

**Zumbro Education District
Total Special Education System (TSES)
Hayfield Public Schools**

This document serves as the Total Special Education System Plan for Zumbro Education District (ZED) in accordance with Minnesota Rule 3525.1100. This plan also includes an assurance for compliance with the federal requirements pertaining to districts' special education responsibilities found in United States Code, title 20, chapter 33, sections 1400 et seq., and Code of Federal Regulations, title 34, part 300. This document is a companion to the Application for Special Education Funds – Statement of Assurances (ED-01350-29). The Zumbro Education District Special Education Director is responsible for the over-all program development, coordination, and evaluation; in-service training; and general special education supervision and administration. Carol Anhalt may be reached at 801 Frontage Road NW, Byron, MN 55920, 507-775-2037. Each member district has a special education coordinator who facilitates these responsibilities at the local level. Carol Anhalt can be reached at the district office: 507-775-2108.

I. Child Study Procedures

The district's identification system is developed according to the requirement of nondiscrimination as ZED does not discriminate in education on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, or disability.

A. Identification

ZED has developed systems designed to identify pupils with disabilities beginning at birth, pupils with disabilities attending public and nonpublic schools, and pupils with disabilities who are of school age and are not attending any school.

Infant and toddler intervention services under United States Code, title 20, chapter 33, section 1431 et seq., and Code of Federal Regulations, title 34, part 303, are available in ZED districts to children from birth through two years of age who meet the outlined criteria.

The team determines that a child from birth through the age of two years is eligible for infant and toddler intervention services if:

- A. the child meets the criteria of one of the disability categories in United States Code, title 20, chapter 33, sections 1400, et. seq., as defined in Minnesota Rules; or
- B. the child meets one of the criteria for developmental delay in subitem (1) or the criteria in subitem (2);
 - (1) the child has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay regardless of whether the child has a demonstrated need or delay; or
 - (2) the child is experiencing a developmental delay that is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate diagnostic measures and procedures, in one or more of the following areas:
 - (a) cognitive development;
 - (b) physical development, including vision and hearing;
 - (c) communication development;

- (d) social or emotional development; and
- (e) adaptive development.

The team shall determine that a child from the age of three years through the age of six years is eligible for special education when:

- A. the child meets the criteria of one of the categorical disabilities in United States Code, title 20, chapter 33, sections 1400 et seq., as defined in Minnesota Rules; or
- B. the child meets one of the criteria for developmental delay in subitem (1) and the criteria in subitem (2). ZED has not elected the option of implementing these criteria for developmental delay. Our member districts have elected these criteria for developmental delay. The transition of ECSE services occur at or shortly after age 3 from ZED to services provided by the district.

(1) The child:

- (a) *has a diagnosed physical or mental condition or disorder that has a high probability or resulting in developmental delay; or*
- (b) *has a delay in each of two or more of the areas of cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development, that is verified by an evaluation using one or more technically adequate, norm-referenced instruments. The instruments must be individually administered by appropriately trained professionals and the scores must be at least 1.5 standard deviations below the mean in each area.*

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

- (a) *at least one documented, systematic observation in the child's routine setting by an appropriate professional or, if observation in the daily routine setting is not possible, the alternative setting must be justified;*
- (b) *a developmental history; and*
- (c) *at least one other evaluation procedure in each area of identified delay that is conducted on a different day than the medical or norm-referenced evaluation; which may include criterion references instruments, language samples, or curriculum-based measures.*

ZED member districts plan for identifying a child with a specific learning disability is consistent with Minnesota Rule 3525.1341. The district implements its interventions consistent with that plan. The plan details the specific scientific, research-based intervention (SRBI) approach, including timelines for progression through the model; any SRBI that is used, by content area; the parent notification and consent policies for participation in SRBI; procedures for ensuring fidelity of implementation; and a district staff training plan. ZED's plan for identifying a child with a specific learning disability is attached as *Appendix A*.

B. Evaluation

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

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

The team shall conduct an evaluation for special education purposes within a reasonable time not to exceed 30 school days from the date the district receives parental permission to conduct the evaluation or the expiration of the 14-calendar day parental response time in cases other than initial evaluation, unless a conciliation conference or hearing is requested.

ZED conducts full and individual initial evaluation before the initial provision of special education and related services to a pupil. The initial evaluation shall consist of procedures to determine whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability shall obtain an informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation shall not be construed as consent for placement for receipt of special education and related services. The District will not override the written refusal of a parent to consent to an initial evaluation or re-evaluation.

Evaluation Procedures

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

- A. ZED districts shall provide notice to the parents of the pupil, according to Code of Federal Regulations, title 34, sections 300.500 to 300.505, that describes any evaluation procedures the district proposes to conduct.
- B. In conducting the evaluation, ZED districts shall:
 - (1) use a variety of evaluation tools and strategies to gather relevant functional and developmental information, including information provided by the parent, that are designed to assist in determining whether the child is a pupil with a disability and the content of the pupil's individualized education program, including information related to enabling the pupil to be involved in and profess in the general curriculum, or for preschool pupils, to participate in appropriate activities;
 - (2) not use any single procedure as the sole criterion for determining whether a child is a pupil with a disability or determining an appropriate education program for the pupil; and
 - (3) use technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- C. ZED ensures that:
 - (1) tests and other evaluation materials used to evaluate a child under this part are selected and administered so as not be discriminatory on a racial or cultural basis, and are provided and

administered in the pupil's native language or other mode of communication, unless it is clearly not feasible to do so;

- (2) materials and procedures used to evaluate a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education and related services, rather than measure the child's English language skills;
- (3) any standardized tests that are given to the child have been validated for the specific purpose for which they are used, are administered by trained and knowledgeable personnel, and are administered in accordance with any instructions provided by the producer of such tests;
- (4) the child is evaluated in all areas of suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;
- (5) evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided;
- (6) if an evaluation is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the evaluation report;
- (7) tests and other evaluation materials include those tailored to evaluate specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient;
- (8) tests are selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills, unless those skills are the factors that the test purports to measure; and
- (9) in evaluating each pupil with a disability, the evaluation is sufficiently comprehensive to identify all of the pupil's special education and related service needs, whether or not commonly linked to the disability category in which the pupil has been classified.

D. Upon completion of administration of tests and other evaluation materials, the determination of whether the child is a pupil with a disability as defined in Minnesota Statutes, section 125A.02, shall be made by a team of qualified professionals and the parent of the pupil in accordance with item E, and a copy of the evaluation report and the documentation of determination of eligibility will be given to the parent.

E. In making a determination of eligibility under item D, a child shall not be determined to be a pupil with a disability if the determinant factor for such determination is lack of instruction in reading or math or limited English proficiency, and the child does not otherwise meet eligibility criteria under parts 3525.1325 to 3525.1351.

Additional requirements for evaluations and reevaluations

A. As part of an initial evaluation, if appropriate, and as part of any reevaluation under this part, or a reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:

- (1) review existing evaluation data on the pupil, including evaluations and information provided by the parents of the pupil, current classroom-based assessments and observations, and teacher and related services providers observation; and

- (2) on the basis of the review, and input from the pupil's parents, identify what additional data, if any, are needed to determine whether the pupil has a particular category of disability, as described in Minnesota Statutes, section 125A.02, or, in case of a reevaluation of a pupil, whether the pupil continues to have such a disability, the present levels of performance and educational needs of the pupil, whether the pupil needs special education and related services, or in the case of a reevaluation of a pupil, whether the pupil continues to need special education and related services, and whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the individualized education program of the pupil and to participate, as appropriate, in the general curriculum.
- B. The district shall administer such tests and other evaluation materials as may be needed to produce the data identified by the IEP team under item A, subitem (2).
- C. Each district shall obtain informed parental consent, in accordance with subpart 1, prior to conducting any reevaluation of a pupil, except that such informed parental consent need not be obtained if the district can demonstrate that it had taken reasonable measures to obtain such consent and the pupil's parent has failed to respond.
- D. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the pupil continues to be a pupil with a disability, the district shall notify the pupil's parents of that determination and the reasons for it, and the right of such parents to request an evaluation to determine whether the pupil continues to be a pupil with a disability, and shall not be required to conduct such an evaluation unless requested to by the pupil's parents.
- E. A district shall evaluate a pupil in accordance with this part before determining that the pupil is no longer a pupil with a disability.

When restrictive procedures are used on two separate days within 30 days or when a pattern emerges and restrictive procedures are not included in a child's individualized education program or behavior intervention plan, the district must hold a meeting of the individualized education program team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the individualized education program or behavior intervention plan as appropriate. At the meeting, the team must review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the individualized education program or behavior intervention plan. Restrictive Procedures Plan as *Appendix B*.

Procedures for determining eligibility and placement

- A. In interpreting the evaluation data for the purpose of determining if a child is a pupil with a disability under parts 3525.1325 to 3525.1351 and the educational needs of the child, the school district shall:
- (1) draw upon information from a variety of sources, including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
 - (2) ensure that the information obtained from all of the sources is documented and carefully considered.
- B. If a determination is made that a child is a pupil with a disability who needs special education and related services, an IEP must be developed for the pupil according to part 3525.2810.

Evaluation report

An evaluation report must be completed and delivered to the pupil's parents within the specified evaluation timeline. At a minimum, the evaluation report must include:

- A. a summary of all evaluation results;
- B. documentation of whether the pupil has a particular category of disability or, in the case of a reevaluation, whether the pupil continues to have such a disability;
- C. the pupil's present levels of performance and educational needs that derive from the disability;
- D. whether the child needs special education and related services or, in the case of a reevaluation, whether the pupil continues to need special education and related services; and
- E. whether any additions or modifications to the special education and related services are needed to enable the pupil to meet the measurable annual goals set out in the pupil's IEP and to participate, as appropriate, in the general curriculum.

C. Plan for Receiving Referrals

ZED's plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies is attached as *Appendix C*.

II. Method of Providing the Special Education Services for the Identified Pupils

ZED and its member districts provide a full range of educational service alternatives. All students with disabilities are provided the special instruction and services which are appropriate to their needs. The following is representative of the district's method of providing the special education services for the identified pupils, sites available at which service may occur, and instruction and related services are available.

Appropriate program alternatives to meet the special education needs, goals, and objectives of a pupil are determined on an individual basis. Choice of specific program alternatives are based on the pupil's current levels of performance, pupil special education needs, goals, and objectives, and must be written in the IEP. Program alternatives are comprised of the type of services provided, the setting in which services occur, and the amount of time and frequency in which special education services occur. A pupil may receive special education services in more than one alternative based on the IEP or IFSP.

A. Method of providing the special education services for the identified pupils:

- (1) Co Teaching
- (2) Setting I and II Resource Room
- (3) Setting III Self Contained Room
- (4) Setting IV- EBD, ASD, LD, DCD provided by ZED
- (5) Secondary 18-21 Transition Program provided by ZED
- (6) Birth-3 in home services provided by ZED
- (7) Inclusive and Integrated Pre-School
- (8) Early Childhood Family Education

B. Alternative sites available at which services may occur:

- (1) Zumbro Education District
Area Learning Center
630 1st Ave NW, Byron, MN 55920
- (2) Root River Day Treatment Program
Box 544
Harmony, MN 55939
- (3) Actions – Owatonna Public Schools
134 Vine St East
Owatonna, MN 55060
- (4) Minnesota State Academy for the Blind
400 SE 6th Ave, Faribault, MN 55021
- (5) Minnesota State Academy for the Deaf
615 Olaf Hanson Drive, Faribault, MN 55021
- (6) Prairie Menonite School
72966 140th Avenue, Blooming Prairie, MN 55917
- (7) Rochester Montessori
5099 7th Street NW, Rochester, MN 55901
- (8) Haven School
67374 310th Street, Dexter, MN 55926
- (9) Our Savior Preschool
411 Main St, Brownsdale, MN 55918
- (10) Country Corner Preschool
118 Ave NW, Ste 108, Hayfield, MN 55940
- (11) Maranatha Adventist School
700 10th Avenue NW, Dodge Center, MN 55927
- (12) Grace Lutheran Christian School
404 Central Avenue North, Dodge Center, MN 55927

C. Available instruction and related services:

- (1) Physical Therapy
- (2) Occupational Therapy
- (3) Speech- Language Services
- (4) ASD Consultation
- (5) Assistive Technology Consultation

- (6) Orientation and Mobility Consultation
- (7) Psychological Services
- (8) School Social Workers
- (9) School nurses
- (10) Audiology Services
- (11) Disability specific programming
 - a. 18-21 Transition Programming

III. Administration and Management Plan.

ZED districts utilize the following administration and management plan to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

- A. The following table illustrates the organization of administration and management to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils:

Staff Name and Title	Contact Information (phone/email/ mailing address/office location)	Brief Description of Staff Responsibilities relating to child study procedures and method of providing special education services
Carol Anhalt- Special Education Director Zumbro Education District	507-775-2037 canhalt@zumbroed.org 801 Frontage Rd NW Byron MN 55920	Over site of administering special education procedures for all member districts.
Lynna Reese, Special Education Coordinator, Blooming Prairie Public Schools	507-583-4426 lreese@blossoms.k12.mn.us 1887 2 nd Ave NW Blooming Prairie, MN High School	Over site of special education services in their local district. Report back to Carol Anhalt.
Janeen Eddie, Special Education Coordinator, Byron Public Schools	507-775-2301 janeen.eddie@byron.k12.mn.us 202 4 th Ave NW Byron, MN 55920 High School	Over site of special education services in their local district. Report back to Carol Anhalt.
Dianna Orr, Special Education Coordinator, Hayfield Public Schools	507- 567-2244 orrdi@hayfield.k12.mn.us 9 Sixth Ave SE Hayfield, MN 55940 High School	Over site of special education services in their local district. Report back to Carol Anhalt.
Darcy Reker, Special Education Coordinator, Kasson Mantorville Public Schools.	507- 634-2961 d.reker@komets.k12.mn.us 101 16 th ST NE Kasson, MN 55944 High School	Over site of special education services in their local district. Report back to Carol Anhalt.
Patrick Gordon,	507- 356-8581	Over site of special education services in

Staff Name and Title	Contact Information (phone/email/ mailing address/office location)	Brief Description of Staff Responsibilities relating to child study procedures and method of providing special education services
Special Education Coordinator, Pine Island Public Schools	Pgordon@pineisland.k12.mn.us 223 1 st Ave SE Pine Island, MN 55963 High School	their local district. Report back to Carol Anhalt.
Janet Hartman, Special Education Coordinator, Stewartville Public Schools	507-533-1630 jhartman@ssd.k12.mn.us 400 6 th Ave SW Stewartville, MN 55976 High School	Over site of special education services in their local district. Report back to Carol Anhalt.
Linda Clapham, Special Education Coordinator, Triton Public Schools	507- 374-2447 lclapham@triton.k12.mn.us 813 W Highway Street Dodge Center, MN 55927 High School	Over site of special education services in their local district. Report back to Carol Anhalt.

- B. Due Process assurances available to parents: ZED has appropriate and proper due process procedures in place to assure effective and efficient results of child study procedures and method of providing special education services for the identified pupils, including alternative dispute resolution and due process hearings. *A description of these processes are as follows:*
- (1) Prior written notice to a) inform the parent that except for the initial placement of a child in special education, the school district will proceed with its proposal for the child's placement or for providing special education services unless the child's parent notifies the district of an objection within 14 days of when the district sends the prior written notice to the parent; and b) state that a parent who objects to a proposal or refusal in the prior written notice may request a conciliation conference or another alternative dispute resolution procedure.
 - (2) ZED districts will not proceed with the initial evaluation of a child, the initial placement of a child in a special education program, or the initial provision of special education services for a child without the prior written consent of the child's parent. A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.
 - (3) A parent, after consulting with health care, education, or other professional providers, may agree or disagree to provide the parent's child with sympathomimetic medications unless medical, dental, mental and other health services are necessary, in the professional's judgment, that the risk to the minor's life or health is of such a nature that treatment should be given without delay and the requirement of consent would result in delay or denial of treatment.
 - (4) Parties are encouraged to resolve disputes over the identification, evaluation, educational placement, manifestation determination, interim alternative educational placement, or the provision of a free appropriate public education to a child with a disability through conciliation, mediation, facilitated team meetings, or other alternative process. All dispute resolution options are voluntary on the part of the parent and must not be used to deny or delay the right to a due process hearing. All dispute resolution processes are provided at no cost to the parent.
 - (5) Conciliation Conference: a parent has the opportunity to meet with appropriate district staff in at least one conciliation conference if the parent objects to any proposal of which the parent receives prior written notice. ZED districts hold a conciliation conference within ten calendar days from the

date the district receives a parent's objection to a proposal or refusal in the prior written notice. All discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five school days after the final conciliation conference, the district must prepare and provide to the parent a conciliation conference memorandum that describes the district's final proposed offer of service. This memorandum is admissible in evidence in any subsequent proceeding.

- (6) In addition to offering at least one conciliation conference, ZED districts inform parents of other dispute resolution processes, including at least mediation and facilitated team meetings. The fact that an alternative dispute resolution process was used is admissible in evidence at any subsequent proceeding. State-provided mediators and team meeting facilitators shall not be subpoenaed to testify at a due process hearing or civil action under special education law nor are any records of mediators or state-provided team meeting facilitators accessible to the parties.
- (7) Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in ZED's Procedure Safeguard Notice, attached as *Appendix D*.

