

In the Special Education Loop

October 4, 2023

In case you missed it

LOOKING FOR TRAINING RECORDINGS?

Everything can be found on the Resource Hub!

<https://sites.google.com/lisd.us/lidspecialeducation/home>

Have you heard about SEMS?



Special Education Mediation Services

Working Together for Student Achievement in Michigan

Special Education Mediation Services (SEMS) provides mediation, facilitation and training services for working through disagreements so that children with disabilities promptly receive the services they need to develop and succeed in school. These services often help to avoid disputes or help resolve them early.

How parents and schools communicate with each other plays an important role in finding common ground. Facilitators and mediators support collaborative conversations to help build a foundation for student achievement. The value of mediation is recognized by the *IDEA* and the MDE-OSE.

Facilitation and mediation services are available free of charge.

Newsletter Sign Up

Communication Connection Quarterly Newsletter provides tips and information on communication in special education for Michigan schools and families.

[Click here](#) and scroll down to join the newsletter mailing list!

What is Mediation?

In mediation, collaborative communication helps resolve a wide range of complex special education issues. **A trained special education mediator guides parties through a process that has an 80 percent agreement rate. Free of charge.**

Conversations in mediation are confidential, can't be used in other court proceedings and the agreement is a legally enforceable document. Mediation agreements can include topics not specified in the IDEA such as communication

When to use Mediation

- Any dispute.
- Eligibility for programs, services.
- Evaluation interpretations.
- Transition issues.
- Service delivery, effectiveness.
- Resolution sessions.
- Communication, relationship issues.
- As part of due process or complaint process.

What to Expect from the Mediator

THEY WILL:

- Remain neutral.
- Conduct the mediation.
- Ensure all parties have equal opportunity to express their ideas and thoughts.
- Make sure that everyone abides by the rules for appropriate conduct.
- Help the parties remain on the topic of their disagreement.
- Guide the participants towards creating an agreement.
- Record the agreement.

THEY WILL NOT:

- Make decisions
- Give legal advice
- Take sides

POTENTIAL BENEFITS:

- Solutions may be delivered to the student in a timelier way as opposed to the state complaint and due process timelines.
- Participants control outcomes.
- Participants become self-sufficient.

- Dispute resolution costs decline.
 - More time, money spent on educating.
-

What is Facilitation?

If a meeting is scheduled, or is soon to be scheduled, participants can request a neutral meeting facilitator. The facilitator can guide the established process and help the participants sort through the information in an efficient manner. The facilitator is also trained to intervene when the conversation becomes inefficient due to relationship or personality difficulties. Providing process management frees the team members up to concentrate on their area of expertise.

Any special education meeting can be a facilitated meeting, including:

- IFSP (Individualized Family Service Plan) meetings for 0- to 3-year-olds
- IEP (Individualized Education Program) meetings for 3- to 26-year-olds
- MDR (Manifestation Determination Review) meetings in response to long-term suspension or expulsion decisions
- RS (Resolution Session) meetings related to due process complaint

When to use Facilitation:

- Any special education meeting; IEP, IFSP, BIP, MET, MDR or planning conference.
- Resolution sessions.
- Participants uneasy about a meeting.
- Parent, school relations strained.
- Participants need to focus on student issues.

What to Expect from the Facilitator

THEY WILL:

- Create an agenda based on the input received from the parties.
- Stay neutral
- Facilitate the IEP team meeting, if requested.
- Keep the meeting centered on the student's needs.
- Help negotiate disagreements
- Keep the meeting on track and on time.
- Make sure everyone adheres to agreed upon ground rules.

THEY WILL NOT:

- Be a part of the team.
 - Give legal advice.
 - Advocate for a position.
 - Make decisions
-

PRINT AND DOWNLOAD THIS CHART

Resolution Options in Special Education Chart

Other Helpful Documents/Resources

[SEMS Brochure \(English\)](#).

[SEMS Brochure \(Spanish\)](#).

