

MARSE R 340.1832 Content areas. Rule 132.

Michigan Administrative Rules for Special Education (MARSE) With Related IDEA Federal Regulations
Pages 140-144

https://www.michigan.gov/documents/mde/MARSE_Supplemented_with_IDEA_Regs_379598_7.pdf

An intermediate school district plan for special education, or any modification thereof, shall be an operational plan that sets forth the special education programs and related services to be delivered. The plan shall comply with 1976 PA 451, MCL 380.1 et seq. and these rules. The plan shall also comply with the following format and include, at a minimum, all of the following:

(a) A description of the procedures used by the intermediate school district to advise and inform students with disabilities, their parents, and other members of the community of the special education opportunities required under the law; the obligations of the local school districts, public school academies, and intermediate school district; and the title, address, and telephone number of representatives of those agencies who can provide information about the special education opportunities.

(b) A description of activities and outreach methods which are used to ensure that all citizens are aware of the availability of special education programs and services.

(c) A description of the type of diagnostic and related services that are available, either directly or as a purchased service, within the intermediate school district or its constituent local school districts or public school academies.

(d) A description of the special education programs designed to meet the educational needs of students with disabilities.

(e) The intermediate school district plan shall either describe special education programs and services under part 3 of these rules or shall propose alternative special education programs and services.

(f) Provide an assurance statement that any personally identifiable data, information, and records of students with disabilities are collected, used, or maintained in compliance with 34 C.F.R. §§300.610 through 300.626.

(g) The identity of the full- or part-time constituent local school district or public school academy administrator who, by position, is responsible for the implementation of special education programs and services.

(h) A description of the qualifications of paraprofessional personnel.

(i) A description of the transportation necessary to provide the special education programs and services described in subdivisions (c), (d), and (e) of this subrule.

(j) A description of the method of distribution of funds under R 340.1811(5).

(k) A description of how the intermediate school district will appoint the parent advisory committee members under R 340.1838(1) and (2).

(l) A description of the role and responsibilities of the parent advisory committee, including how it shall participate in the cooperative development of the intermediate school district plan, formulate objections thereto, if any, and other related matters.

(m) A description of the role and relationship of administrative and other school personnel, as well as representatives of other agencies, in assisting the parent advisory committee in its responsibilities.

(n) A description of the fiscal and staff resources that shall be secured or allocated to the parent advisory committee by the intermediate school district to make it efficient and effective in operation.

(o) The plan shall be approved by the superintendent of public instruction before implementation under R 340.1831(1). The plan is developed and approved under R 340.1833 and R 340.1835 to R 340.1837.

Related IDEA Federal Regulations

No related IDEA regulations.

MARSE R 340.1833 Cooperative development and review. Rule 133.

(1) Intermediate school district plans, or any modification thereof, shall be developed in cooperation with constituent local school districts, public school academies, and the parent advisory committee.

Related IDEA Federal Regulations

No related IDEA regulations.

MARSE R 340.1835 Plan signatures. Rule 135.

Each intermediate school district plan, or modification thereof, shall be signed by all of the following:

(a) The intermediate school district superintendent, signifying approval by the intermediate school district board.

(b) The superintendent of each constituent local school district, the chief executive officer of each public school academy, and the chairperson of the parent advisory committee, signifying their involvement in the development of the intermediate school district plan.

Related IDEA Federal Regulations

No related IDEA regulations.

MARSE R 340.1836 Objections to plan; procedures. Rule 136.

(1) Any constituent local school district, a public school academy, or the parent advisory committee may file objections in whole or in part with the intermediate school district to an approved intermediate school district plan or a plan modification that the intermediate school district has submitted to the superintendent of public instruction for approval. Within 7 calendar days, the board of education of the intermediate school district shall send a copy of objections to the plan to the department and to all constituent local school districts, public school academies, and the parent advisory committee by certified mail, return receipt requested. Objections must specify the challenged portions of the intermediate school district plan, contain a specific statement of the reasons for objection, and propose alternative provisions.

(2) The department shall refer objections to the Michigan office of administrative hearings and rules, which shall assign an administrative law judge who shall promptly give reasonable notice of a hearing. The hearing must begin not later than 30 calendar days after the department receives the objections. The administrative law judge shall conduct the hearing according to procedures established by the department. After the appointment of the administrative law judge, the objecting party may withdraw the objections if the intermediate school district agrees.

(3) The intermediate school district, a constituent local school district, a public school academy, or the parent advisory committee may file with the department a response to objections before the hearing.

(4) Within 30 calendar days after the closing of the hearing, the administrative law judge shall submit to the department findings of fact and conclusions of law and shall recommend to the superintendent of public instruction whether the superintendent of public instruction should approve the intermediate school district plan or modification to the plan as submitted, approve the intermediate school district plan or modification to the plan with other modifications deemed appropriate by the administrative law judge, or grant the objections as submitted. The department shall immediately mail the findings and recommendations to all parties to the

intermediate school district plan. Any party may file written exceptions to the findings and recommendations with the superintendent of public instruction within 20 calendar days of receipt of the findings and recommendations and shall provide copies of the exceptions to all other parties. After review of the intermediate school district plan; the objections; the findings of fact, the conclusions of law, and the recommendations of the administrative law judge; and any exceptions, the superintendent of public instruction shall issue a final decision not more than 30 calendar days from the date the exceptions were due.

Related IDEA Federal Regulations

No related IDEA regulations.

MARSE R 340.1837 Approval of intermediate school district plans. Rule 137.

- (1) Intermediate school district plans, or modification thereof, or any changes to the intermediate school district plan based on an objection to the plan, shall be approved by the superintendent of public instruction under R 340.1836. The intermediate school district plans or modifications shall be in compliance with all of the following: (a) The provisions of sections 1701 to 1766 of 1976 PA 451, MCL 380.1701 to 380.1766.
 - (b) Michigan rules promulgated to implement statutory provisions for special education programs and services.
 - (c) The individuals with disabilities education act, 20 U.S.C. §1400 et seq., and its implementing regulations, 34 C.F.R. §300.1 et seq., adopted by reference in R 340.1701.
- (2) The intermediate school district superintendent, or superintendent's designee, shall advise each constituent local school district superintendent, each chief executive officer of a public school academy, and the chairperson of the parent advisory committee as to whether the intermediate school district plan was approved by the superintendent of public instruction.

Related IDEA Federal Regulations

No related IDEA regulations.