IV. Operating Procedures of Interagency Committees

A. Community Transition Interagency Committee:

- A. ZED's Community Transition Interagency Committee is [individually established in cooperation with member districts and in cooperation with the counties in which the districts are located, for youth with disabilities, beginning at grade 9 or age equivalent, and their families.
- B. ZED's Community Transition Interagency Committee consists of the following individuals:
 - (1) *Carol Anhalt, Lynna Reese, Janeen Eddie, Diana Orr, Darcy Reker, Patrick Gordon, Janet Hartman, Linda Clapham (Zumbro Education District, Blooming Prairie, Byron, Hayfield, Kasson, Pine Island, Stewartville, Triton – special education)*
 - (2) Darcy Reker
(*Kasson Mantorville Public Schools – vocational education*)
 - (3) Nicole Kujath
(*Blooming Prairie, – regular education*)
 - (4) Lynn Beckard
(*mental health*)
 - (5) Morgan Kittleson
(*adult with disability who has received transition services*)
 - (6) Eileen Long
(*parent of youth with disability*)
 - (7) Mike Stehr
(*Ability Building Center*)
 - (8) Emily Bents
(*rehabilitation services*)
 - (9) Brie Thompson
(*Dodge Country Human Services*)

- (10) Jan Leuth
(Olmsted County Public Health)
- (11) Ann Korecky
(Opportunity Services)
- (12) Travis Kromminga
(RCTC, Office of Disability Services)
- (13) Jodi Austin Thompson, Jennifer Bagne Walsh
(Olmsted County Social Services)

- C. The Community Transition Interagency Committee is co-chaired by Nicole Kujath and Jamie Patrick .
- D. The Community Transition Interagency Committee meets four time per year.
- E. The Community Transition Interagency Committee's operating procedures are attached as Appendix E and include the following:
 - (1) identification of current services, programs, and funding sources provided within the community for secondary and postsecondary aged youth with disabilities and their families;
 - (2) facilitation of the development of multiagency teams to address present and future transition needs of individual students on their individualized education programs;
 - (3) development of a community plan to include mission, goals, and objectives, and an implementation plan to assure that transition needs of individuals with disabilities are met;
 - (4) recommendations of changes or improvements in the community system of transition services;
 - (5) exchange of agency information such as appropriate data, effectiveness students, special projects, exemplary programs, and creative funding of programs; and
 - (6) preparation of a yearly summary assessing the progress of transition services in the community including follow-up of individuals with disabilities who were provided transition services to determine post-school outcomes.
- F. ZED CTIC disseminates the summary to all adult services agencies involved in the planning and the MDE by October 1 of each year.

B. Interagency Early Intervention Committee

- A. Zumbro Education District participates on the Region 10 Interagency Early Intervention Committee in cooperation with the health and human service agencies located in southeast Minnesota, for children with disabilities under age five and their families.
- B. Membership of the Interagency Early Intervention Committee is as follows:

Health –Sue Benson- Olmsted County, Debbie Purfeerst- Rice, Kathy Brehmer- Wabasha, Maralou Brose- Steele County

Education –Mark Krug- Owatonna, Jody Barlow- Goodhue Cty., Becky Tennis Hanson- Mower, Colleen Johnson-ZED, Mona Skare- Freeborn, Judy Vold- Winona, Emily Andersen -Rochester, Tracy Brunkow – HVED, .

County Human Services – Rene Arendt- Goodhue, Julie Beckel- Freeborn, Janice Green- Mower

County Board – TBD

School Board – TBD

Early Childhood Family Education Programs – Judy Covert-Faribault.,

Head Start –Robyn Klemm- Tri Valley Migrant Head Start, Melissa Monroe- SEMCAC, Judy Hazel- SEMCAC

Parents Of Young Children With Disabilities Under Age 12 – Allan Klug- Owatonna

Child Care Resource & Referral – Holly Jantzen; Barb Wilson

School Readiness Programs – Judy Covert-Faribault

Current Service Providers – Teya Dahle- Fernbrook Family Center Clinical Social Worker- MH provider (Steele, Rice, Dodge, Olmsted, Goodhue), Debbie Monahan- The Arc Southeastern MN, Melanie Schmidt Rice County HMG

C. The Early Intervention Committee’s operating procedures are *Appendix F*.

V. Interagency Agreements the District has Entered

In the past ZED has entered in the following interagency agreements for eligible children, ages 3 to 21, to establish agency responsibility that assures that coordinated interagency services are coordinated, provided, and paid for, and that payment is facilitated from public and private sources. Not all agencies are used each year. Student need drives the contracts that the districts enter into.

Agencies:
Ability Building Centers (ABC)
Cedar Valley Services
Courage Center
IMAA Interpreters
Opportunity Services
PACT
PossAbilities
Stanley Jones Staffing
South East Minnesota Center for Independent Living (SEMCIL)
Sunbelt Staffing
Turtle Creek Industries

VI. Special Education Advisory Council

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

A. ZED Special Education Advisory Council is established in cooperation with members of the education district.

B. ZED Special Education Advisory Council membership is as follows

Blooming Prairie	Sp Ed HS	Ann Stephenson
Blooming Prairie	Elem Reg Ed	Natalie Sorensen
Blooming Prairie	Parent	Cathy Peterson
Byron	School Nurse	Chris Polzin
Byron	Parent	Eileen Long
Byron	Parent	Shaleen Nelson
Hayfield	Parent	Brenda Robinson
K-M	Sp Ed Middle	Diane Ellerbusch
Pine Island	Parent	Traci Bauer
Stewartville	Intermediate. Admin	Eldon Anderson
Stewartville	Parent	Julie Halferty
Triton	Elem Admin	Nancy Stucky
Triton	Parent	Marit Lang
ZED	Parent	Shannon Krekula

- C. ZED's Special Education Advisory Council meets in the fall and spring of the school year. Minutes of each meeting are posted to the ZED website with paper copies distributed to all district special education coordinators and the ZED Governing Board.
- D. The operational procedures of ZED's Special Education Advisory Council are attached as *Appendix G*

VII. Assurances

Code of Federal Regulations, section 300.201: Consistency with State policies. Zumbro Education District and its member districts, in providing for the education of children with disabilities within its jurisdiction, has in effect policies, procedures, and programs that are consistent with the State policies and procedures established under sections 300.101 through 300.163, and sections 300.165 through 300.174. (Authority: 20 U.S.C. § 1413(a)(1)).

Assurance given.

Appendix A

SRBI Plan



System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

Quarterly progress reports: report monthly at Professional Learning Communities the number of students not making adequate progress

Compare special education students overall progress in reading with general education students using reading chapter or unit test scores

The purpose of this document is to provide district staff with a self-review or a gap-analysis for their system of Scientific Research-Based Intervention (SRBI). All the elements should be fully implemented.

Full implementation means that all components are fully integrated and part of how the school does business. The focus is on measuring how well the interventions and instructional practices are being implemented so that changes in student performance can be attributed to the scientific evidence-based intervention.

Districts and schools will know they have reached full implementation when:

- A. Anyone entering the school and classroom could observe consistent skillful teaching and interventions provided to students.
- B. Data systems are efficient and generate valid data that is used for decision making. Data is being used to assess the extent to which student progress is equivalent to what is expected (based upon the research).
- C. The focus of coaching has shifted **from** supporting staff in implementing the components of SRBI **to** using data to determine if SRBI is being implemented as designed.
- D. Continuous improvement cycles are in place at the classroom, school and/or district level to ensure resources are aligned to improve and maintain the system of SRBI.

I. School Information

A. School District or Agency Zumbro Education District (ZED)

School Sites Implementing Scientific Research Based Intervention Systems Hayfield Elementary School; Brownsdale Elementary School

B. Contact information for program lead

Name Carol Anhalt

Title/Position Director of Special Education

Phone 507-775-2037

Email canhalt@zumbroed.org



System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

Staff Completing the Plan:

Annette Freiheit, Elementary Principal; Diana Orr, Special Education Coordinator; Melissa Murno, Reading Specialist

II. SRBI System Approach: Describe the continuum of supports. Include levels of support, model of support (such as standard treatment protocol or hybrid of standard treatment and problem solving, etc.).

Hayfield Community Schools use a hybrid approach for treating reading difficulties. Hayfield uses a 3-tier process: Tier I focuses on Core Instruction; Tier 2 focuses on Supplemental Instruction; and Tier 3 involves Intensive Instruction.

When possible, students follow a standard treatment protocol for the various areas of reading. However, when the standard treatment and the needs of the student do not mesh, individualized interventions are developed throughout the various tiers.

The elementary schools have a joint Problem Solving Team (PST) which meets monthly. The team members include two co-facilitators (general education teachers), the building principal, general education teachers, special education teachers, school social worker, special education coordinator and the school psychologist. When a student's case is referred to the PST, the student's general education teacher is also invited. The team is designed to assist the teacher in finding ways to improve achievement for struggling students at Tiers 2 or 3. The grade level professional learning community (PLC) teams provide assistance to teachers with struggling students at Tiers 1 and 2.

The PST designs interventions based on existing data. Interventions are delivered by a licensed teacher or by the paraprofessional under the direction of the classroom teacher. Students in referral always receive supplemental instruction in addition to core instruction in reading. Student data is reviewed every 4-6 weeks.

See Tables 1 and 2 on the following pages describing in detail the continuum of supports for students in various tiers.

Table 1: Hayfield Schools

Tier 3

1-4 students
4-5 days per week
30-45 min/session

Road to the Code k-2
FCRR Activities k-6
Word Study gr. 3-6
Phonics Lessons gr. k-6
Individual, small group
Reteach and/or tutor
Explicit instruction
TIER 3

Tier 2

4-6 students
4-5 days per week
20-30 min/session

Directed Title I Support gr. k-3
FCRR gr. k-6
FUNdamentals Gr. 1
Heinemann *Phonics Lessons* 2006: k-6
Explicit Instruction gr. k-6
Repeated Reading gr. 2-6
Heniemann *Word Study* 2006: gr. 3-6
Reteach/Preteach
Small group work
TIER 2

Tier 1

All students
Daily
90 minutes +

Visual Phonics Gr. K
Partner Reading Gr. 1-3
Read out loud Gr. K-6
Empowering Teachers
Florida Center for Reading Research (FCRR) gr. k-6
H-M Journeys core curriculum for Gr. K-6: Phonemic Awareness, Phonics, Vocabulary, Fluency, Comprehension
Reteach and Tutor
Small groups
Accelerated Reader Gr. 2-6
MyON readers (online)
TIER 1

Grades K-6 Tier Instructional Support Plan for Reading

Level of Instructional Support	Who? (What skill level of students)	What More? (Supplemental or additional support materials and activities)	How Are We Doing? (Determining instructional effectiveness w/ progress monitoring)		
<p>Tier 1 Primary:</p>	<p><u>Which students:</u> All students</p>	<p><u>Name of program / materials/strategies:</u> H-M Journeys core curriculum: Phonics, vocabulary, comprehension, fluency, phonemic awareness Visual Phonics (gr. K): Phonics Reteaching (K-1): All areas Student goal setting (K-1): All areas Accelerated Reader: Comprehension, vocabulary (2-6) MyON (online) readers: Comprehension, vocabulary (1-6)</p> <p><u>Who delivers:</u> Teachers and paraprofessionals</p> <p><u>When:</u> Minimum 90 minutes a day of core instruction</p> <p><u>Specify time (minutes, days of week):</u> Reteaching may take 2-10 minutes in addition to typical instructional time or during the regular instructional time; occurs as student need dictates</p> <p><u>Group size:</u> Individual, small group, entire class</p>	<p><u>Who collects:</u> Classroom teacher</p> <p><u>How often:</u> 3x a year</p> <p><u>Criteria:</u> At or above benchmark on AIMSWEB measurements</p> <p><u>Determining fidelity of implementation:</u> Building principal will perform walk-throughs, monitor benchmark data and complete fidelity checks of the core curriculum using the “Effective Instruction” fidelity checklist</p>		
<p>Tier 2 Secondary:</p>	<p><u>Which students:</u> Students with difficulties in phonemic awareness, decoding, fluency, vocabulary, and comprehension</p> <p><u>As measured by:</u> AIMSWEB Early Literacy, RCBM, MAZE</p> <table border="1" data-bbox="352 1317 722 1382"> <tr> <td>Gr. K-6</td> <td>Below target to 10%-ile</td> </tr> </table> <p>Other approved curriculum based measurements</p>	Gr. K-6	Below target to 10%-ile	<p><u>Name of program / materials/strategies:</u> FCRR materials (gr. K-6): Phonics, vocabulary, comprehension, fluency, phonemic awareness Tutoring and reteaching (gr. K-6): All areas Explicit instruction (gr. K-6): All areas Heinemann <i>Phonics Lessons</i> 2003 (gr. 1-6): Phonics Heinemann <i>Word Study</i> 2003: Phonics, vocabulary (gr. 3-6) FUNdamentals (gr. 1): Phonemic Awareness, fluency, decoding</p> <p><u>Who delivers:</u> Teachers and paraprofessionals</p> <p><u>When:</u> In addition to Tier I; 20-30 minutes a day; 4-5 days/week</p> <p><u>Group size:</u> 4-6 students</p>	<p><u>Who collects:</u> Classroom teacher</p> <p><u>How often:</u> 1-2 times/month</p> <p><u>Criteria:</u> Student moves to average range or target on AIMSWEB</p> <p><u>Determining fidelity of implementation:</u> PST designee will perform an intervention fidelity check for students not making adequate progress (using corresponding fidelity checklist)</p>
Gr. K-6	Below target to 10%-ile				

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<p>Tier 3 Tertiary:</p>	<p><u>Which students:</u> Students with significant difficulties in phonemic awareness, decoding, and comprehension</p> <p><u>As measured by:</u> AIMSWEB Early Literacy, RCBM, MAZE</p> <table border="1" data-bbox="352 532 701 597"> <tr> <td data-bbox="352 532 520 597">Gr. K-6</td> <td data-bbox="520 532 701 597">Below 10%-ile</td> </tr> </table> <p>Other approved curriculum based measurements</p>	Gr. K-6	Below 10%-ile	<p><u>Name of program / materials:</u> FCRR materials: Phonics, vocabulary, comprehension, fluency, phonemic awareness (gr. K-6) Tutoring: All areas (gr. K-6) Explicit instruction: All areas (gr. K-6) Road to the Code: Phonemic Awareness (gr. K-2)</p> <p><u>Who delivers:</u> Teachers and paraprofessionals</p> <p><u>Specify time (minutes, days of week):</u> 30 - 45 minutes; 4-5 days per week; in addition to Tier I</p> <p><u>Group size:</u> 4 or fewer students</p>	<p><u>Who collects:</u> Classroom teacher</p> <p><u>How often:</u> 1 time/week</p> <p><u>Criteria:</u> Student moves to above the 10th percentile on AIMSWEB</p> <p><u>Determining fidelity of implementation:</u> PST designee will perform an intervention fidelity check for students not making adequate progress (using corresponding fidelity checklist)</p>
Gr. K-6	Below 10%-ile				

III. Specific Components Included in SRBI System: Screening

A. Define timelines for screening process and benchmarking (e.g., Fall, Winter, Spring)

As required in Minn. R. 3525.1341 Subp. 4.

AIMSweb screening processes / benchmarking takes place in district schools three times per year. Fall is measured during the months of September-early October. Winter is measured during the months of January-early February. Spring is measured mid-April through May.

MCA Timelines

The Minnesota Comprehensive Assessments (MCAs) are given during the window that the state determines each year, usually spring for reading.

B. Define cut-offs and rationale/basis for cut-offs (note date cut-offs were last revised). It is recommended that districts ensure that cut-offs allow for equitable treatment of diverse populations.

DISTRICT CUTOFFS: AIMSWEB

Cut offs for identifying students in need of intervention are determined by AIMSweb aggregate norms, which are updated each year. Students who are at or below the national 50th percentile score in each measure are identified and considered for reading intervention.

SCHOOL DISTRICT: MCA

MCA scores are considered for students in grades 4, 5 and 6 as one piece of evidence in helping determine the next best educational step. Grade 3 is not considered because the District does not receive reading scores until the students have progressed to grade 4. Scores in the "Partially Meets" or "Does Not Meet" range weigh heavier as evidence that the student needs intervention.