[Preparing for Special Education Mediation and Resolution Services: A Guide for Families and Advocates](#) (these tips for parents can help the district prepare also)

Fun Fact - There is **ONLY 4** ways a student loses Special Education Eligibility

Graduate with a High School Diploma

Exceeds the Age Eligibility for FAPE

Ineligible through REED process

Revocation of Services

How the Provision of Special Education Services End

Don't miss these **SPECIAL EDUCATION REVOCATION GUIDELINES AND PROCEDURES**

LISD Special Education Revocation Procedures

MARSE states, *"A public agency that is responsible for making FAPE available to a child with a disability must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child."*

However, at any time after the initial provision of special education and related services, the parent of a child may revoke consent in writing for the continued provision of special education and related services. MARSE says that when a parent revokes consent, they *"may not continue to provide special education and related services to the child, but must provide prior written notice ..."*

What you need to know about ---- Revocation of Parental Consent for Special Education Programs and Services

- Districts must have parental consent to provide special education programs and services to eligible students.
- Parents can withdraw consent at any time.
- **Districts must never ask parents to revoke consent as a condition for anything**
 - careful of any discrimination perception
- **The revocation must always be voluntary.**
- Districts are not able to challenge a parent's decision to revoke
- If the student is 18+ and has no designated guardian, they must be the one revoking consent. The district, however, must provide all documents to both parties.
- Consent is not retroactive and is effective the date the parent signs

Key Steps in the Process

1. Communicate the change to the IEP team, LISD Special Education Regional Supervisor, and other applicable staff
2. Log Revocation in Illuminate. **Do not complete a REED or IEP.**
3. Special Services > Parent Revocation > Add Revocation (Site + Effective Date) > Save
4. Upload the signed revocation form to Illuminate under "student uploads"

Links You'll Need

Districts must have parental consent to provide special education programs and services to eligible students. Parents can withdraw consent at any time.

Link --> [Revocation of Parental Consent for Special Education Programs and Services](#)

If a parent revokes consent, the district must provide the parent with notice that the programs and services will stop.

Link --> [Notice of Cessation of Special Education Programs and Services in Response to Revocation of Parental Consent](#)

School of Choice Quick Facts

Michigan's school of choice program provides parents the opportunity to move their child from one school to another within the boundaries of the school district, or allow non-resident students to enroll in another district. Each local school district decides whether or not it will participate.

Common Terms:

105 =school of choice when schools within the same ISD

105C =school of choice when schools are in a different ISD

A district MAY NOT refuse enrollment to a student eligible for special education programs (limited exceptions exist for school of choice students under 105C only).

A district can refuse to enroll a nonresident applicant **ONLY IF** -

1. The applicant is, or has been within the preceding 2 years, suspended from another school.
2. The applicant, at any time before enrolling under this section, has been expelled from another school.
3. The applicant, at any time before enrolling under this section, has been convicted of a felony.

IMPORTANT

For #1, the reason for the suspension does not matter within the preceding 2 years.

For #2 and 3, the reason and timing does not matter.

Helpful Links

[Section 105](#) of THE STATE SCHOOL AID ACT OF 1979

[Section 105C](#) of THE STATE SCHOOL AID ACT OF 1979

Section 105/105C – [Schools of Choice Definitions and Deadlines](#)

[School of Choice Student Issues Newsletter](#)

[Michigan Alliance for Families School of Choice Site](#)

Upcoming this Month

Event Information

Fall Count Day

All public schools in Michigan tally the number of students attending their schools.

When?

Wednesday, Oct 4, 2023, 12:00 AM

Event Information

LISD Instructional AIM Meeting

When?

Friday, Oct 13, 2023, 12:30 PM

Where?

Porter Education Center, Sutton Road, Adrian, MI, USA

Event Information

Discipline Protections, Session 3

When?

Thursday, Oct 19, 2023, 01:00 PM

Where?

Virtual

Event Information

LISD Itinerant AIM Meeting

When?

Friday, Oct 20, 2023, 08:30 AM

Where?

Porter Education Center, Sutton Road, Adrian, MI, USA

Event Information

AIM Recap for Local Districts

When?

Wednesday, Oct 25, 2023, 08:30 AM

Where?

Virtual



Heather Reau

Special Education Coordinator of Compliance

Contact Heather

<https://sites.google.com/lisd.us/lisdspcialeducation/home>

heather.reau@lisd.us

(517)266-6973