistent with §§ 300.503 and 300.504, obtain informed consent, consistent with § 300.9, from the parent of the child before conducting the evaluation.

Procedures for initial evaluation. The initial evaluation— (1) (i) Must be conducted within 60 days of receiving parental consent for the evaluation; or (ii) If the State establishes a timeframe within which the evaluation must be conducted, within that timeframe; and (2) Must consist of procedures— (i) To determine if the child is a child with a disability under § 300.8; and (ii) To determine the educational needs of the child. (d) Exception. The timeframe described in paragraph (c)(1) of this section does not apply to a public agency if—(1) The parent of a child repeatedly fails or refuses to produce the child for the evaluation; or (2) A child enrolls in a school of another public agency after the relevant timeframe in paragraph (c)(1) of this section has begun, and prior to a determination by the child's previous public agency as to whether the child is a child with a disability under § 300.8. (e) The exception in paragraph (d)(2) of this section applies only if the subsequent public agency is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and subsequent public agency agree to a specific time when the evaluation will be completed.

**LRE - Least Restrictive Environment** - §300.114(a)(2) General LRE requirements (i) Each public agency shall ensure— (ii) That to the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and (2) That special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

**Manifestation Determination Review (MDR)** - IDEA's discipline procedures require that public schools hold a meeting to determine if the characteristics of a student's disability are related to the behavior involved in a school code of conduct violation. The purpose of the meeting is to decide whether or not typical disciplinary procedures are warranted.

**MARSE - Michigan Administrative Rules for Special Education** - All public agencies in the state, as those agencies are defined at 34 C.F.R. §300.33 of the regulations implementing the individuals with disabilities education act, 20 U.S.C. chapter 33, §1400 et seq., shall comply with these rules; all provisions of the state's application for federal funds under part B and part C of the individuals with disabilities education act, 20 U.S.C. chapter 33, §1400 et seq.; the requirements of part B and part C of the individuals with disabilities education act; and the regulations implementing the individuals with disabilities education act, 34 C.F.R. part 300 and 34 C.F.R. part 303, which are adopted by reference in these rules. Copies are available, at cost, from the Government Printing

Office, 732 North Capitol Street, NW, Washington, DC 20401-0001 or from the Center for Educational Networking, 6412 Centurion Drive, Suite 130, Lansing, MI 48917 or toll free at (888) 463-7656.

**Modifications** - Describes a change in the curriculum. Modifications occur when students are unable to comprehend the content being instructed without significant alterations. For example, a student with a cognitive impairment may not successfully comprehend biology without changes to content vocabulary and conceptual scaffolding.

**Multi Tiered System of Support** - “Provides high quality instruction and interventions matched to student need, monitoring progress frequently to make decisions about changes in instruction or goals, and applying child response data to important educational decisions” (Batsche et al., 2005).

**OAISD - Ottawa Area Intermediate School District** - An Intermediate School District is a government agency usually organized at the county or multi-county level that assists local school districts in providing programs and services. Additionally, they collect data for the state department of education. The Ottawa Area ISD, serving Ottawa county, is located at 13565 Port Sheldon St., Holland, MI 49424.

**Occupational Therapist** - Occupational therapy is the only profession that helps people across the lifespan to do the things they want and need to do through the therapeutic use of daily activities (occupations). Occupational therapy practitioners enable people of all ages to live life to its fullest by helping them promote health, and prevent—or live better with—injury, illness, or disability. Common occupational therapy interventions include helping children with disabilities to participate fully in school and social situations.

**Other Health Impairment (OHI)** - (1) "Other health impairment" means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, which results in limited alertness with respect to the educational environment and to which both of the following provisions apply: (a) Is due to chronic or acute health problems such as any of the following: (i) Asthma. (ii) Attention deficit disorder. (iii) Attention deficit hyperactivity disorder. (iv) Diabetes. (v) Epilepsy. (vi) A heart condition. (vii) Hemophilia. (viii) Lead poisoning. (ix) Leukemia. (x) Nephritis. (xi) Rheumatic fever. (xii) Sickle cell anemia. (b) The impairment adversely affects a student's educational performance. (2) A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include 1 of the following persons: Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 34 (a) An orthopedic surgeon. (b) An internist. (c) A neurologist. (d)

A pediatrician. (e) A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.