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C. List the measures used to screen and track performance in each grade and content area implementing a system of SRBI:

Grade	Cut-off or Benchmark Scores: Useful for Identifying Students in Need of Intervention						
ZED DISTRICT	Phonemic Awareness	Phonics			Fluency: AIMSweb	Comprehension: AIMSweb	Vocabulary
<u>AIMSweb</u>	PSF	LNF: AIMSweb Inc=letter names correct	LSF: AIMSweb lsc=letter names correct	NWF: AIMSweb Sc = sounds correct	wcpm = words correct per minute	rc = responses correct	
Kindergarten:		2 Inc: Sep 19 Inc: Jan 29 Inc: May	6 lsc: Jan 18 lsc: May	18 sc: May			
Grade 1:		26 Inc: Sept 30 Inc: Jan 36 Inc: May	13 lsc: Sept 24 lsc: Jan 31 lsc: May	13 sc: Sept 30 sc: Jan 38 sc: May	11 wcpm: Jan 22 wcpm: May		
Grade 2:					17 wcpm: Sept 39 wcpm: Jan 59 wcpm: May	1 rc: Sept 4 rc: Jan 7 rc: May	
Grade 3:					38 wcpm: Sept 56 wcpm: Jan 73 wcpm: May	5 rc: Sept 7 rc: Jan 8 rc: May	
Grade 4:					61 wcpm: Sept 78 wcpm: Jan 90 wcpm: May	6 rc: Sept 11 rc: Jan 11 rc: May	
Grade 5:					74 wcpm: Sept 87 wcpm: Jan 98 wcpm: May	8 rc: Sept 12 rc: Jan 15 rc: May	
Grade 6:					91 wcpm: Sept 106 wcpm: Jan 115 wcpm: May	11 rc: Sept 17 rc: Jan 16 rc: May	

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Briefly define the assessment tool and describe how it is used. Note the frequency of measure and whether the measure is for identifying risk or formulating instruction within intervention.

ZED DISTRICT: AIMSWEB

AIMSweb assessments are one-minute timed measures of letter naming, letter sounds, pseudo-words, oral reading fluency and a three-minute timed measure of silent reading fluency. Students are read standardized directions and asked to complete the task described on the test. They are scored according to correct number of responses. These formative assessments used for screening students given in the Fall, Winter and Spring. Please see Chart IIIC for breakdown of how each assessment is used at each grade level. The results are used to first identify students who may be at risk (students scoring at or below the 50th percentile). They are also used to identify instruction that can be used when providing intervention. Students who score below the identified targets are then matched with strategy-specific intervention that focuses on the at-risk category.

SCHOOL DISTRICT: MCA

MCA scores are considered for students in grades 4, 5 and 6 as one piece of evidence in helping determine the next best educational step. Grade 3 is not considered because the District does not receive reading scores until the students have progressed to grade 4. Scores in the “Partially Meets” or “Does Not Meet” range weigh heavier as evidence that the student needs intervention.

IV. Specific Components Included in SRBI System: Continuum of Instructional Supports

A. Use the matrix below to describe instructional strategies and interventions for each level of support, for each grade level, in each content area.

Grade Level K-6	Content Area: Reading		
Level of Intervention	Core Instruction	Secondary Supports (Supplemental)	Tertiary Supports (Intensive)
Typical length/duration of Intervention Required in Minn. R. 3525.1341 Subp. 4	Daily throughout the school year	Four to five days a week until student data indicates performance is on target or in the average range; when 3-5 data points are significantly below the goal line or regressing, consider fidelity self-check or intensive support	Four to five days a week until student data indicates performance is above the 10 th percentile; must have a minimum of 7 data points over a 12 week intervention cycle (including supplemental instruction) before referring for an evaluation
Focus of intervention	Five areas of reading: Phonemic Awareness, decoding, fluency, vocabulary, and comprehension	Instruction is targeted to student area of need in one of the five areas of reading: Phonemic Awareness, decoding, fluency, vocabulary, and comprehension	Instruction is targeted to student area of need in one of the five areas of reading: Phonemic Awareness, decoding, fluency, vocabulary, and comprehension
List the research-based instructional approaches to be used	Whole and small group instruction Direct Instruction, adult modeling, partner reading Student goal setting	Small group instruction Explicit instruction Brain-gym activities Increased opportunity for student engagement and participation Multimodal Instruction	Small group or individual instruction Explicit instruction Increased opportunity for student engagement Multimodal Instruction
List the materials to be used (e.g., components, programs, series, texts/reading series)	H-M Journeys gr. K-6 Visual Phonics gr. k <i>Empowering Teachers</i> Florida Center for Reading Research (instructional routines) gr. k-6 Accelerated Reader gr. 2-6 Student Action Plans gr. k-6	H-M Journeys gr. K-6 FCRR gr. k-6 FUNdamentals gr. 1 Heinemann 2003 <i>Phonics Lessons</i> (Phonics) gr. k-6 Heinemann 2003 <i>Word Study</i> (Vocabulary) gr. 3-6	H-M Journeys gr. K-6 FCRR gr. k-6 Brookes Publishing <i>Road to the Code</i> 2000 (Phonemic Awareness) gr. k-2 Heinemann <i>Phonics Lessons</i> 2003 (Phonics) gr. k-6



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Describe how instruction delivered, for how many minutes per day, days/week	90 minutes/day; 5 days/week	4-5 days per week 20-30 minutes per day	4-5 days per week 30-45 minutes per day
Describe who delivers instruction/ratio of students to staff	Classroom teacher 1:20+	Licensed teacher or paraprofessional under direction of licensed teacher One adult to 4-6 students	Licensed teacher or paraprofessional under direction of licensed teacher One adult to 1-4 students
Progress Monitoring Data to be collected Required in Minn. R. 3525.1341 Subp.3 F.	AIMSWEB benchmarks 3 times/year See schedule in part III	AIMSWEB progress monitoring twice a month or other approved curriculum based monitoring measure	AIMSWEB progress monitoring once a week or other approved curriculum based monitoring measure

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B. List references for interventions, instruction, or instructional strategies that verify that they are evidence-based. Citations may come from peer-reviewed meta-analyses, credible institutions or organization such as a national technical assistance center or other sources with documentation of the research-base establishing the efficacy of listed practices.

Sources of Evidence Key:

FCRR = Florida Center for Reading Research; WWC = What Works Clearinghouse

National Reading Panel areas of instruction for which the intervention was designed:

Alphabetic - a combined category of phonemic awareness and phonics used by the WWC

PA = Phonemic Awareness ; Ph = Phonics; F = Fluency; V = Vocabulary; C = Comprehension

Intervention	National Reading Panel Area(s)	Grade Levels	Sources of Evidence
Duet Reading	F	1 thru 5	<ul style="list-style-type: none"> • Aulls, M.W., (1982). Developing Readers in Today's Elementary Schools. Allyn & Bacon: Boston. • Blevins, W. (2001). Building Fluency: Lessons and Strategies for Reading Success. New York: Scholastic Professional Books. • Dowhower, S.L. (1991). Speaking of prosody: Fluency's unattended bedfellow. Theory into Practice, 30 (3), 165-175. • Mathes, P.G., Simmons, D.C., & Davis, B.I. (1992). Assisted reading techniques for developing reading fluency. Reading Research and Instruction, 31, 70-77. • Weinstein, G., & Cooke, N. L. (1992). The effects of two repeated reading interventions on generalization of fluency. Learning Disability Quarterly, 15, 21-27.
Early Reading Intervention: Scott Foresman	PA, Ph, F, V	K,1	<ul style="list-style-type: none"> • FCRR - Project Optimize is predecessor; "the content and instructional design of the Scott Foresman Early Reading Intervention is aligned with current scientifically based reading research".

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FCRR Strategies	PA, Ph, F, V, C	K-5	FCRR-“ Research has repeatedly demonstrated the importance of initial instruction that includes the five critical components of reading: Phonological Awareness, Phonics, Fluency, Vocabulary, and Comprehension. To be most effective, the five critical components need to be taught explicitly within classrooms that are strongly positive and engaging, use writing activities to support literacy, and provide students with many opportunities to read interesting text and complete authentic reading and writing assignments.” See references: http://www.fcrr.org/assessment/ET/pdf/references.pdf
Great Leaps	PA, Ph, F	K-8**	FCRR -“consistent with current research knowledge in both its instructional design and content. There is encouraging research support confirming the efficacy of Great Leaps in improving reading fluency for middle school students. At this point, the research supporting Great Leaps is targeted at the middle school level; however, because the instructional design and principles are consistent throughout every grade level for Great Leaps, it is likely that similar outcomes at the other levels could be expected.” <ul style="list-style-type: none"> • Mercer, C.D., Campbell, K.U., Miller, M.D., Mercer, K.D., & Lane, H.B. (2000). Effects of a reading fluency intervention for middle schoolers with specific learning disabilities. <i>Learning Disabilities Research & Practice</i>, 15, 179-189. • Meyer, M. (2002). Repeated Reading: An old standard is revisited and renovated. <i>Perspectives</i>, 2 (1) 15-18.
Language!	PA & Ph	3 through 12	FCRR - 3+’s in all NRP areas, except vocabulary but “preliminary research results are very promising
Letter/Sound Correspondence	PA	preK -K,1	<ul style="list-style-type: none"> • Adams, M.J. (1990). <i>Beginning to read: Thinking and learning about print</i>. Cambridge, MA: MIT Press. • Adams, M.J. (2001).Alphabetic anxiety and explicit, systematic phonics instruction: A cognitive science perspective. In S.B. Neuman & D.K. Dickinson (eds.), <i>Handbook of Early Literacy Research</i> (pp. 66-80). New York: Guilford Press. • Chard, D.J., & Osborn, J. (1999). Word Recognition: Paving the road to successful reading. <i>Intervention in school and clinic</i>, 34(5), 271-277.

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<p>Newscaster</p>	<p>F</p>	<p>1-5</p>	<ul style="list-style-type: none"> • Armbruster, B.B., Lehr, F., & Osborn, J. (2001). Put reading first: The research building blocks for teaching children to read. Washington, DC: US Department of Education, National Institute for Literacy. • Dowhower. S.L. (1987). Effects of repeated reading on second-grade transitional readers' fluency and comprehension. Reading Research Quarterly. 22, 389-406. (listening to a tape). • Heckelman, R.G. (1969). A neurological-impress method of remedial reading instruction. Academic Therapy, 4, 277-282. <ul style="list-style-type: none"> • Rasinski, T.V. (2003). The fluent reader: Reading strategies for building word recognition, fluency, and comprehension. New York, NY: Scholastic Professional Books. • Searfoss, L. (1975). Radio Reading. The Reading Teacher, 29, 295-296. • Stahl S. (2004). What do We Know About Fluency? Findings of the National Reading Panel. In McCardle, P., & Chabra, V. (Eds). The Voice of Evidence in Reading Research. Brookes: AU.
<p>Partner Reading/ Pairs Reading</p>	<p>F</p>		<p>Partner reading was adapted from CWPT (Delquadri et.al., 1986) and PALS (Mathes & Fuchs, 1993, Mathes, et.al, 1994. The effectiveness of this instructional practice in general education and special education classrooms has been well established.</p>
<p>Pencil Tap</p>		<p>For students who have decoding skills but need to use them consistently</p>	<ul style="list-style-type: none"> • Hattie, J., & Timperley, H. (2007). The power of feedback. Review of Education Research. 77(1, 81-112). • Howell, K., W., & Nolet. V., (2000). Curriculum-Based Evaluation: Teaching and Decision Making 3rd Ed. Belmont, CA: Wadsworth. • Lysakowski, R.S., & Walberg, H.J. (1982). Instructional effects of cues, participation, and corrective feedback: A quantitative synthesis. American Educational Research Journal Vol 19(4., 559-578 • Tenenbaum, G., & Goldring, E. (1989). A meta-analysis of the effects of enhanced instruction: Cues, participation, reinforcement and feedback and correctives on motor skill learning. Journal of Research & Development in Education. Vol 22(3. 53-64)

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<p>Phoneme Blending</p>	<p>PA</p>	<p>K-1</p>	<ul style="list-style-type: none"> • Adams, M.J. (1990). Beginning to read: Thinking and learning about print. Cambridge, MA: MIT Press. • Bos, C.D., & Vaughn, S. (2002.. Strategies for teaching students with learning and behavioral problems (5th Ed.). Boston: Allyn & Bacon. <ul style="list-style-type: none"> • Ehri, L.C., Nunees, S.R., & Willows, D.M. (2001.. Phonemic awareness instruction helps children learn to read: Evidence from the National Reading Panel’s meta-analysis. Reading Research Quarterly, 36(3.. 250-287. • Elkonin, D.B. (1973.. U.S.S.R. In J. Downing (Ed.), Comparative Reading (pp.551-579.. New York: MacMillan. • National Reading Panel. (2000.. Teaching children to read: An evidence-based assessment of the scientific research literature on reading and its implications for reading instruction. Bethesda, MA: National Institutes of Health. • Santi, K.L., Menchetti, B.M., & Edwards, B.J. (2004.. A comparison of eight kindergarten phonemic awareness programs based on empirically validated instructional principals. Remedial and Special Education, Vol 25(3. 189-196. • Smith, C.R. (1998.. From gibberish to phonemic awareness: Effective decoding instruction. Exceptional Children, Vol 30(6. 20-25 • Smith, S.B., Simmons, D.C., & Kame’enui, E, J. (1998.. Phonological Awareness: Research bases. In D.C. Simmons & E.J. Kame’enui (Eds.), What Reading research tells us about children with diverse learning needs: Bases and basics. Mahwah, NJ: Lawrence Erlbaum Associates. • Snider, V. E. (1995.. A primer on phonemic awareness: What it is, why it is important, and how to teach it. School Psychology Review, 24, 443–455.
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<p>Phoneme Segmenting</p>	<p>PA</p>	<p>K-1</p>	<ul style="list-style-type: none"> • Adams, M.J. (1990.. Beginning to read: Thinking and learning about print. Cambridge, MA: MIT Press. • Blachman, B. A. (1991.. Early intervention for children’s reading problems: Clinical applications of the research on phonological awareness. Topics in Language Disorders, 12, 51–65. • Bos, C.D., & Vaughn, S. (2002.. Strategies for teaching students with learning and behavioral problems (5th Ed.). Boston: Allyn & Bacon. <ul style="list-style-type: none"> • Ehri, L.C., Nunees, S.R., & Willows, D.M. (2001.. Phonemic awareness instruction helps children learn to read: Evidence from the National Reading Panel’s meta-analysis. Reading Research Quarterly, 36(3.. 250-287. • National Reading Panel. (2000.. Teaching children to read: An evidence-based assessment of the scientific research literature on reading and its implications for reading instruction. Bethesda, MA: National Institutes of Health. • Santi, K.L., Menchetti, B.M., & Edwards, B.J. (2004.. A comparison of eight kindergarten phonemic awareness programs based on empirically validated instructional principals. Remedial and Special Education, Vol 25(3. 189-196. • Smith, C.R. (1998.. From gibberish to phonemic awareness: Effective decoding instruction. Exceptional Children Vol 30(6. 20-25. • Smith, S.B., Simmons, D.C., & Kame’enui, E, J. (1998.. Phonological Awareness: Research bases. In D.C. Simmons & E.J. Kame’enui (Eds.), What Reading research tells us about children with diverse learning needs: Bases and basics. Mahwah, NJ: Lawrence Erlbaum Associates. • Snider, V. E. (1995.. A primer on phonemic awareness: What it is, why it is important, and how to teach it. School Psychology Review, 24, 443–455.
<p>Read Naturally</p>	<p>F</p>	<p>1 thru 5</p>	<p>FCRR-but none are controlled studies</p>

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<p>Read Well: Read Well K Read Well 1 Read Well Plus</p>	<p>PA, Ph, F, V, C</p>	<p>K-3</p>	<p>FCRR- "the instructional content and design of <i>Read Well</i> is consistent with the most recent research in reading. These studies demonstrate that exposure to <i>Read Well K</i> and <i>Read Well 1</i> increase student performance on reading and language standardized test scores."</p>
<p>Repeated Readings</p>	<p>F</p>	<p>K-12</p>	<ul style="list-style-type: none"> • Moyer, S.B. (1982). Repeated reading. <i>Journal of Learning Disabilities</i>, 45, 619-623 • Rasinski, T.V. (1990). Effects of repeated reading and listening - while-reading on reading fluency. <i>Journal of Educational Research</i>, 83(3), 147-150. • Rashotte, C.A., & Torgeson, J.K. (1985). Repeated reading and reading fluency in learning disabled children. <i>Reading Research Quarterly</i>. 20, 180-188 • Samuels, S. J. (1979). The method of repeated reading. <i>The Reading Teacher</i>, 32, 403-408. • Samuels, S.J., (1987). Information processing abilities and reading. <i>Journal of Learning Disabilities</i>, 20(1), 18-22. • Sindelar, P.T., Monda, L.E., & O'Shea, L.J. (1990). Effects of repeated reading on instructional and mastery level readers. <i>Journal of Educational Research</i>, 83, 220-226. • Therrien, W.J. (2004). Fluency and comprehension gains as a result of repeated reading: A meta-analysis. <i>Remedial and Special Education</i>. 25(4) 252-261

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<p>Road to the Code</p>	<p>PA & Ph</p>	<p>K,1</p>	<p>FCRR—"These studies form the empirical foundation upon which Road to the Code was developed. Evidence based on these studies highlight the importance of early instruction in phonemic awareness and the alphabetic principle in facilitating the acquisition of early reading skills. We conclude that the instructional design and strategies used in Road to the Code are consistent with current scientifically based reading research. There is also encouraging research that supports the use of this program to significantly improve early reading skills."</p>
<p>Stop and Go</p>	<p>F, C</p>	<p>1-5</p>	<ul style="list-style-type: none"> • Blevins, W. (2001.. Building Fluency: Lessons and Strategies for Reading Success. New York: Scholastic Professional Books. • Rasinski, T., & Padak, N. (1994.. Effects of fluency development on urban second-graders. Journal of Education Research, 87. • Rasinski, T.V. (2003.. The fluent reader: Reading strategies for building word recognition, fluency, and comprehension. New York, NY: Scholastic Professional Books.
<p>Word Blending</p>	<p>PA & Ph</p>	<p>K-5 +</p>	<ul style="list-style-type: none"> • Adams, M.J. (2001).Alphabetic anxiety and explicit, systematic phonics instruction: A cognitive science perspective. In S.B. Neuman & D.K. Dickinson (eds.), Handbook of Early Literacy Research (pp. 66-80). New York: Guilford Press. • Goswami, U. (2000). Causal connections in beginning reading: The importance of rhyme. Journal of Research in Reading, 22(3) 217-240. • Greaney, K.T., Tunmer, W.E., & Chapman, J.W., (1997). Journal of Educational Psychology, 89(4)645-651.
<p>Words Their Way/ Word Sorts</p>	<p>Ph & V (leading to increased fluency)</p>	<p>Pre-K thru 12</p>	<ul style="list-style-type: none"> • Morris, D. Word sort: A categorization strategy for improving word recognition ability. Reading Psychology, 3, 247-259. • Joseph, L. (2002). Facilitating word recognition and spelling using word boxes and word sort phonic procedures. School Psychology Review, 31 122-129. • Based on research on developmental spelling and word knowledge (see references list p. 428-433 in "Words their Way" book.

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V. Specific Components included in SRBI System: Decision rules used to indicate progression through the model.

A. List the relevant indices, cut-offs or data review procedures that are to be used to indicate inadequate response (you do not have to have values for all of the columns).

Kindergarten Grade Reading: ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb LSF: 5 lsc + Sept 27 lsc + Jan 39 lsc + May	0.94 sounds per week			Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
	AIMSweb NWF: 40 sc + May	0.83 sounds per week			
Secondary	AIMSweb LNF: 7-20 Inc Sept 32-43 Inc Jan 41-51 Inc May	0.94 names per week			Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
	AIMSweb LSF: 15-26 lsc Jan 29-38 lsc May	0.78 sounds per week			
	AIMSweb NWF: 28-39 sc May	0.72 sounds per week			
Tertiary	AIMSweb LNF: < 7 Inc Sept < 32 Inc Jan < 41 Inc May	0.75 names per week			Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
	AIMSweb LSF: < 15 lsc Jan < 29 lsc May	0.5 sounds per week			
	AIMSweb NWF: < 28 sc May	0.78 sounds per week			

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

1st Grade Reading: ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: 13 wcpm + Sept 36 wcpm + Jan 67 wcpm + May	1.5 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb NWF 22-33 sc Sept 40-53 sc Jan 51-67 sc May LSF: 21-30 lsc Sept 36-47 lsc Jan 41-53 lsc May	0.81 sounds per week 0.56 sounds per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb NWF < 22 sc Sept < 40 sc Jan < 51 sc May AIMSweb LSF < 21 lsc Sept < 36 lsc Jan < 41 lsc May	0.69 sounds per week 0.50 sounds per week	<95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

2nd Grade Reading : ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: 62 wcpm + Sept 88 wcpm + Jan 106 wcpm + May	1.22 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb RCBM: 35-61 wcpm Sept 64-87 wcpm Jan 82-105 wcpm May	1.31 words per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb RCBM: < 35 wcpm Sept < 64 wcpm Jan < 82 wcpm May	1.17 words per week	< 95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

3rd Grade Reading: ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: 87 wcpm + Sept 111 wcpm + Jan 127 wcpm + May	1.11 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb RCBM: 59-86 wcpm Sept 84-110 wcpm Jan 98-126 wcpm May	1.08 words per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb RCBM: < 59 wcpm Sept < 84 wcpm Jan < 98 wcpm May	0.97 words per week	< 95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

4rd Grade Reading : ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: 107 wcpm + Sept 125 wcpm + Jan 139 wcpm + May	0.89 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb RCBM: 84-106 wcpm Sept 101-124 wcpm Jan 112-138 wcpm May	0.78 words per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb RCBM: < 84 wcpm Sept < 101 wcpm Jan < 112 wcpm May	0.81 words per week	< 95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

5th Grade Reading : ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: > = 121 wcpm Sept > = 139 wcpm Jan > = 153 wcpm May	0.89 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb RCBM: 94-120 wcpm Sept 111-138 wcpm Jan 123-152 wcpm May	0.81 words per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb RCBM: < 94 wcpm Sept < 111 wcpm Jan < 123 wcpm May	0.67 words per week	< 95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

6th Grade Reading : ZED DISTRICT/ AIMSWEB

Grade	Benchmark	Slope (Growth)	% Mastery	Level	Other
Core Instruction	AIMSweb RCBM: > = 141 wcpm Sept > = 155 wcpm Jan > = 166 wcpm May	0.69 words per week	98% +		Students progress is reviewed at F/W/S benchmarks to ensure that performance is maintained.
Secondary	AIMSweb RCBM: 116-140 wcpm Sept 131-154 wcpm Jan 141-165 wcpm May	0.69 words per week	95-97%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.
Tertiary	AIMSweb RCBM: < 116 wcpm Sept < 131 wcpm Jan < 141 wcpm May	0.67 words per week	< 95%		Students progress is reviewed when 4 of 6 consecutive data points fall below projected goal line.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

B. Describe rationale/basis for the decision rules and note the year during which they were determined (check to ensure decision rules allow for equitable treatment of diverse populations):

ZED DISTRICT: AIMSWEB

Decision rules were established during the 2010 school year and are periodically reviewed to ensure they are being applied. Data on students who receive secondary / tertiary support is collected on a biweekly basis at minimum. We allow sufficient time (at least 7 weeks per intervention) for the student to have exposure to the intervention and the curriculum and consider multiple factors (attendance, intervention fidelity, health concerns, behavior, etc) that may impact the success of an intervention before making the decision to alter course. Interventions are modified if we find that the slope of the student graph is negative or has no progress after 3-5 data points have been collected. In schools with LEP populations, the ELL instructor is invited to attend PST meetings to give feedback on the student language assessments and share student progress in ESL classes.

SCHOOL DISTRICT:

MCA scores are considered for students in grades 4, 5 and 6 as one piece of evidence in helping determine the next best educational step. Grade 3 is not considered because the District does not receive reading scores until the students have progressed to grade 4. Scores in the "Partially Meets" or "Does Not Meet" range weigh heavier as evidence that the student needs intervention.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

C. Special Education Progress Monitoring and Exit Criteria. Note this is optional but may be useful for sites using data in re-evaluations or documenting improvement of Special Education students in Continuous Improvement Monitoring Process (CIMP) Plans.

Does the site use time series analysis graphs to assess progress before and after entrance into special education?

Yes No

Is a school-wide method established to evaluate student progress in special education?
(tests/procedures, data collection, frame of reference, criterion)

Yes No

Quarterly progress reports: report monthly at Professional Learning Communities the number of students not making adequate progress
Compare special education students overall progress in reading with general education students using reading chapter or unit test scores

What are the special education exit criteria for students?

Prior to exiting from Special Education (other than when aging out or graduating), students must undergo comprehensive evaluation. When considering a student for dismissal/exit from special education, the following should be considered:

1. The student demonstrates the ability to function independently.
2. The student meets their IEP goals and objectives
3. The student can access and perform adequately in the general curriculum

The school-wide method for evaluating student progress in special education includes Progress reporting in AimsWeb, State and District standardized testing, and curriculum based measures.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

The team will consider exiting the student if the following conditions are met:

- Documentation of the likelihood of adequate achievement in response to appropriate classroom instruction without intensive support in the following areas: basic reading skills, reading comprehension, reading fluency *and*
- Documentation of progress in state-approved grade-level standards in one or more areas listed above (including English Language Arts strands for literature, foundational skills, and informational texts)
- Documentation that the information processing condition can be accommodated in the general education setting without requiring specialized instruction.

As evidenced by at least two or more of the following sources: class work samples, anecdotal teacher records, state and district assessments, formal/informal and diagnostic tests, curriculum-based evaluation results, results from targeted support programs in general education.

VI. Parental Notification and Consent Policies

A. Describe the parent notification and consent policies. Note how a parent will receive communication about:

- The instructional strategies and services provided to increase the student's rate of learning.
 - Data collected regarding the nature of the child's performance.
 - When a parent notified of the due process procedures and protections.
-
- The instructional strategies and services provided to increase the student's rate of learning.
Instructional strategies are research-based. They will be delivered in small groups of approximately six students or less for Tier 2 services and in small groups of one to four students for Tier 3 services.
 - Data collected regarding the nature of the child's performance.
Progress monitoring data will be collected one-two times per month for Tier 2 and at least weekly for Tier 3 services.
 - When a parent is notified of the due process procedures and protections.
Parents are notified when their student is referred to a Tier 2 program, when there is a change in programming that requires additional time for instruction, and/or when the student is referred for further evaluation for special education services



Response to Intervention (RtI)

IS NOT...

- A pre-referral system, an individual teacher, classroom, special education program, an added period of reading instruction or a separate stand-alone initiative
- Preferential seating, shortened assignments, classroom observations, suspension, or retention
- A one shot attempt for remediation

Contacts:

Carol Anhalt
Executive Director
507.775.2037

Melissa Murno
Reading Specialist
507.775.2037

Please contact your principal at:

Blooming Prairie
507.583.6615

Pine Island
507.356.8581

Byron
507.775.6620

Stewartville Bonner
507.533.1666

Hayfield Community Schools
507.477.3236

Stewartville Central
507.533.1400

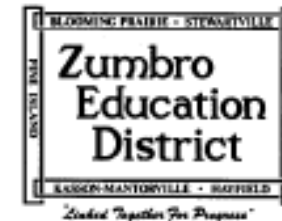
Kasson-Mantorville
507.634.1234

Triton
507.374.2258

Parents are notified when...

- Your child is referred to a Tier 2 or Tier 3 program
- There is a change in programming that requires additional time for instruction
- Consent is required when your child is referred for further evaluation through special education

Zumbro Education District
801 Frontage Rd. NW
Byron, MN 55920
www.zumbroed.org



RtI Notification:

Information About Your Child's Reading and Math Program

For purposes of this brochure, we are labeling this intervention process RtI but it can also be referred to as Multi-Tiered Systems of Support

Your child's school district and the Zumbro Education District are committed to ensuring each child makes significant academic progress. To do this, we continuously review information that tells us how each child is progressing and use this information to make instructional decisions. The process used by teachers in your child's school is called Response to Intervention (RtI). Look inside to see how this process can help your child become a better student.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

What is Response to Intervention

Response to Intervention is a multi-tiered approach to the early identification and support of students with learning and behavioral needs. The Response to Intervention process begins with high-quality instruction and universal screening of all children in the general education classroom. Struggling learners are provided with interventions at increasing levels of intensity to accelerate their rate of learning.

It includes:

- Scientifically based tiered classroom instruction
- Ongoing student assessment
- Data based decision making

What Is Tiered Instruction?

Tier 1: Benchmark Level

All students receive instruction in core curriculum with about 80% of students in a school achieving at this level.

Tier 2: Strategic Level

These students do not respond adequately to the core curriculum and make up approximately 15% of students in the school. These students are considered "at-risk" and are provided supplemental instruction/intervention.

Tier 3: Intensive Level

Approximately 5% of the students in a school who do not respond adequately to core curriculum and strategic level interventions. Changes are made to the student's intervention based upon his/her data and observations by school staff.



**IMPROVING EDUCATION
FOR ALL STUDENTS!**

WHAT TYPE OF DATA MAY BE COLLECTED ON MY CHILD?

- Reading & Math Curriculum-Based Measurement
- Minnesota Comprehensive Assessments
- Measures of Academic Progress
- AimsWeb Reading & Math Benchmark and Progress Monitoring

HOW OFTEN IS THE DATA COLLECTED?

- Tier 1 (Benchmark testing 3 times/year)
- Core flexible group (Benchmark testing 3 times/year)
- Tier 2 (Progress monitoring 2 times/month)
- Tier 3 (Progress monitoring weekly)

WHO LOOKS AT THE DATA?

- Teams of educational professionals who meet regularly to discuss your child's progress towards MN academic standards.

WHAT IS MY ROLE AS A PARENT IN THE PROCESS?

- Co-communicator, Co-supporter, Co-learner, Co-teacher

WHAT ARE MY RIGHTS AS THE PARENT?

- To be informed on your child's progress
- To be given informed consent means that parents are fully informed of all information relevant to their student
- To request a special education evaluation

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

VII. Procedures for Ensuring Integrity of Implementation In this section, describe the process you will use to ensure consistent implementation of: assessments, interpretation of data, interventions, and a data-based decision making process, in order to obtain valid knowledge and data about the integrity of implementation.

Recommended documentation follows requirements of Minn. R. 3525.1341 and Minn. Stat. § 122A.60 (a)(1-6).

A. Briefly describe procedures to address implementation of assessment and instructional practices

Subsumed under Minn. R. 3525.1341 Subp. 4.

1. What steps does the school follow to ensure that assessment and instructional methods are meeting the needs of all groups of students (e.g., accountability for equity within core instruction, which is the first step in reducing over-representation of linguistically and culturally diverse populations within continuum of supports)?

We have implemented a “walk-through” fidelity checklist for school administrators to use to verify the content of core instruction. We also have checklists in place to verify the fidelity of the standardized assessments that we administer at each building (AIMSweb Reading). Our problem-solving teams at each building are asked to review the effectiveness of core reading instruction when students are referred to the team for additional reading support. We also ensure that our teams review our benchmark reading data three times per year to evaluate their progress.

2. Document who checks accountability of assessment and instructional practices across continuum of supports and how often.

The responsibility for checking accountability of instructional practices and assessment falls first to the building administrator, although in some cases, this duty is performed by a trained designee, such as a reading specialist or school psychologist. We ask that fidelity checks on core instruction are completed in each classroom at a minimum of three times per school year. Fidelity checks for administration of assessment should also be completed, at minimum, once per school year. Fidelity checks for intervention practices will be performed by a variety of professionals; we aim to check the fidelity of our interventions at minimum of once per student.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

B. Briefly describe steps to address integrity of implementation of policies and procedures

Subsumed under Minn. R. 3525.1341 Subp. 4.

1. What systems are in place to ensure that policies and procedures for notifying parents, data-based decision making, and moving students through model are consistently implemented?

Teachers are asked to notify parents as soon as intervention begins, and are required to document this contact on their initial referral paperwork. We ask that our school problem-solving teams document and review all forms that are collected on students who are receiving reading intervention. We use progress monitoring graphs, with data collected at regular intervals (minimally every two weeks) and ask the teams to evaluate these graphs on a regular basis (every 6-8 weeks) to determine student progress. Teams keep calendars for this purpose. We have asked our teams to use a Student Process Checklist to evaluate students who are non-responders to intervention (meaning: showing 3-5 data points below the target goal line or with no progress) to ensure that the referral to special education addresses the student's complete intervention history. We also use classroom walk-through data and direct teacher observation information.

2. When implementation is inconsistent, what steps will be taken to address inconsistencies?

We will start by reviewing the Fidelity checklist information collected on both core classroom instruction and on the interventions the student is receiving. If we find errors on either of these monitoring tools, core classroom fidelity will be addressed by the building administrator. Intervention fidelity will be addressed by other trained staff with reteaching to the interventionist where necessary. We will work as a larger district and as independent school districts to ensure that our staff is receiving adequate staff development and support on all interventions, with frequent opportunity to review.

System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

VIII. Professional Development Plan for SRBI Systems and Procedures.

Recommended documentation follows requirements of Minn. R. 3525.1341 and Minn. Stat. § 122A.60 (a)(1-6).

- A. **Briefly describe staff development plan for implementing system of SRBI.** This should include discussion of: ongoing efforts to increase effective implementation of research-based instructional strategies and interventions, align interventions with state and local grade-level standards, use of student data to improve achievement, enhance teacher content knowledge and instructional skills, as well as improve data analysis, problem solving and collaboration among instructional staff.

Zumbro Education Cooperative provides on-going training in problem solving and specific interventions as well as provides a RTI coordinator for schools to utilize. The district has seven early release days for staff to review data through their Professional Learning Communities. Each grade level meets on a weekly basis to review individual student and grade level data. The districts provide each teacher with access to a variety of data-warehouses including Viewpoint, AimsWeb, TIES and Skyward.

See attached plan for 2007-2015.

- B. **Describe procedures for increasing effective implementation of selected instructional strategies or interventions.**

The Staff Development committee will review and revise the plan annually based on the analysis results. Individual districts will continue on-going "in-house" staff development with book studies, professional learning communities, and via other methods.

The Fidelity committee will continue to search out research-based instructional strategies and interventions with accompanying fidelity checklists. These are shared with the ZED SEED (Special Education Eligibility Determination) committee, district special education coordinators, school psychologists, and the Principal's RTI Leadership Team.