**Parent Advisory Committee (PAC)** - (1) A parent advisory committee shall be appointed by each intermediate school district board. (a) The parent advisory committee and its officers shall consist only of parents of students with disabilities with at least 1 parent from each constituent local school district and public school academy unless no parent agrees to serve on the parent advisory committee to represent the constituent local school district or public school academy. Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 152 (b) Each constituent local school district board of education and each public school academy board of directors shall nominate at least 1 parent. (c) The intermediate school district board of education may nominate additional members not to exceed 33 1/3% of the total parent advisory committee membership. (2) The intermediate school district board of education shall make every attempt to assure that all types of impairments and all identifiable organizations of parents of students with disabilities within the intermediate school district are represented on the parent advisory committee. (3) The intermediate school district board of education may recommend operational procedures for parent advisory committee review and adoption. (4) The intermediate school district shall secure or allocate fiscal and staff resources to the parent advisory committee to make it efficient and effective in operation. (5) The parent advisory committee is responsible for determining and documenting, in writing, the organizational structure of the committee, including all of the following: (a) Officers and their responsibilities. (b) Meeting times. (c) Notice of meeting times. (d) Voting procedures. (e) Terms of office. (f) Related matters. (6) The parent advisory committee shall participate in the development of the intermediate school district's plan or any modification of the plan for the delivery of special education programs and services as required by R 340.1833. (7) The parent advisory committee may provide advisory input on any matters that the committee deems appropriate to the improvement of special education services within the intermediate school district.

**Physical Impairment** - (1) "Physical impairment" means severe orthopedic impairment that adversely affects a student's educational performance. (2) A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include assessment data from 1 of the following persons: (a) An orthopedic surgeon. (b) An internist. (c) A neurologist. (d) A pediatrician. (e) A family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.

**Physical Therapist** - Physical therapists (PTs) are highly-educated, licensed health care professionals who can help patients reduce pain and improve or restore mobility - in many cases without expensive surgery and often reducing the need for long-term use of prescription medications and their side effects.

Physical therapists can teach patients how to prevent or manage their condition so that they will achieve long-term health benefits. PTs examine each individual and develop a plan, using treatment techniques to promote the ability to move, reduce pain, restore function, and prevent disability. In addition, PTs work with individuals to prevent the loss of mobility before it occurs by developing fitness- and wellness-oriented programs for healthier and more active lifestyles.

**REED** - Review of Existing Evaluation Data (REED) and Evaluation Plan is a document that outlines both academic and home based history for a student being considered for evaluation. The document serves as a template during the planning meeting between staff and parent in regards to the background of the current need as well as the plan moving forward for the evaluation itself.

**Positive Behavior Intervention & Supports** - Implementation framework for maximizing the selection and use of evidence-based prevention and intervention practices along a multi-tiered continuum that supports the academic, social, emotional, and behavioral competence of all students.

**Procedural Safeguards** - The rights and protections available under Individuals with Disabilities Education Act 2004 (IDEA). Procedural safeguards are the RIGHTS that persons have that protect them in their interactions with federal, state, and local governments.

**Re-evaluation** - Michigan special education rules require that students are evaluated every 3 years after their initial eligibility determination. School officials will notify parents when eligible students are due for re-determination of eligibility.

**Resource Teacher** - Special Education teacher who primarily focuses on specially designed instruction in the area of academic learning.

**Restraint** - "Emergency physical restraint" is defined in MCL 380.1307h(d) as "a last resort emergency safety intervention involving physical restraint that is necessitated by an ongoing emergency situation and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others."

**School Psychologist** - "Psychologist" means an approved Michigan school psychologist who is certified by the department or who is a fully licensed psychologist.

**School Social Worker** - "School social worker" means a school social worker who is approved by the department.

**Emergency Seclusion** - 1. "Seclusion" means the confinement of a pupil in a room or other space from which the pupil is physically prevented from leaving. Seclusion does not include the general confinement of pupils if that confinement is an integral part of an emergency lockdown drill required under section 19(5) of the fire Michigan Department of Education Page 9 prevention code, 1941 PA 207, MCL 29.19, or of another emergency security procedure that is necessary to protect the safety of pupils.1. "Emergency seclusion" is defined in MCL 380.1307h(e) as "a last resort emergency safety intervention involving seclusion that is necessitated by an ongoing emergency situation and that provides an opportunity for the pupil to regain self-control while maintaining the safety of the pupil and others." 2. "To qualify as emergency seclusion, there must be continuous observation by school personnel of the pupil in seclusion, and the room or area used for confinement must comply with state and local fire and building codes; must not be locked; must not prevent the pupil from exiting the area if school personnel become incapacitated or leave that area; and must provide for adequate space, lighting, ventilation, viewing, and the safety and dignity of the pupil and others, in accordance with department guidelines."