The district curriculum director works closely with the grade level teams and the building principals to implement effective general education reading curriculum/interventions. The curriculum director does periodic fidelity checks in the area of reading core instruction and shares that information with the building principals. The special education coordinator meets with the building principals and curriculum director throughout the school



System of Scientific Research-Based Intervention (SRBI) Plan: Updated 10/2013

year to determine in the SRBI process is being implemented with fidelity throughout the district and revises the SRBI plan as indicated to reflect current practice and procedures. The SRBI plan is shared with all teachers during inservice days.

**RTI Staff Development Calendar
2007 - 2015**

Section VIII: Professional Development for SRBI Systems and Procedures: A) Briefly describe the staff development plan for implementing SRBI. This should include discussion of: ongoing efforts to increase effective implementation of research-based instructional strategies and interventions; align interventions with state and local grade-level standards, use of student data to improve achievement, enhance teacher content knowledge and instructional skills, as well as improve data analysis, problem solving and collaboration among instructional staff. **SEE CHART BELOW.**

B) Describe procedures for increasing effective implementation of selected instructional strategies or interventions.

LAST UPDATE: APRIL 2013

Zumbro Education District	Target Audience	Ideas	Costs	07 - 08	08 - 09	09 - 10	10 - 11	11 - 12	12 - 13	13 - 14	14 - 15	Suggested Timeline	Responsible Party
Effective Implementation	K-8 Teachers: General Education + Special Education Teachers	Matt Burns RTI Awareness Presentations	\$325 / hour + mileage	X	X	X	X		X	X	X	Yearly during summer, prior to school beginning	ZED: Food + Stipend for Target Audience; presenter fee (previously paid \$125 stipend)
	PST + Coordinators	RTI Form Training: Train the Trainer Model						X				Completed Sept 2011	ZED: Christian Wernau or Gary Woodward; presenter fees
	K-8 Teachers	Midwest RTI Conference 2 days each September in RST/STPr SCRED open house (1 middle school staff from each of 7 districts attend) Webinar/Skype	~\$400 per attendee, plus mileage	X	X	X	X	X	X	X	X	Each fall. Registration is due in May. Administrators to encourage staff to attend.	District
	Elementary Administrators	Matt Burns Effective Implementation of RTI Q&A Session	\$325 / hour + mileage					X				As needed	ZED
	Middle / High School Administrators	SCRED open house at Chisago Lakes High School		X					X	X		Spring	District Melissa will research for 2013, 2014
	K-8 Teachers	Cheryl Nash: bulrush@brainerd.net ; 218-838-6366 RTI Awareness							X	X		As needed	
	Elementary and Middle School Administrators	RTI Leadership Team	None	X	X	X	X	X	X	X	X	Ongoing	ZED
	Secondary Teachers, Secondary Administrators	MILC RTI Secondary Conference	TBD						X			November 2012	Districts
	K-8 General Ed Staff K-8 Sped Staff K-8 Paraprofessionals ZED Administrators	AIMSweb: New interface	None								X	X	Hayfield: summer 2013 All other ZED: Spring 2014

Zumbro Education District	Target Audience	Ideas	Costs	07 - 08	08 - 09	09 - 10	10 - 11	11 - 12	12 - 13	13 - 14	14 - 15	Suggested Timeline	Responsible Party
Interventions Aligned with Standards	K-8 Staff	Save Your License Saturday: Comprehension Instruction	Presenter fee	X	X	X	X	X	X	X	X	Annually in spring	ZED
	K-12 Staff	Training on how current and new Tier II intervention programs / strategies are aligned to reading standards: District-based staff development days, should be related to the 5 strands of reading	Presenter fee + mileage (if applicable)					X	X	X		Early release / late start district days	District
	SPED Coordinators, SPED teachers	Standards-Based IEP training	Presenter fee + mileage (if applicable)					X				Summer	ZED
	Elementary GenEd/SPED teachers, SPED coordinators, School Psychologists	Implementation with Fidelity: Dan Hyson HVED	Presenter fee + mileage (if applicable)					X				MEA Day	ZED
	K-12 Staff	Presentation on use and interpretation of NWEA							X	X		NWEA Day or Summer	ZED
	Elementary Teachers	Americorps Interventions Training	Presenter fees + mileage (if applicable)						X	X		NWEA Day or Summer	ZED
	Elementary Teachers	5 Strands of Reading: Jane McAndrews	Presenter fees + mileage (if applicable)						X	X		NWEA Day or Summer	ZED
	General Education Staff	Using technology for Reading / Math Instruction: Jen Hegna	Presenter fees + mileage (if applicable)						X	X		NWEA Day or Summer	ZED
	Middle / High School Staff	Reading and Writing to Adolescents: Kelly Gallagher	Presenter fees + mileage (if applicable)						X	X		NWEA Day or Summer	ZED
	Middle / High School Staff	Content Area Reading Strategies: Dr. Sonya Vierstraete, Southwest State College	Presenter fees + mileage (if applicable)						X	X		NWEA Day or Summer	ZED

Zumbro Education District	Target Audience	Ideas	Costs	07 - 08	08 - 09	09 - 10	10 - 11	11 - 12	12 - 13	13 - 14	14 - 15	Suggested Timeline	Responsible Party
Use of Student Data to improve Achievement	K-8 Teachers, Paraprofessionals and Data Teams Groups: K-1 ; 2-6 ; 5-8	Review Training on Progress Monitoring	District: Substitute or stipend costs if training done during non-staff days	X	X	X	X	X	X	X	X	Ongoing as requested by district administrator	Melissa Murno
	General Education Staff	Professional Learning Communities	TBD by District				X	X	X	X	X	Ongoing as requested by staff and arranged by administrator	Districts
	K-8 Teachers, Paraprofessionals and Data Teams Groups: K-1 ; 2-6 ; 5-8	Fidelity of AIMSweb: Assessment fidelity and Qualitative Features checklist	District: Substitute or stipend costs if training done during non-staff days				X	X	X	X	X	Ongoing as requested by district administrator	Melissa Murno
	K-12 Administrators + SPED Coordinators	Data Training: Administrator Retreat: Ben Silbergritt	Presenter fees + mileage					X		x		Summer Administrative Retreat	ZED
	SPED Coordinators, School Psychologists	Data Training in CBM: Ted Christ	Presenter fees + mileage			X						As needed as requested	ZED

Zumbro Education District	Target Audience	Ideas	Costs	07 -	08 -	09 -	10 -	11 -	12 -	13 -	14 -	Suggested Timeline	Responsible Party
				08	09	10	11	12	13	14	15		
Enhance teacher content knowledge and instructional skills	K-6 Staff	Training in differentiation of instruction at Tier I using the core curriculum (Scott Foresman Reading Streets for most districts)	Possible use of K-3 literacy \$					X	X	X		Training during the school year	Districts
	SPED Teachers	PLC Use						X	X	X		TBD	ZED
	SPED Teachers, SPED Coordinators	Region X Library and Study Groups						X	X	X		TBD	TBD
	General Education Administrators, SPED Coordinators	PST / SLD Training						X				May 2012, June 2012	MDE SLD Trainers / ZED

Zumbro Education District	Target Audience	Ideas	Costs	07 -	08 -	09 -	10 -	11 -	12 -	13 -	14 -	Suggested Timeline	Responsible Party
				08	09	10	11	12	13	14	15		
Improve Data Analysis	PST Members	Reviewing Individual & Group Data in ICEL / RIOT: Integrating Multiple Sources of Data	District: Substitute costs ZED: Presenter costs					X				MEA Day	SLD Trainers: Terri Wehrman / Diana Orr
	SPED Teachers, PST Members	SLD Webinars in ICEL, RIOT	None					X	X	X			SLD Trainers: Terri Wehrman / Diana Orr

Zumbro Education District	Target Audience	Ideas	Costs	07 -	08 -	09 -	10 -	11 -	12 -	13 -	14 -	Suggested Timeline	Responsible Party
				08	09	10	11	12	13	14	15		
Problem solving and collaboration among instructional staff	PST Members	Advanced Problem Solving Team Training: Matt Burns	\$325 / hr + mileage						X			Summer	ZED
	PST Members	Instruction on team collaboration/ data management: Dan Hyson	TBD							X		TBD	ZED

Zumbro Education District	Target Audience	Ideas	Costs	07 - 08	08 - 09	09 - 10	10 - 11	11 - 12	12 - 13	13 - 14	14 - 15	Suggested Timeline	Responsible Party	
Eligibility for Special Education	SPED Coordinators, School Psychologists	SLD Webinars	Presenter fee + mileage (if applicable)					X	X	X			SLD Trainers: Terri Wehrman / Diana Orr	
	RTI Teams, School Psychologists, SPED Coordinators	Basic Psychological Processing	Presenter fee + mileage (if applicable)					X	X	X			School Psychologists	
	General Education Teachers, SPED Teachers, SPED Coordinators, School Psychologists	AIMSweb Progress Monitoring Training	None	X	X	X	X	X	X	X	X	Ongoing as needed / requested by districts	ZED / Melissa Murno	
	General Education Staff, Problem-Solving Teams Special Education Staff, School Psychologists	Integrating Multiple Sources of Data	Presenter fee + mileage (if applicable)					X				MEA Day	SLD Trainers: Terri Wehrman / Diana Orr	
	SEED Team	Professional Learning Community	None			X	X	X	X	X	X	Ongoing	ZED / District Staff	
	K-8 General Ed Staff K-8 Sped Staff K-8 Paraprofessionals ZED Administrators	GenEd Forms Training: Train-the-trainer	Presenter stipend + teacher participant stipend (1/2 day)								X		August 2013	Chris Staloch Terri Wehrman
	K-8 General Ed Staff K-8 Sped Staff K-8 Paraprofessionals ZED Administrators	GenEd Forms Training: In-district	None								X		2013-2014 school year	Staff from 8/2013 workshop should submit dates to ZED that training was completed in-district
	K-8 General Ed Staff K-8 Sped Staff K-8 Paraprofessionals ZED Administrators	Identifying the Problem: Discrepancy Statement / Gap Analysis									X			
	SPED teachers	BPP Training: Terminology crosswalk between old and new; what are the specific areas of BPP; how to identify each area; educational impacts, accommodations, applications	None								X	X	Webinars completed during 2013-2014 school year for use during MEA day Fall 2014	Terri Wehrman, Diana Orr, trainers from Rochester
	School Psychologists Sped Teachers Sped Coordinators	Observations: How to complete, write and synthesize pieces of data of relevant observed behavior to support Sped eligibility	Presenter stipends								X		Webinar completed August 2013 Training in-district completed Fall 2013	Diana Orr Darcy Reker Erin Mogensen

Appendix B

Restrictive Procedures



Restrictive Procedures Plan Hayfield Community Schools

In accordance with Minnesota Statute 125A.0942, Subd. 1, all Minnesota school district are required to develop and make public a plan that discloses its use of restrictive procedures. The plan specifically outlines the list of restrictive procedures the school intends to use; how the school will monitor and review the use of restrictive procedures, including post use debriefings and convening an oversight committee; and a written description and documentation of the training and staff that have completed the training.

Hayfield Community Schools uses restrictive procedures only in response to behavior(s) that constitutes an emergency, even if written into a child's Individualized Education Program (IEP) plan or Behavior Intervention Plan (BIP).

1. Definitions

The following terms are defined as:

- a. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- b. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint. The term physical holding does not mean physical contact that:
 - i. helps a child respond or complete a task;
 - ii. assists a child without restricting the child's movement;
 - iii. is needed to administer an authorized health-related service or procedure; or
 - iv. is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
- c. "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.
- d. "Restrictive procedures" means the use of physical holding or seclusion in an emergency.

e. "Seclusion" means confining a child alone in a room from which egress is barred. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

2. Staff Training - Requirements and Activities

Requirements

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of the training, attendees and training dates. A database containing records of all trainings will be maintained within the Zumbro Education District main office.

The following employee job classifications are authorized and certified to use restrictive procedures:

- Licensed special education teachers
- School social workers
- School psychologists
- Other licensed education professionals
- Highly qualified educational assistants

Activities

District staff who have routine contact with students and who may use restrictive procedures receive training (both in-depth initial training and regular refresher training) in the following areas:

- a. Positive behavioral interventions;
- b. Communicative intent of behaviors;
- c. Relationship building;
- d. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
- e. De-escalation methods;
- f. Standards for using restrictive procedures only in an emergency;
- g. Obtaining emergency medical assistance;
- h. Physiological and psychological impact of physical holding and seclusion;
- i. Monitoring and responding to a child's physical signs of distress when physical holding is being used;

- j. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;
- k. District policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure and;
- l. Schoolwide programs on positive behavior strategies

3. Oversight Committee

Hayfield Community Schools oversight committee consists of the following individuals:

- a. Building Administrators
- b. Special Education Administrator
- c. School Social Worker

The oversight committee meets every quarter and will review the following:

- a. Physical intervention documentation to determine patterns or problems indicated by similarities in the time of day, day of week, duration of the use of a procedure, the individuals involved or other factors associated with the use of restrictive procedures, as well as review individual due process paperwork.
- b. The number of times a restrictive procedure is used schoolwide and for individual children
- c. The number and types of injuries, if any, resulting from the use of restrictive procedures
- d. Whether restrictive procedures are used in nonemergency situations
- e. The need for additional staff training
- f. Proposed actions to minimize the use of restrictive procedures
- g. Communicate district training needs to the Zumbro Education District Special Education Director

4.Restrictive Procedures: Physical Holding and Seclusion

Restrictive procedures that may be used in emergency situations include physical holding and seclusion. Physical holding will end when the threat of harm has ended and staff has determined that the student can safely return to the requested activity.

Physical Holding

- a. Hayfield Community Schools intends to use the following types of physical holding: CPI Children's Control Position, CPI Team Control Position, CPI Transport Position, CPI Interim Control.

Seclusion

Hayfield Community Schools does not use seclusion.

5. Prohibited Procedures

Hayfield Community Schools will never use the following prohibited procedures on a student:

- a. Corporal Punishment which includes conduct involving:
 - i. hitting or spanking a person with or without an object; or
 - ii. unreasonable physical force that causes bodily harm or substantial emotional harm.
- b. Requiring the student to assume and maintain specified physical position, activity, or posture that induces physical pain.
- c. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or spray as punishment.
- d. Denying or restricting the students access to equipment and devices such as wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device is needed to prevent injury to the student others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible.
- e. Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse.
- f. Totally or partially restricting a student's senses as punishment.
- g. Withholding regularly scheduled meals or water.
- h. Denying the student access to bathroom facilities.
- i. Physical holding that restricts or impairs a student's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck chest, lungs, sternum, diaphragm, back or abdomen, or results in straddling a child's torso.

6. Documentation of Physical Holding or Seclusion

Each time physical holding or seclusion is used, the staff person who implements or oversees the restrictive procedure shall document, as soon as possible after the incident concludes, the following information via use of the SPED Forms: "Use of Restrictive Procedures: Physical Holding" form:

- a. A description of the incident that led to the physical holding or seclusion;
- b. Why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical;

- c. The time the physical holding or seclusion began and the time the student was released;
and
- d. A synopsis of the student's behavioral and physical status.

Each time physical holding or seclusion is used, the staff person who implements or oversees the restrictive procedure shall conduct a post-use debriefing with the building administrator or administrative designee within 2 school days after the incident occurs. The SPED Forms "Staff Debriefing" form will be used to review:

- a. A description of the incident that led to the physical holding or seclusion;
- b. Why a less restrictive intervention failed or was determined by staff to be inappropriate or impractical;
- c. The time the physical holding or seclusion began and the time the student was released;
- d. A synopsis of the student's behavioral and physical status;
- e. That staff were present and monitoring the situation and student safety;
- f. Review completeness of Sped Forms documentation;
- g. Review parental notification requirements;
- h. Determine if additional due process requirements need to be addressed;
- i. Ensure that all staff involved are identified;
- j. Ensure that staff using physical holds have up-to-date restrictive procedures training.

If the post-use debriefing meeting reveals that the use of physical holding was used inappropriately, the Building Oversight Committee will convene immediately to ensure corrective action is taken.

7. Documentation for an IEP

The use of restrictive procedures in response to an emergency may be documented in the student's IEP or a behavior intervention plan attached to the IEP. Meetings of the IEP team will be conducted in accordance with MN Statute which requires review within 10 calendar days after restrictive procedures are used on two separate school days within 30 school days; when a pattern emerges and restrictive procedures are not included in a child's IEP or BIP; or at the request of a parent or the district after restrictive procedures are used. At that time, the team shall conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive

behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the IEP or BIP as appropriate. At the meeting the team will review any known medical or psychological limitations that contraindicate the use of a restrictive procedure, consider whether to prohibit that restrictive procedure, and document any prohibition in the IEP or BIP.

If restrictive procedures are used on a child on ten or more school days during the same school year, the team either must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication or autism; consult with culturally competent professional; review existing evaluations, resources, and successful strategies; or consider whether a re-evaluation is necessary.

8. Use of Restrictive Procedures-Parent Notification

Hayfield Community Schools shall make reasonable efforts to notify the parent on the same day when restrictive procedures are used in an emergency. If the school is unable to provide same day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent within two days. Documentation of how the parent wants to be notified when a restrictive procedure is used may be included in the IEP or BIP.

9. Positive Behavior Interventions and Supports

Positive behavior interventions and supports (PBIS) means interventions and strategies to improve the school environment and teach children the skills to behave appropriately.

Hayfield and Brownsdale Elementary Schools

The elementary uses a schoolwide positive behavior support through the Responsive Classroom framework. Instruction is provided during “morning meeting” which focuses on community building, social skills building, and character building. Staff models and practices positive behaviors with the students. All classrooms use an “I do, we do, you do” approach.

Professional development includes a two-year book study on The Power of Our Words: Teacher Language that Helps Children Learn (2013-2015).

In addition, there are many activities that promote working with and getting along with others in our schools: Fun Run, grade level field trips, and community service.

Hayfield High School

A daily homeroom advisory promotes social and academic growth. Grade levels also participate in year long Spirit Cup activities with a culminating week long schedule of activities. In addition, the Student Council provides opportunities for students to have their voice heard within the school community. There are many extracurricular activities that meet once a month during the school day that promote building community and positive relationships:

- HOT—Helping Others Together
- SADD—Students Against Destructive Decisions
- STARS—Students Teaching About Refusal Skills
- WEB—Where Everyone Belongs (day long programming which include all incoming 7th grade students)
- Multiple other extracurricular activities that promote working as a group/team

Mental Health Community Resources

Dodge County

Dodge County Human Services
22 6th St. E Dept. 407
Mantorville, MN 55955
504-635-6170
www.co.dodge.mn.us

South Central Human Relations Center
610 Florence Ave.
Owatonna, MN 55060
507-451-2630
800-722-0590
www.schrc.com

Fernbrook Family Center
503 S. Mantorville Ave.
Kasson, MN 55940
507-634-4690
www.fernbrook.org

Mower County

Mower County Human Services
1301 18th Ave. NW Suite A
Austin, MN 55912
507-437-9700
<http://www.co.mower.mn.us/>

Community and Technology Services
1403 15th Ave. NW
Austin, MN 55912
507-437-2827

Family Connections
507-438-2533

APPENDICES

1.- Restrictive Procedures Training

Instructors:

Duane Ellingworth-ZED School Psychologist, Crisis Prevention Institute Nonviolent Crisis Intervention Certified Instructor (Certified 3/5/2010)

Melinda Schroeder-ZED Autism Resource Specialist/School Psychologist, Crisis Prevention Institute Nonviolent Crisis Intervention Certified instructor (Certified 3/5/2010)

ZED Restrictive Procedures Training Outline (12 hours of initial training) and includes the following information:

Legal definitions

Risks of physical restraint (staff and student, physiological & psychological)

If need to engage in physical holding, what is required

Guidelines for restrictive procedures

Due process requirements

Relationship building

Communicative intent of behavior

Positive behavior interventions

Documentation Requirements

Crisis Prevention Institute Inc-Nonviolent Crisis Intervention Units I – X

Unit I CPI Crisis Development Model

Unit II Nonverbal Behavior

Unit III Paraverbal Communication

Unit IV Verbal Intervention

Unit V Precipitating Factors, Rational Detachment, and Integrated Experience

Unit VI Staff Fear & Anxiety

Unit VII CPI Personal Safety Techniques

Unit VIII Nonviolent Physical Crisis Intervention

Unit IX Situational Role Plays

Unit X Postvention

Hayfield Community Schools maintains a list of staff who have received restrictive procedures training. This includes staff name, date of initial training and dates of refresher training. This is on file at the coordinator's office at Hayfield Elementary School.

2. Documentation Forms

[Use of Restrictive Procedures-Physical Holding](#)

[Use of Restrictive Procedures-Staff Debriefing](#)



STAFF DEBRIEFING MEETING

Date of Incident: _____ Date of Debriefing: _____

Student: _____ ID: _____ DOB: _____

School: _____ Grade: _____

Student was on an IEP: Yes No

Was IEP implemented correctly? Yes No

Was a BIP in place: Yes No

Was BIP implemented correctly? Yes No

Identify the antecedents, triggers and proactive interventions used prior to escalation:

Briefly describe the impact of these less restrictive interventions:

What behavior necessitated the use of a restrictive procedure?

Describe student and staff behavior during the incident:

What actions helped or didn't help?

Describe the procedure used to return the student to his/her routine activity:

Was the hold/seclusion the response to an emergency situation? Yes No

Was the hold/seclusion the least restrictive intervention? Yes No

Did the hold/seclusion end when the threat of harm ended? Yes No

Is corrective action needed? Yes No

Is the behavior likely to reoccur? Yes No

Follow-up action to prevent the need for future use of restrictive procedures:

Behavior History:

Other restrictive procedures used in the last 4 weeks: Yes No

Restrictive procedures used twice in a month: Yes No

Does the team see this as a pattern? Yes No

Does the child's IEP team need to meet? Yes No

Staff Attending Debriefing (should include one individual not involved in the incident) **Circle Facilitator's Name**



Use of Restrictive Procedures: Physical Holding

Student: _____

ID: _____

Date: _____

School: _____

Grade: _____

DOB: _____

Directions: Complete this form whenever a physical hold is used. All students must be monitored by an adult at all times. End the intervention when the threat of harm ends and staff determine that the student can safely return to the classroom or activity. A debriefing meeting must be held within two (2) days and a Staff Debriefing Meeting form completed.

Staff involved:

Signature of person completing this form:

Description of incident that led to physical holding:

Time physical hold began: _____ Ended: _____ Total Time: _____

Description of physical holding and the student's behavior and physical status:

Intervention was to protect student or others from physical injury: Yes No

Intervention was used to prevent serious property damage: Yes No

Did staff directly observe the child during the physical hold: Yes No

Did the physical holding end when the threat of harm ended and staff determined that the student could safely return to the classroom or activity: Yes No

Positive and least restrictive interventions tried before use of restrictive procedure:

Description why a less restrictive intervention failed or was determined to be inappropriate or impractical:

Parent Notification: Parents must be notified the same day a restrictive procedure is used. A written or electronic notice must be sent home within two (2) days if unable to notify on the same day.

Parent: _____ Date: _____ Time: _____

Notified by:

Parent Comments:

Appendix C
Evaluation and Re-Evaluation
SST Process

Re-evaluation

**START
PROCESS 90
CALENDAR
DAYS PRIOR
TO 3 YEAR
DUE DATE**

Notify via telephone or send out Team Meeting Notice indicating that the intent of the meeting is to discuss and develop a Ed. Re-evaluation Plan.
***Team should consist of the following: licensed evaluation manager, principal/designee, general ed. teacher, Parent and the referring person. If any members cannot attend, follow process outlined on "Team Meeting Notice ".

Conduct a multi-disciplinary team meeting to review the student's current performance/needs and develop an Ed. Re-evaluation Plan.

Within 3-5 School days

Contact parent and schedule a private conference, a conciliation conference or mediation.

Parents give permission or form is not returned within 14 calendar days from date sent to parents. (Sent date must be documented on SPED Forms) (If you haven't heard back in 5-7 days contact parent to make sure they received notice)

Complete Prior Written Notice, Parent Consent/Objection Form and Notice of Ed. Eval./Re-eval. Plan and send out to parents for signature and approval..
To avoid parental confusion, highlight or circle either "if no additional data are needed" or "if further evaluation is planned."

Parents refuse permission.

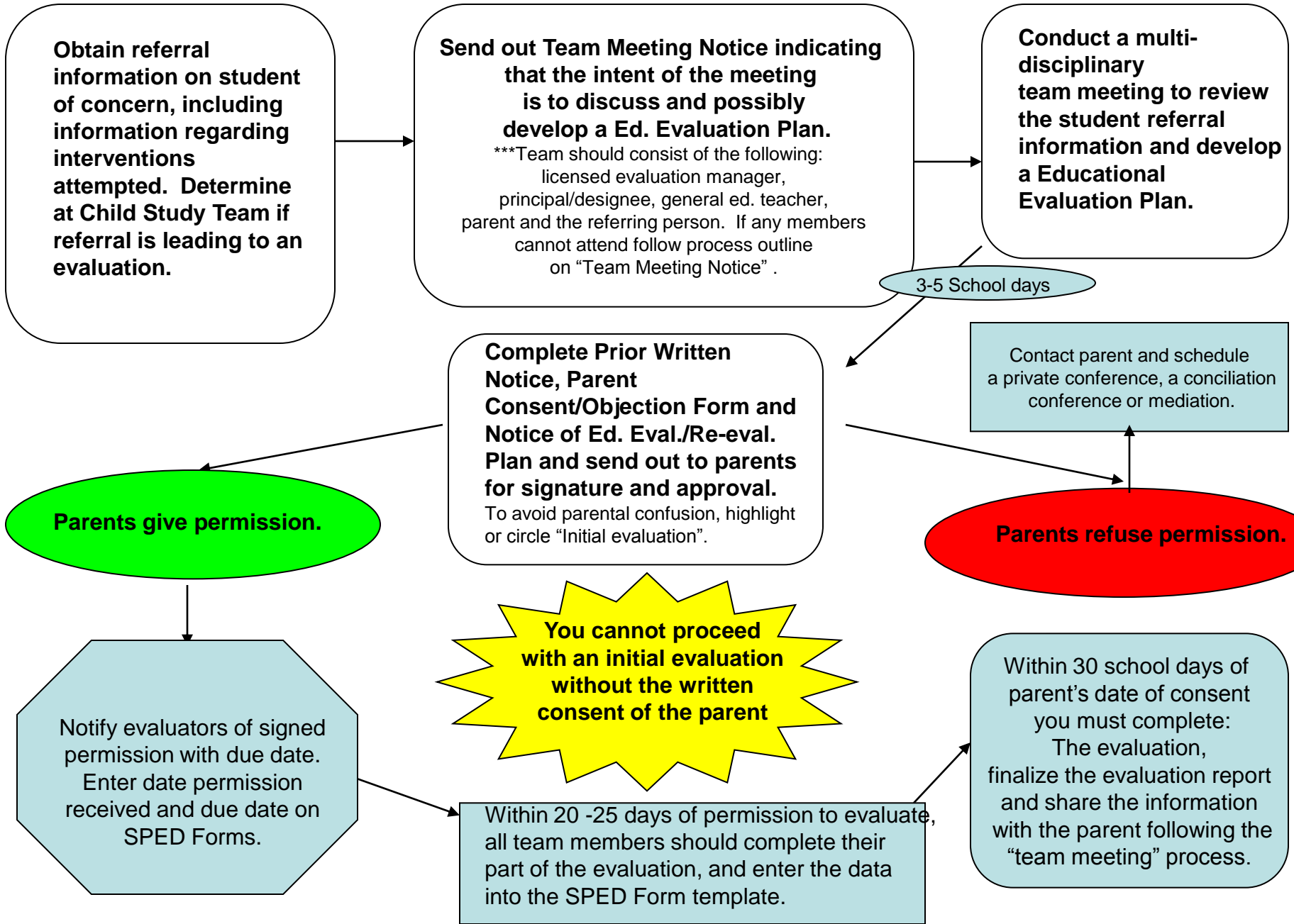
You can proceed with a Re-evaluation without the written consent of the parent after 14 calendar days from sent out date.

Notify due date to all team members that are evaluating. Enter date permission received and due date on SPED Forms.

Within 20-25 days of permission to evaluate, all team members should complete their part of the evaluation, and enter the data into the SPED Form template.

Within 30 school Days of parent's date of consent you must complete:
The evaluation, finalize the evaluation report and share the information with the parent following the "Team Meeting" process.

Initial Evaluation



Hayfield Community Schools
Hayfield, MN 55940
orrdi@hayfield.k12.mn.us

STUDENT STUDY TEAM PROCESS

Purpose:

The Student Study Team process is a multidisciplinary approach to ensure appropriate education for all learners and is provided in accordance with due process procedures identified by IDEA and Minnesota Statute.

Members:

Special Education Coordinator
Special Education Staff
General Education Staff
Counselors

Responsibilities:

1. New referrals must first go to the Problem Solving Team for a minimum of 2 interventions before they are reviewed by the SST Team.
2. Review pre-referral interventions. The SST is responsible to review pre-referral interventions documentation to ensure that at least two appropriate interventions have been carried out over an appropriate time frame (12 data points over a 7 week period per intervention is guideline). The SST must consider the following options for each referral
 - a. Recommend the classroom teacher continue current interventions for extended time and/or implement other suggested interventions.
 - b. Recommend pursuit of services such as Title I, 504 or other in-building programs.
 - c. Recommend pursuit of special education evaluation.
 - d. No further consideration required.
3. Make decisions to proceed with initial special education evaluations. The SST will review the pre-referral interventions, completed SST referral form, and individual student file information to determine if the Initial Special Education Evaluation is appropriate. If the referral proceeds to evaluation, the SST identifies an Evaluation/IEP manager for the student and notes for the Evaluation/IEP manager the all areas of concern (areas impeding educational progress). The SST will develop an Evaluation Plan and the Evaluation/IEP manager will seek parental consent.
4. Monitor Special Education Evaluations. The SST will ensure due process procedures are completed within timelines and according to state and federal guidelines. The SST shall monitor all referrals and Initial Evaluations by tracking dates for each phase of the due process procedures. An Evaluation is allowed 30 school days from date of parent signed consent to report completion and meeting.

Appendix B

- 5. PARENT REFERRALS: Parent referrals will require the same process for assessments.**

Appendix D

Procedural Safeguards



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

The material contained in this document is intended to provide general information and guidance regarding special education rights and procedural safeguards afforded to parents of children age 3 through 21 under state and federal law. This document explains a selection of some of the rights and procedural safeguards provided to parents under the Individuals with Disabilities Education Act (IDEA), the implementing regulations at 34 C.F.R Part 300, and applicable Minnesota laws and regulations; it is not a complete list or explanation of those rights. This notice is not a substitute for consulting with a licensed attorney regarding your specific legal situation. This document does not purport to include a complete rendition of applicable state and federal law, and the law may have changed since this document was issued.

INTRODUCTION

This document provides an overview of parental special education rights, sometimes called procedural safeguards. These same procedural safeguards are also available for students with disabilities who have reached the age of 18.

This Notice of Procedural Safeguards must be given to you at least one time per year. It must also be given to you:

1. The first time your child is referred for a special education evaluation or if you request an evaluation;
2. The first time you file a complaint with the Minnesota Department of Education (MDE) in a school year;
3. The first time you or the district requests a due process hearing in a school year;
4. On the date the district decides to change the placement of your student by removing the student from school for a violation of the district discipline policy; or
5. Upon your request.

PRIOR WRITTEN NOTICE

The district must provide you with prior written notice each time it proposes to initiate or change, or refuses to initiate or change:

- the identification of your child;

- the evaluation and educational placement of your child;
- the provision of a free appropriate public education (FAPE) to your child; or
- When you revoke consent for services for your child in writing and before the district stops providing special education and related services.

This written notice must include:

1. A description of the action proposed or refused by the district;
2. An explanation of why the district proposes or refuses to take the action;
3. A description of each evaluation procedure, assessment, record, or report the district used as a basis for its proposal or refusal;
4. A statement that you, as parents of a child with a disability, have protection under these procedural safeguards and information about how you can get a copy of the brochure describing the procedural safeguards;
5. Sources for you to contact to obtain assistance in understanding these procedural safeguards;
6. A description of other options the IEP team considered and the reasons why those options were rejected; and
7. A description of other factors relevant to the district's proposal or refusal.

In addition to federal requirements, prior written notice must inform you that, *except for the initial placement of your child in special education*, the school district will proceed with its proposal for your child's placement, or for providing special education services, unless you notify the district of an objection within 14 days of when the district sent you the prior written notice. The district must also provide you with a copy of the proposed IEP whenever the district proposes to initiate or change the content of the IEP.

The prior written notice must also state that, if you object to a proposal or refusal in the prior written notice, you must have an opportunity for a conciliation conference, and the school district must inform you of other alternative dispute resolution procedures, including mediation and facilitated IEP team meetings, under Minnesota Statutes, section 125A.091, Subdivisions 7-9.

FOR MORE INFORMATION

If you need help in understanding any of your procedural rights or anything about your child's education, please contact your district's special education director or the person listed below. This notice must be provided in your native language or other mode of communication you may be using. If your mode of communication is not a written language, the district must take steps to translate this notice orally or by other means. The district must ensure that you understand the content of this notice and maintain written evidence that this notice was provided to you in an understandable mode of communication and that you understood the content of this notice.

If you have any questions or would like further information, please contact:

Name: Dianna Orr

Phone 507-477-3235

For further information, you may contact one of the following organizations:

ARC Minnesota (advocacy for persons with developmental disabilities)

www.thearcofminnesota.org

651-523-0823

1-800-582-5256

Minnesota Association for Children's Mental Health

www.macmh.org

651-644-7333

1-800-528-4511

Minnesota Disability Law Center

www.mndlc.org

612-334-5970 (Twin Cities Metro)

1-800-292-4150 (Greater Minnesota)

612-332-4668 (TTY)

PACER (Parent Advocacy Coalition for Educational Rights)

www.pacer.org

952-838-9000

1-800-53-PACER,

952-838-0190 (TTY)

Minnesota Department of Education

www.education.state.mn.us

651-582-8689

651-582-8201 (TTY)

ELECTRONIC MAIL

If your school district gives parents the choice to receive notices by email, you can choose to receive your prior written notice, procedural safeguards notice, or notices related to a due process complaint via email.