**Severe Multiple Impairment** - (1) Students with severe multiple impairments shall be determined through the manifestation of either of the following: (a) Development at a rate of 2 to 3 standard deviations below the mean and 2 or more of the following conditions: Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 43 (i) A hearing impairment so severe that the auditory channel is not the primary means of developing speech and language skills. (ii) A visual impairment so severe that the visual channel is not sufficient to guide independent mobility. (iii) A physical impairment so severe that activities of daily living cannot be achieved without assistance. (iv) A health impairment so severe that the student is medically at risk. (b) Development at a rate of 3 or more standard deviations below the mean or students for whom evaluation instruments do not provide a valid measure of cognitive ability and 1 or more of the following conditions: (i) A hearing impairment so severe that the auditory channel is not the primary means of developing speech and language skills. (ii) A visual impairment so severe that the visual channel is not sufficient to guide independent mobility. (iii) A physical impairment so severe that activities of daily living cannot be achieved without assistance. (iv) A health impairment so severe that the student is medically at risk. (2) A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include a psychologist and, depending upon the disabilities in the physical domain, the

multidisciplinary evaluation team participants required in R 340.1707, R 340.1708, or R 340.1709, R 340.1709a, or R 340.1716.

**Special Education** - means specially designed instruction, at no cost to the parents, to meet the unique educational needs of the student with a disability and to develop the student's maximum potential. Special education includes instructional services defined in R 340.1701b(a) and related services.

**Special Education Advisory Committee (SEAC)** - (1) A parent advisory committee shall be appointed by each intermediate school district board. (a) The parent advisory committee and its officers shall consist only of parents of students with disabilities with at least 1 parent from each constituent local school district and public school academy unless no parent agrees to serve on the parent advisory committee to represent the constituent local school district or public school academy. Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 152 (b) Each constituent local school district board of education and each public school academy board of directors shall nominate at least 1 parent. (c) The intermediate school district board of education may nominate additional members not to exceed 33 1/3% of the total parent advisory committee membership. (2) The intermediate school district board of education shall make every attempt to assure that all types of impairments and all identifiable organizations of parents of students with disabilities within the intermediate school district are represented on the parent advisory committee. (3) The intermediate school district board of education may recommend operational procedures for parent advisory committee review and adoption. (4) The intermediate school district shall secure or allocate fiscal and staff resources to the parent advisory committee to make it efficient and effective in operation. (5) The parent advisory committee is responsible for determining and documenting, in writing, the organizational structure of the committee, including all of the following: (a) Officers and their responsibilities. (b) Meeting times. (c) Notice of meeting times. (d) Voting procedures. (e) Terms of office. (f) Related matters. (6) The parent advisory committee shall participate in the development of the intermediate school district's plan or any modification of the plan for the delivery of special education programs and services as required by R 340.1833. (7) The parent advisory committee may provide advisory input on any matters that the committee deems appropriate to the improvement of special education services within the intermediate school district.

**Specific Learning Disability** - (a) "Specific learning disability" means a disorder in 1 or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions

such as perceptual disabilities, brain injury, minimal Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 37 brain dysfunction, dyslexia, and developmental aphasia. Specific learning disability does not include learning problems that are primarily the result of visual, hearing, or motor disabilities, of cognitive impairment, of emotional impairment, of autism spectrum disorder, or of environmental, cultural, or economic disadvantage. (b) In determining whether a student has a learning disability, the state shall: (a) Not require the use of a severe discrepancy between intellectual ability and achievement. (b) Permit the use of a process based on the child's response to scientific, research-based intervention. (c) Permit the use of other alternative research-based procedures. (3) A determination of learning disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include at least both of the following: (a) The student's general education teacher or, if the student does not have a general education teacher, a general education teacher qualified to teach a student of his or her age or, for a child of less than school age, an individual qualified by the state educational agency to teach a child of his or her age. (b) At least 1 person qualified to conduct individual diagnostic examinations of children and who can interpret the instructional implications of evaluation results, such as a school psychologist, an authorized provider of speech and language under R 340.1745(d), or a teacher consultant.