PARENTAL CONSENT

Definition of Consent

Consent means that you have been fully informed of all information relevant to the activity for which your consent is sought, in your native language, or through another mode of communication. In order to consent you must understand and agree in writing to the carrying out of the activity for which your consent is sought. This written consent must list any records that will be released and to whom.

Revocation of Consent

Consent is voluntary and may be revoked in writing at any time. However, revocation of consent is not retroactive; meaning revocation of consent does not negate an action that has occurred after the consent was given and before the consent was revoked.

When the District Must Obtain Your Consent

A. Initial Evaluation

The district must obtain your written and informed consent before conducting its initial evaluation of your child. You or a district can initiate a request for an initial evaluation. If you do not respond to a request for consent or if you refuse to provide consent for an initial evaluation, the district cannot override your refusal to provide consent. An initial evaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation, unless a conciliation conference or hearing is requested.

A district will not be found in violation of meeting its child find obligation or its obligations to conduct evaluations and reevaluations if you refuse to consent to or fail to respond to a request for consent for an initial evaluation.

If you consent to an initial evaluation, this consent cannot be construed as being consent for the initial provision of special education and related services.

B. Initial Placement and Provision of Special Education Services and Related Services

The district must obtain your written consent before proceeding with the initial placement of your child in a special education program and the initial provision of special education services and related services to your child determined to be a child with a disability.

If you do not respond to a request for consent, or if you refuse to consent to the initial provision of special education and related services to your child, the district may not override your written refusal.

If you refuse to provide consent for the initial provision of special education and related services, or you fail to respond to a request to provide consent for the initial provision of special education and related services, the district will not be considered in violation for failure to provide your child with special education and related services for which the district requested consent.

C. Reevaluations

Your consent is required before a district conducts a reevaluation of your child. If you refuse consent to a reevaluation, the district may not override your written refusal. A reevaluation shall be conducted within 30 school days from the date the district receives your permission to conduct the evaluation or within 30 days from the expiration of the 14 calendar day time period during which you can object to the district's proposed action.

D. Transition Services

Your consent is required before personally identifiable information is released to officials of participating agencies providing or paying for transition services.

When Your Consent is Not Required

Except for an initial evaluation and the initial placement and provision of special education and related services, if you do not notify the district of your objection within 14 days of when the district sends the notice of the district's proposal to you, the district's proposal goes into effect even without your consent.

Additionally, your consent is not required for a district to review existing data in your child's educational file as part of an evaluation or a reevaluation.

Your consent is also not required for the district to administer a test or other evaluation that is given to all children, unless consent is required from parents of all children.

Parent's Right to Object and Right to a Conciliation Conference

You have a right to object to any action the district proposes within 14 calendar days of when the district sends you the prior written notice of their proposal. If you object to the district's proposal, you have the right to request a conciliation conference, mediation, facilitated IEP team meeting or a due process hearing. Within ten calendar days from the date the district receives notice of your objection to its proposal or refusal in the district's prior written notice, the district will ask you to attend a conciliation conference.

Except as provided under Minnesota Statutes, section 125A.091, all discussions held during a conciliation conference are confidential and are not admissible in a due process hearing. Within five days after the final conciliation conference, the district must prepare and provide to you a conciliation conference memorandum that describes the district's final proposed offer of service. This memorandum is admissible evidence in any subsequent proceeding.

You and the district may also agree to use mediation or a facilitated individualized education program (IEP) team meeting to resolve your disagreement. You or the district can also request a due process hearing (see section about Impartial Due Process Hearings later in this document). The district must continue to provide an appropriate education to your child during the proceedings of a due process hearing.

Confidentiality and Personally Identifiable Information

Personally identifiable information is information that includes, but is not limited to, a student's name, the name of the student's parent or other family members, the address of the student or student's family, a personal identifier, such as the student's Social Security number, student number, or biometric record, another indirect identifier, such as the student's date of birth, place of birth, a mother's maiden name, other information that, alone or in combination, is linked to or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Districts and MDE must protect the confidentiality of any personally identifiable data, information, and records they collect, maintain, disclose, and destroy.

Generally, your written consent is required before a district may disclose personally identifiable information from your child's educational record with anyone other than officials of participating

agencies collecting or using the information under the Individuals with Disabilities Education Act (IDEA) or for any purpose other than meeting a requirement of that law.

When your consent is not required to share personally identifiable information. Your consent, or the consent of an eligible student (age 18 or older), is not required before personally identifiable information contained in education records is released to officials of a school district or the state department of education for meeting IDEA requirements.

Your child's educational records, including disciplinary records, can be transferred without your consent to officials of another school, district, or postsecondary institution if your child seeks to enroll in or attend the school or institution or a school in that district.

Disclosures made without your consent must be authorized under the Family Educational Rights and Privacy Act (FERPA). Please refer to 34 C.F.R. Part 99 for additional information on consent requirements concerning data privacy under federal law.

Directory Information

Directory information can be shared without your consent. This type of information is data contained in an education record of your child that would not generally be considered harmful or an invasion of privacy if disclosed.

Directory information includes, but is not limited to, a student's address, telephone number, email address, date and place of birth, major field of study, grade level, enrollment status, dates of attendance, participation in official activities and sports, weight and height of athletic team members, degrees, honors, and awards received, the most recent educational agency or institution attended, and a student ID number, user ID, or other unique personal identifier used for accessing or communicating electronically if certain criteria are met. Directory information does not include a student's Social Security number or a student ID number not used in connection with accessing or communicating electronically as provided under federal law.

Districts must give you the option to refuse to let the district designate any or all data about your child as directory information. This notice can be given to you by any means reasonably likely to inform you or an eligible student of this right. If you do not refuse to release the above information as directory information, that information is considered public data and can be shared without your consent.

Data about you (meaning parents) is private data but can be treated as directory information if the same procedures that are used by a district to designate student data as directory information are followed.

WRITTEN ANNUAL NOTICE RELATING TO THIRD PARTY BILLING FOR IEP HEALTH-RELATED SERVICES

Before billing Medical Assistance or MinnesotaCare for health-related services the first time, and each year, the district must inform you in writing that:

1. The district will share data related to your child and health-related services on your child's IEP with the Minnesota Department of Human Services to determine if your child is covered by Medical Assistance or MinnesotaCare and whether those services may be billed to Medical Assistance or MinnesotaCare.

2. Before billing Medical Assistance or MinnesotaCare for health-related services the first time, the district must obtain your consent, including specifying the personally identifiable information that may be disclosed (e.g., records or information about the services that may be provided), the purpose of the disclosure, the agency to which the disclosure may be made (i.e., the Department of Human Services) and which specifies that you understand and agree that the school district may access your (or your child's) public benefits or insurance to pay for health-related services.
3. The district will bill Medical Assistance or MinnesotaCare for the health-related services on your child's IEP.
4. The district may not require you to sign up for or enroll in Medical Assistance or MinnesotaCare or other insurance programs in order for your child to receive special education services.
5. The district may not require you to incur an out-of-pocket expense such as the payment of a deductible or co-pay amount incurred in filing a claim for health services provided, but may pay the cost that you otherwise would be required to pay.
6. The district may not use your child's benefits under Medical Assistance or MinnesotaCare if that use would: decrease available lifetime coverage or any other insured benefit; result in your family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the child outside of the time your child is in school; increase your premiums or lead to the discontinuation of benefits or insurance; or risk your loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.
7. You have the right to receive a copy of education records the district shares with any third party when seeking reimbursement for IEP health-related services.

You have the right to stop your consent for disclosure of your child's education records to a third party, including the Department of Human Services, at any time. If you stop consent, the district may no longer share your child's education records to bill a third party for IEP health-related services. You can withdraw your consent at any time, and your child's IEP services will not change or stop.

INDEPENDENT EDUCATIONAL EVALUATIONS

An independent educational evaluation (IEE) is an evaluation by a qualified person(s) who is not an employee of your district. You may ask for an IEE at school district expense if you disagree with the district's evaluation. A hearing officer may also order an independent educational evaluation of your child at school district expense during a due process hearing.

Upon request for an IEE, the district must give you information regarding its criteria for selection of an independent examiner and information about where an independent education evaluation may be obtained.

If you request an IEE, the district must, without delay, ensure that it is provided at public expense or request a hearing to determine the appropriateness of its evaluation. If the district goes to hearing and the hearing officer determines the district's evaluation is appropriate, you still have the right to an independent evaluation, but not at public expense.

If you obtain an IEE, the results of the evaluation must be considered by the IEP/IIIP (Individual Interagency Intervention Plan) Team and may be presented as evidence at a due process hearing regarding your child.

EDUCATION RECORDS

Definition of an Education Record

Under federal law an education record means those records that are directly related to a student and that are maintained by the department or the district.

Your Access to Records

If you want to look at your child's education records, the district must give you access to those records for your review. Education records include most of the information about your child that is held by the school. However, information held solely by your child's teacher for his or her own instructional use may not be included in the education records.

The district must allow you to review the records without unnecessary delay, and before any meeting regarding an IEP, or any hearing or resolution session about your child. In addition, the district must comply with your request to review your child's education records immediately, if possible, or within 10 days of the date of the request (excluding Saturdays, Sundays and legal holidays), if immediate compliance is not possible.

Your right to inspect and review records includes the right to:

1. An explanation or interpretation from the district of your child's records upon request;
2. Have your representative inspect and review the records on your behalf;
3. Request that the district provide copies of your child's educational records to you; and
4. Review your child's records as often as you wish in accordance with state law. State law provides that if you have been shown private data and have been informed of its meaning, that data does not need to be disclosed to you for a period of 6 months unless a dispute or action is pending or new information is created or collected.

Transfer of Rights

Your rights regarding accessing your child's education records generally transfer to your child at age 18. Notice must be provided to you and your child regarding this transfer of rights.

Records on More Than One Child

If any education record includes information on more than one child, you have the right to inspect and review only information relating to your child. You can seek consent to review and inspect education records that include information about children in addition to your own, but those parents of those children have a right to refuse your request for consent.

List of Types and Locations of Information

Upon your request, the district and the department must provide you with a list of the types and locations of education records they collect, maintain or use.

Record of Access by Others

The district must keep a record of each request for access to, and each disclosure of, personally identifiable information in your child's education records. This record of access must include the name of the individual who made the request or received personally identifiable information from your child's education records, the date access was given and the purpose of the disclosure or the individual's legitimate interest in the information.

Consent to Release Records

Generally, your consent is required before personally identifiable information is released to unauthorized individuals or agencies. The consent must be in writing and must specify the individuals or agencies authorized to receive the information; the nature of the information to be disclosed; the purpose for which the information may be used; and a reasonable expiration date for the authorization to release information. Upon request, the district must provide you with a copy of records it discloses after you have given this consent.

The district may not disclose information contained in your child's IEP/IIIP, including diagnosis and treatment information, to a health plan company without your signed and dated consent.

Fees for Searching, Retrieving and Copying Records

The district may not charge a fee to search or retrieve records. However, if you request copies, the district may charge a reasonable fee for the copies, unless charging that fee would prevent you from exercising your right to inspect and review the education records because you cannot afford to pay it.

Amendment of Records at Parent's Request

If you believe that information in your child's records is inaccurate, misleading, incomplete or in violation of your child's privacy or other rights, you may request in writing that the district amend or remove the information.

The district must decide within a reasonable time whether it will amend the records. If the district decides not to amend the records, it must inform you that you have the right to a hearing to challenge the district's decision. If, as a result of that hearing, the district decides that the information is not inaccurate, misleading, or otherwise in violation of your child's privacy right, it must inform you that you have the right to include a statement of your comments and disagreements alongside the challenged information in your child's education records. A hearing to challenge information in education records must be conducted according to the procedures for such hearings under FERPA.

Transfer of Records

Minnesota Statutes require that a district, a charter school, or a nonpublic school transfer a student's educational records, including disciplinary records, from a school a student is transferring from to a school in which a student is enrolling within 10 business days of a request.

Destruction of Records

The district must inform you when personally identifiable information is no longer needed in order to provide education services to your child. That information must be destroyed at your request. However, the school may retain a permanent record of your child's name, address, phone number, grades, attendance records, classes attended, grade level completed and year completed.

Under federal law, destruction means the physical removal of personal identifiers from information so that the information is no longer personally identifiable. Thus, the student's record does not need to be physically destroyed to comply with your request to destroy special education related records. Districts can appropriately comply with this requirement by removing personally identifiable information from the student's records. The choice of destruction method generally lies with the school district.

The district shall not destroy any education records if there is an outstanding request to inspect or review the records.

Despite your request to destroy records a district can keep certain records necessary to comply with the General Education Provision Act (GEPA), which requires that recipients of federal funds keep records related to the use of those funds. You may want to maintain certain special education records about your child for documentation purposes in the future, such as for applying for SSI benefits.

MEDIATION

Mediation is a free, voluntary process to help resolve disputes. You or your district may request free mediation from the Minnesota Department of Education's Special Education Alternative Dispute Resolution program at 651-582-8222 or 1-866-466-7367. Mediation uses a neutral third party trained in dispute resolution techniques. Mediation may not be used to deny or delay your right to a due process hearing. Both you and district staff must agree to try mediation before a mediator can be assigned. At any time during the mediation, you or the district may end the mediation.

If you and the district resolve all or a portion of the dispute or agree to use another procedure to resolve the dispute, the mediator shall ensure that the resolution or agreement is in writing and signed by both you and the district and that both parties receive a copy of the document. The written resolution or agreement shall state that all discussions that occurred during mediation are confidential and may not be used as evidence in any hearing or civil proceeding. The resolution or agreement is legally binding on both you and the district and is enforceable in state or federal district court. You or the district can request another mediation to resolve a dispute over implementing the mediation agreement.

FILING A WRITTEN COMPLAINT

Any organization or individual may file a complaint with the Minnesota Department of Education (MDE). Complaints sent to MDE must:

1. Be in writing and be signed by the individual or organization filing the complaint;
2. Allege violations of state or federal special education law or rule;
3. State the facts upon which the allegation is based;
4. Include the name, address and telephone number of the person or organization making the complaint;
5. Include the name and address of the residence of the child and the name of the school the child is attending;

6. A description of the nature of the child's problem; including facts relating to the problem,;
7. A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed; and
8. Be forwarded to the public agency providing services to the child at the same time the complaint is sent to MDE.

The complaint must be sent to:

Minnesota Department Education
 Division of Compliance and Assistance
 Due Process Supervisor
 1500 West Highway 36
 Roseville, MN 55113-4266
 651.582.8689 Phone
 651.582.8725 Fax

The complaint must be received by MDE no later than one year after the alleged violation occurred. MDE will issue a written decision within 60 days, unless exceptional circumstances require a longer time or you or the district agree to extend the time to participate in mediation. The final complaint decision may be appealed to the Minnesota Court of Appeals by you (the parent) or the school district injured-in-fact by the decision within 60 days of receiving notice of the final decision.

MODEL FORMS

MDE has developed model forms that can be used to file special education or due process complaints. These forms are not required, but are available as a resource to use when filing a complaint. These model forms are available MDE's website: MDE > School Support > Compliance and Assistance > Due Process Forms.

IMPARTIAL DUE PROCESS HEARING

Both you and the district have a right to request an impartial due process hearing in writing within two years of the date you or the agency knew or should have known about the alleged action that forms the basis of the due process complaint.

A due process hearing can be requested regarding a proposal or refusal to initiate or change a child's evaluation, IEP, educational placement, or to provide FAPE.

A due process hearing may address any matter related to the identification, evaluation, educational placement, manifestation determination or provision of a free and appropriate public education of your child. Within 15 days of receiving notice of your due process complaint, and prior to the due process hearing, the school district must arrange for a resolution meeting with you and the relevant members of the IEP Team who have knowledge of the facts alleged in the due process complaint.

The purpose of this meeting is for you to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the school district has the opportunity to resolve the dispute that is the basis for the due process complaint.

The resolution meeting need not be held if you and the school district agree in writing to waive the meeting or agree to mediation. A resolution meeting is also not required to be held when the district is the party who requests a due process hearing.

If the matter is not resolved within 30 days of receipt of the due process complaint, the hearing timelines begin.

If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint.

Loss of Right to a Due Process Hearing

NOTE: Due to an interpretation of state law by the 8th Circuit Court of Appeals, if your child changes school districts and you do not request a due process hearing before your child enrolls in a new district, you may lose the right to have a due process hearing about any special education issues that arose in the previous district. You do still have a right to request a due process hearing about special educational issues that may arise in the new district where your child is attending.

Procedures for Initiation of a Due Process Hearing

Upon a written request for a hearing, the district must give you a copy of this procedural safeguard notice and a copy of your rights at hearing. If you or the district request a hearing, the other party must be provided with a copy of the request and submit the request to the department. Once it receives the request, the department must give a copy of the procedural safeguards notice to you. All written requests must include:

1. The name of your child;
2. The address of your child;
3. The name of the school your child is attending;
4. A description of the problem(s), including your view of the facts; and
5. A proposed resolution of the problem to the extent known and available to you at the time.