**Speech & Language Impairment (SLI)** - (1) A "speech and language impairment" means a communication disorder that adversely affects educational performance, such as a language impairment, articulation impairment, fluency impairment, or voice impairment. (2) A communication disorder shall be determined through the manifestation of 1 or more of the following speech and language impairments that adversely affects educational performance: (a) A language impairment which interferes with the student's ability to understand and use language effectively and which includes 1 or more of the following: (i) Phonology. Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 35 (ii) Morphology. (iii) Syntax. (iv) Semantics. (v) Pragmatics. (b) Articulation impairment, including omissions, substitutions, or distortions of sound, persisting beyond the age at which maturation alone might be expected to correct the deviation. (c) Fluency impairment, including an abnormal rate of speaking, speech interruptions, and repetition of sounds, words, phrases, or sentences, that interferes with effective communication. (d) Voice impairment, including inappropriate pitch, loudness, or voice quality. (3) Any impairment under subrule (2)(a) of this rule shall be evidenced by both of the following: (a) A spontaneous language sample demonstrating inadequate language functioning. (b) Test results on not less than 2 standardized assessment instruments or 2 subtests designed to determine language functioning which indicate inappropriate language functioning for the student's age. (4) A student who has a communication disorder, but whose primary



disability is other than speech and language may be eligible for speech and language services under R 340.1745(a). (5) A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include a teacher of students with speech and language impairment under R 340.1796 or a speech and language pathologist qualified under R 340.1792.

**Speech & Language Pathologist** - MARSE does not specifically define this term, but at Holland Public Schools an SLP is an individual who is specially trained in assisting with communication or swallowing disorders. ASHA certification is required.

**Student Collaboration Team (SCT)** - SCT is the Child Study Team process used to support struggling students within the general education continuum. Students are presented by either staff or parents for review and discussion. It often serves as the first step when reviewing a student's academic, behavioral, or social emotional needs.

**Transition** - [Transition Planning Handbook](#)

High School students are provided with a special section within the IEP document to address transition planning. Transition refers to the skill sets needed to move from the educational setting into life and career readiness.

**Traumatic Brain Injury** - (1) "Traumatic brain injury" means an acquired injury to the brain which is caused by an external physical force and which results in total or partial functional disability or psychosocial impairment, or both, that adversely affects a student's educational performance. The term applies to open or closed head injuries resulting in impairment in 1 or more of the following areas: (a) Cognition. (b) Language. (c) Memory (d) Attention. (e) Reasoning. (f) Behavior. (g) Physical functions. (h) Information processing. (i) Speech. (2) The term does not apply to brain injuries that are congenital or degenerative or to brain injuries induced by birth trauma. (3) A determination of disability shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include an assessment from a family physician or any other approved physician as defined in 1978 PA 368, MCL 333.1101 et seq.

**Visual Impairment** - (1) A visual impairment shall be determined through the manifestation of both of the following: (a) A visual impairment which, even with correction, interferes with development or which adversely affects educational performance. Visual impairment includes both partial sight and blindness. (b) One or more of the following: (i) A central visual acuity for near or far point vision of 20/70 or less in the better eye after routine refractive correction. (ii) A peripheral field of vision restricted to not more than 20 degrees. (iii) A diagnosed progressively deteriorating eye

condition. (2) A determination of impairment shall be based upon a full and individual evaluation by a multidisciplinary evaluation team, which shall include an ophthalmologist or optometrist. Michigan Administrative Rules for Special Education With Related IDEA Federal Regulations 32 (3) If a student cannot be tested accurately for acuity, then functional visual assessments conducted by a teacher certified in visual impairment may be used in addition to the medical evaluation for determination of impairment. (4) For students with visual impairment who have a visual acuity of 20/200 or less after routine refractive correction, or who have a peripheral field of vision restricted to not more than 20 degrees, an evaluation by an orientation and mobility specialist shall be conducted. The orientation and mobility specialist shall also include in the report a set of recommended procedures to be used by a mobility specialist or a teacher of students with visual impairment in conducting orientation and mobility training activities.

Sources:

[www.hollandpublicschools.org](http://www.hollandpublicschools.org)

[www.michiganallianceforfamilies.org](http://www.michiganallianceforfamilies.org)

[www.michigan.gov](http://www.michigan.gov)

[www.oaisd.org](http://www.oaisd.org)

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