MDE maintains a list of qualified hearing officers. Upon receipt of a written request for a hearing, MDE will appoint a hearing officer from that list to conduct the hearing. Below are a few of your rights at hearing. This is not a complete list of rights.

Both you and the district have the right to:

1. Be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
2. Present evidence and confront, cross-examine and compel the attendance of witnesses;
3. Prohibit the introduction of any evidence at the hearing that has not been disclosed at least five business days before the hearing, including evaluation data and recommendations based on that data; and

4. Receive a free copy of the hearing transcript or electronic recording of findings of fact and decisions.

As a parent, you, specifically, have the right to:

1. Have your child, who is the subject of the hearing, present;
2. Open the hearing to the public; and
3. Have the record or transcript of the hearing and the hearing officer's findings of fact, conclusions of law and decisions made provided to you at no cost.

Responding to the Hearing Request

If you file a hearing request and you did not previously receive a prior written notice from the district about the subject matter of the hearing request, the district must send you a written explanation of why the district refused to take the action raised in the hearing request within 10 days of receiving the hearing request. This explanation must include a description of other options considered by the IEP team, why those options were rejected, a description of each evaluation procedure, assessment, record, or report that the district used as the basis for the proposed or refused action, and a description of the factors relevant to the district's proposal or refusal decision.

The district can assert that the hearing request does not meet the requirements under state law. A hearing request is considered sufficient unless the party who received the request notifies the hearing officer in writing within 15 days of receiving the request that they believe the request does not meet statutory requirements. The hearing officer must determine whether the hearing request meets statutory requirements within 5 days of receiving the request and notify the parties.

Upon receiving your hearing request, the district must also send you a written response that addresses the issues you raised in the hearing request within 10 days of receiving the request.

Disclosure of Additional Evidence Before a Hearing

A prehearing conference must be held within 5 business days of the date the commissioner appoints a hearing officer. This conference can be held in person, at a location within the district, or by telephone. At least 5 business days before a hearing, you and the district must disclose to each other all evaluations of your child completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. A hearing officer may refuse to allow you to introduce any undisclosed evaluations or recommendations at the hearing without consent of the other party.

The Hearing Decision

A hearing decision must be issued and provided to each party within 45 calendar days, or within an appropriately extended time period, upon the expiration of the 30-day resolution period after the due process complaint was received by the state agency. A hearing officer may extend the time beyond the 45-day period if requested by either party for good cause shown on the record. A hearing officer must conduct oral arguments in a hearing at a time and place that is reasonably convenient to you and your child. A hearing officer's decision on whether your child received FAPE must be based on evidence and arguments that directly relate to FAPE. The hearing decision is final unless you or the district files a civil action. A hearing officer lacks the authority to amend a decision except for clerical and mathematical errors.

Separate Request for Due Process Hearing

You have the right to file a separate due process complaint on an issue separate from a due process complaint already filed.

COMPLAINT AND HEARINGS DATABASE

Final decisions on special education complaints and due process hearings are available to the public on the MDE website. MDE maintains a public database called the Complaints, Hearings, and Letters Search Engine. Decisions available in the database are redacted and all personally identifiable information is removed. This database is available on the Compliance and Assistance webpage on the MDE website at: <http://w20.education.state.mn.us/WebsiteContent/ComplianceSearch.jsp>.

CIVIL ACTION

When you or the district disagrees with the findings or decisions made by a hearing officer, either party may file a court action. The action may be brought in federal district court or the state court of appeals. Different standards of review apply in each court. An appeal to the state court of appeals must be made within 60 calendar days of your receipt of the decision. An appeal to federal district court must be made within 90 days of the date of the decision.

PLACEMENT DURING A HEARING OR CIVIL ACTION

During a hearing or court action, unless you and the district agree otherwise, your child will remain in the educational placement where he/she is currently placed and must not be denied initial admission to school. This is commonly referred to as the “stay-put” rule.

Two exceptions to the “stay-put” rule exist:

1. Students may be removed from their educational setting for not more than 45 school days to an interim alternative educational placement for certain weapon, drug or serious bodily injury violations; and
2. A hearing officer’s decision agreeing with you that a change in placement is appropriate as the “stay-put” placement during subsequent appeals.

EXPEDITED HEARINGS

You (the parent) or the district can request an expedited hearing in the following situations:

1. Whenever you dispute the district’s proposal to initiate or change the identification, evaluation or educational placement of your child or the district’s provision of FAPE to your child;
2. Whenever you dispute the district’s refusal to initiate or change the identification, evaluation or educational placement of your child or the district’s provision of FAPE to your child;
3. Whenever you dispute the manifestation determination; and
4. Whenever the district believes that maintaining the current placement of your child is substantially likely to result in injury to the child or to others.

You or a school district may file a written request for an expedited due process hearing as described above.

Timelines for Expedited Hearings

Expedited hearings must be held within 20 school days of the date the hearing request is filed. The hearing officer must issue a decision within 10 school days after the hearing. A resolution meeting must occur within 7 days of receiving the hearing request, unless you and the school district agree in writing to either waive the resolution meeting or use the mediation process. The expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receiving the request.

Dismissal of Complaint

If the school district is unable to obtain your participation in the resolution meeting or mediation after reasonable efforts have been made and the school district does not agree to waive the meeting in writing, the school district may, at the conclusion of the 30-day period, request that a hearing officer dismiss your due process complaint.

Placement by a Hearing Officer

A hearing officer may decide to move your child to an interim alternative educational setting for up to 45 school days if the hearing officer determines your child is substantially likely to injure himself or herself or others if he/she remains in the current placement.

Right to Appeal Decision

You or the district can appeal the decision of a hearing officer in an expedited due process hearing.

INTERIM ALTERNATIVE EDUCATIONAL PLACEMENT

The district may change your child's educational placement for up to 45 school days, if your child:

1. Carries a dangerous weapon to or possesses a dangerous weapon at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE. This does not include alcohol or tobacco; or
3. Inflicts serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the school district or MDE as defined in federal law.

On the date the district decides to remove your child and the removal is a change of placement of a child with a disability because of a violation of a code of student conduct, the school district must notify you of that decision, and provide you with the procedural safeguards notice.

The IEP/IIP team determines the interim alternative educational setting and appropriate special education services. Even though this is a temporary change, it must allow your child:

1. To continue to participate in the general education curriculum and progress towards meeting goals set out in your child's IEP, although in a different setting; and
2. Include services and modifications designed to prevent the behavior from recurring.

If your child is placed in an interim alternative educational setting, an IEP/IIIP meeting must be convened within 10 school days of the decision. At this meeting, the team must discuss behavior and its relationship to your child's disability. The team must review evaluation information regarding your child's behavior, and determine the appropriateness of your child's IEP/IIIP and behavior plan. The team will then determine if your child's conduct was caused by, or had a direct relationship to his or her disability, or if your child's conduct was the direct result of the school district's failure to implement the IEP.

ATTORNEY'S FEES FOR HEARINGS

You may be able to recover attorney fees if you prevail in a due process hearing. A judge may make an award of attorney's fees based on prevailing rates in your community. The court may reduce an award of attorney's fees if it finds that you unreasonably delayed the settlement or decision in the case. If the district prevails and a court agrees that your request for a hearing was for any improper purpose, you may be required to pay the district's attorney's fees.

EXCLUSIONS AND EXPULSION OF PUPILS WITH A DISABILITY

Before your child with a disability can be expelled or excluded from school, a manifestation determination must be held. If your child's misbehavior is related to his or her disability, your child cannot be expelled.

When a child with a disability is excluded or expelled under the Pupil Fair Dismissal Act, Minnesota Statutes Sections 121A.41-56, for misbehavior that is not a manifestation of the child's disability, the district shall continue to provide special education and related services after the period of suspension, if imposed.

DISCIPLINARY REMOVALS

If a child with a disability is removed from his or her current educational placement, this is considered a change of placement if:

1. The removal is for more than 10 school days in a row; or
2. Your child has been subjected to a series of removals that constitute a pattern because:
 - a. The series of removals total more than 10 school days in a year;
 - b. Your child's behavior is substantially similar to your child's behavior in previous incidents that resulted in a series of removals; and
 - c. Of additional factors such as the length of each removals, the total amount of time your child has been removed, and the proximity of the removals to one another.

The determination of whether a pattern of removals constitutes a change of placement is made by the district. If this determination is challenged it is subject to review through due process and judicial proceedings.

CHILDREN NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES

If your child has not been determined eligible for special education and related services and violates a code of student conduct, and the school district knew before the discipline violation that your child was a child with a disability then your child can utilize the protections described in this notice.

A district is deemed to have knowledge that your child is a child with a disability if, before the behavior that brought about the disciplinary action occurred:

1. You expressed concern in writing to supervisory or administrative personnel at the district or to your child's teacher that your child is in need of special education and related services;
2. You requested an evaluation related to eligibility for special education and related services under Part B of the IDEA; or
3. Your child's teacher or other district personnel expressed specific concerns about a pattern of behavior demonstrated by your child directly to the district's director of special education or to other district supervisory staff.

Exceptions to a District's Knowledge

A district would not be deemed to have such knowledge if:

1. You have previously refused consent for an evaluation of your child or you have previously refused special education services; or
2. Your child has already been evaluated and determined to not be a child with a disability under Part B of IDEA.

Conditions that Apply if There is No Basis of Knowledge.

If a district does not have knowledge that your child is a child with a disability prior to taking disciplinary measures against your child, your child may be subjected to similar disciplinary consequences that are applied to children without disabilities who engage in similar behaviors.

If a request is made for an evaluation of your child during the time period in which your child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is complete, your child remains in the educational placement determined by the district, which can include suspension or expulsion without educational services. In Minnesota, regular special education services are provided on the sixth day of a suspension and alternative education services are provided.

REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

A district can report a crime committed by a child with a disability to appropriate authorities and State law enforcement and judicial authorities can exercise their responsibilities under the law related to crimes committed by a child with a disability.

Transmittal of records

If a district reports a crime committed by a child with a disability, the district must ensure that copies of the child's special education and disciplinary records are transmitted to the appropriate authorities to whom the crime is reported for consideration. However, the district may only transmit copies of your child's special education and disciplinary records to the extent permitted by FERPA.

PRIVATE SCHOOL PLACEMENT

IDEA does not require the district to pay for the cost of educating your child, including special education and related services, at a private school if the district made FAPE available to your child and you chose to place your child in a private school. However, you may be able to recover tuition expenses for a private school placement if you informed the district of your intent to enroll your child in a private school at public expense in a timely manner and if a hearing officer finds that the district did not promptly make FAPE available to your child prior to your child being enrolled in the private school and if the private placement is appropriate. You must inform the district of your intent to place your child in a private placement at public expense at the most recent IEP/IIIP meeting prior to removal of your child from public school or by written notice to the district at least 10 business days prior to removal of your child from public school.

Your notice must state why you disagree with the district's proposed IEP/IIIP or placement. If a hearing officer or court finds that the district failed to provide or is unable to provide your child with an appropriate education and that the private placement is appropriate, you may be reimbursed for the cost of the private placement. Failure to tell the school of your intent to enroll your child in a private school at public expense, failure to make your child available for evaluation prior to placing your child in a private school after the district has given you notice of its intent to evaluate your child, or other unreasonable delay on your part could result in a reduction or denial of reimbursement for the private school placement.

A hearing officer cannot reduce or deny the cost of reimbursement if: the district prevented you from being provided with this notice; you did not receive notice of your responsibilities as discussed above in this section; or if compliance with the above requirements would likely result in physical harm to your child and if you failed to provide the required notice because you cannot write in English or if compliance with the above requirements would likely result in serious emotional harm to your child.

Appendix E

CTIC

**Zumbro Education District
Community Interagency Transition Committee**

Mission:

Our mission is to help identify, coordinate, and facilitate successful ongoing transition services by promoting participation of students, teachers, parents, and agencies for the purpose of students making a seamless bridge from school to community.

Goals:

1. Meet four times per year with an interagency team to insure forward progress in the transition of students with special needs.
 - a. Meetings occur twice in the fall and twice in the spring
 - b. Meetings for the following year will be set at the final meeting of the proceeding year.
2. Host events tailored to the needs of our families, students and team members to assure the needs of the individuals with disabilities are met.
 - a. Events will be planned as need arises (examples of previous events)
 - i. Guardianship and conservatorship
 - ii. Community agency tour for teachers
 - iii. Transition Fair
 - iv. Disability specific related events
 1. ASD Transition to college
 2. Mental Health
3. Provide information for member districts on current state and local events occurring in relation to transition.
 - a. Disperse flyers on local and regional events
 - b. Report to members during meetings on events and trainings by staff attending
4. Provide connections for students and families with resources for post high school success.
 - a. Presentations at meeting by local business and service providers for students with disabilities.
 - b. ZED Transition activities by grade.

Implementation Plan:

The Zumbro Education District will provide a location for the CTIC to meet 4 times per year. Committees will meet as necessary throughout the year to implement CTIC programming.

Summary: A yearly summary of CTIC programming assessing transition will be shared with committee members by October 1st of each year.

Appendix F

IEIC

A. Meetings of the Early Intervention Committee .

Meeting Cycle:

Quarterly meetings will be held.

1st Q: Summer July-September

2nd Q: Fall October-December

3rd Q: Winter January-March

4th Q: Spring April-June

Meeting Notification:

Notices, agendas, and supporting documents will be sent out electronically (unless requested otherwise) 2 weeks prior to meetings.

Parliamentary Authority:

Roberts Rules of Order

Attendance:

Two consecutive absences without notifying the chair may result in dismissal from the Committee. Designees may be assigned as follows:

When members are unable to attend scheduled Region 10 Help Me Grow IEIC meetings, they may assign a designee, in writing, to the Chair. The designee shall have the authority to exercise the full privileges of the absent member.

Decision-Making Process/Voting:

Decisions will be via electronic means at the Chair's discretion.

Distribution Of Meeting Minutes To Other Stakeholders, Interested Parties:

Minutes will be distributed to parties and posted on the website at <http://region10projects.org>.

Electronic Participation:

B. It may be acceptable to attend/vote by contacting the Chair.

Absentee Voting:

A member who is unable to attend a meeting may vote on any noticed action item by submitting his or her vote in writing to the Chair(s) in advance of the meeting in which the action will be taken. Such vote may be sent by mail, email or facsimile transmission.

Standing Agenda Format:

The agenda format will follow the Roberts Rules

Quorum:

Quorum will be a simple majority of current membership.

Voting:

A quorum must be present to hold a vote. Decisions by the Region 10 Help Me Grow IEIC shall, to the

extent possible, be made by consensus of members (and designees). If there is no consensus, decisions shall be made by a majority vote (51%) of the voting members (and designees).

Conflict:

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

Reimbursement Policies:

The Region 10 Help Me Grow IEIC will determine if any members or positions shall receive reimbursement for participation and duties on the IEIC. If a Regional IEIC member is serving within his/her assigned job duties, the Regional IEIC committee will not reimburse expenses.

Sub-pay and mileage will be reimbursed for work above and beyond the 4 scheduled meetings. (9-25-12)

Appendix G

SEAC

Operational Procedures of Zumbro Education Districts Special Education Advisory Council

What is SEAC?

SEAC stands for special education advisory council. Members of SEAC include parents or guardians of students with disabilities, community and interagency representatives, general and special education staff, administrative staff, and students. The main purpose of SEAC is to establish a connection between community members, school districts, and families to better serve children and youth with special education needs.

What does SEAC do?

- Advise Zumbro Education District Schools in relation to policies, current issues, needs, and program development that affect children and youth with disabilities.
- Promote cooperation between the school district, community service providers, and families in the education of children and youth with disabilities.
- Promote an attitude of respect toward all learners and an appreciation of their unique differences.
- Serve as an advocate for high quality special education programs.

How does SEAC operate?

- Select a chair (it is recommended that parent fulfill this role)
- At first meeting, develop yearly meeting topics
- Develop written agendas and mail to parent list of SEAC members
- ZED provides a recorder per meeting to compile meeting summaries/minutes that reflect the council advisory's actions
- Disseminate summaries

How does SEAC accomplish its goals?

- Conveying information through meetings and sharing of meeting notes with SST
- Reviewing and editing brochures that promote special education services.
- Review CIMP information on needs assessment for parents
- Compile summaries of SEAC meetings and disseminate to interested parties and SSTs
- Recommend priorities to be addressed by the district in their annual and long-term strategic plan
- Assist in the development of cooperative relationships within the district and with other agencies
- Support the special education priorities at school committee and board meetings
- Assist in training and support for parents and families of students with disabilities
- Promote community awareness on unique needs of students in our district
- Follow similar agendas that include greetings and updates, state and federal news, and local topic of interest

Expectations for SEAC Members

- Half of SEAC members must be parents
- SEAC members are expected to attend semi-annual meetings
- SEAC member commitment should be for a one year term
- SEAC members represent the greater community of students with disabilities and their families
- Representation across age levels, disability areas, and communities