

DUE PROCESS ACTIVITY LIST

(6-08)

SPECIAL EDUCATION TRANSFER STUDENT

Student _____ Grade _____ School _____

This process is to be followed on students who have a current IEP and have transferred in from another school district. It is recommended that the team hold an IEP meeting within 10 days of the student's enrollment. It is also recommended that the school psychologist review all new special education files.

Some Considerations for Student Support Team (SST)...

- Has the special education file from the previous school been received?
- Has a thorough review of the file been conducted?
- If the student is from a school district outside Minnesota, does the evaluation data support Minnesota criteria eligibility for which the student is being served?
- Is there need for further evaluation?
- Can the IEP be implemented as written?
- The assumption is made that students transferring from another Minnesota school district will have met due process and eligibility standards. If the file is incomplete or does not support eligibility, follow the below procedures (**SST determines which scenario activity checklist needs to be completed**):

Scenario #1: Student with a current Individual Education Plan (IEP) enrolls from another district and the SST determines the evaluation data is complete which supports Minnesota eligibility criteria and the IEP can be implemented as written.

Date and initial when the below actions are completed or filed:

_____ SST meets to review new student's folder. An IEP manager is assigned (team must include person licensed in the area of the student's disability).

(IEP Manager)

_____ Attach **Record of Access to Private Education Folder** if not already in place (attach to inside front cover of file).

_____ Attach **Student Log** to file if not already in place (this documents parent contacts and other actions regarding the student).

_____ Place **Notice of Private Special Education Folder** in the student's cumulative file if not already in place (*recommend brightly colored paper*).

_____ Send parents (1) **Notice of Team Meeting: Plan** (2) (3) and check (to review your child's IEP or IFSP, including consideration of extended school year services, and revise the IEP or IFSP as needed). Best practice includes attempting to contact parent by phone and then sending out notice (*attempt to notify parent 7-10 days before the meeting*). Include Parent Rights brochure (4) and document attempts to invite parents to this meeting. (**note: the student must also be invited to any team meeting where transition will be discussed** (5)). **Provide copy of notice to all invitees. File copy in student's special education folder.**

Excusing Team Members' Attendance

IDEA 2004 states that a member of the IEP team is not required to attend an IEP meeting, in whole or in part, if:

- The parent of a child with a disability and the district agree, due to the fact that the member's area of the curriculum or related services is not being modified or discussed.
- The parent's agreement must be in writing.
- The member submits, in writing to the parents and the team, his or her input into the development of the IEP prior to the meeting.

Making Changes to the IEP

IDEA 2004 makes provisions when making changes to a child's IEP after the annual IEP meeting for a school year. If the parent of a child with a disability and the district agree not to convene an IEP meeting for the purposes of making such changes, a written document may be developed to amend or modify the child's current IEP.

Changes to the IEP may be made either by the entire IEP team or, by amending, rather than redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated.

Consolidation of IEP Meetings

IDEA 2004 makes provisions that to the extent possible, the district will encourage the consolidation of reevaluation meetings and other IEP team meetings for the child.

Alternative Means of Meeting Participation

IDEA 2004 makes provisions that when conducting IEP team meetings and placement meetings and carrying out administrative matters (such as scheduling, exchange of witness lists and status conferences), the parent of a child with a disability and the district may agree to use alternative means of meeting participation, such as video conferences and conference calls.

_____ Team meeting held.

_____ If using another district's IEP, the special education data base form must be completed and sent to SCRED. (**Note: parent permission is not required to continue the current IEP as long as the parent is satisfied with the current IEP**)

Scenario #2: Student with a current IEP enrolls from another district and the SST determines the evaluation data is incomplete or does not support Minnesota eligibility criteria.

_____ SST meets to review new student's folder. If further evaluation data is needed, an evaluation manager is assigned.

_____ (Evaluation Manager)

_____ Attach **Record of Access to Private Education Folder** if not already in place (attach to inside front cover of file).

_____ Attach **Student Log** to file if not already in place (this documents parent contacts and other actions regarding the student).

_____ Place **Notice of Private Special Education Folder** in the student's cum file if not already in place (*recommend brightly colored paper*).

_____ Send parents (1) **Notice of Team Meeting: Evaluation** (2) (3) and check (to discuss development of an evaluation/reevaluation plan). (**Note: there is no "legal" requirement to conduct such meetings. It is suggested that the decision to formally hold such meetings be made at the building level. It is recommended that such a meeting be held for all initial evaluations or reevaluations for transfer students. This is to acquaint parents and students with the process and staff involved. For reevaluations, it is recommended that the IEP manager contact the parent by phone or letter to discuss or inform them of the plan, developing the evaluation plan, and send out the permission form (enclosing parental safeguards). It may be beneficial to hold evaluation-planning meetings for reevaluations when the case is complex or when parents request.**)

Best practice includes attempting to contact parent by phone and then sending out notice (*attempt to notify parent 7-10 days before the meeting*). Include Parent Rights brochure (4) and document attempts to invite parents to this meeting. (**note: the student must also be invited to any team meeting where transition will be discussed** (5)). **Provide copy of notice to all invitees. File copy in student's special education folder.**

_____ Team meeting held.

_____ If decision is to evaluate, send/provide parents (1) with **Notice of an Educational Evaluation/Reevaluation**. Include Parent Rights brochure (4). **File copy in student's special education folder.**

_____ Permission form signed by parents returned or no response after 14 calendar days after parent receipt of notice (6). **(due process follows reevaluation procedures for students who enter the district with a current IEP. Evaluation must be completed within 30 school days). File copy in student's special education folder.**

14 calendar day no response date _____
30 school day evaluation completion date _____

_____ SST reviews evaluation data for completeness and discusses if the student may be in need of continued special education services.

_____ Complete **Evaluation Summary Report (remember to also complete final page of ESR)**. *Date of ESR should be on or before the date of the 30 school day evaluation completion date. Recommend providing parents copy of final ESR no more than 10 school days after evaluation review meeting.*

_____ Send parents (1) **Notice of Team Meeting: Evaluation** (2) (3) and check (to discuss evaluation results and determine if your child is eligible for special education and related services). Best practice includes attempting to contact parent by phone and then sending out notice (*attempt to notify parent 7-10 days before the meeting*). If it is likely that an Individual Education Plan (IEP) will be developed, also check (to consider development of an Individual Education Plan (IEP) or Individualized Family Service Plan (IFSP). Include Parent Rights brochure (4) and document attempts to invite parents to this meeting. **(note: the student must also be invited to any team meeting where transition will be discussed (5)). Provide copy of notice to all invitees. File copy in student's special education folder.**

Excusing Team Members' Attendance

IDEA 2004 states that a member of the IEP team is not required to attend an IEP meeting, in whole or in part, if:

- The parent of a child with a disability and the district agree, due to the fact that the member's area of the curriculum or related services is not being modified or discussed.
- The parent's agreement must be in writing.
- The member submits, in writing to the parents and the team, his or her input into the development of the IEP prior to the meeting.

Making Changes to the IEP

IDEA 2004 makes provisions when making changes to a child's IEP after the annual IEP meeting for a school year. If the parent of a child with a disability and the district agree not to convene an IEP meeting for the purposes of making such changes, a written document may be developed to amend or modify the child's current IEP.

Changes to the IEP may be made either by the entire IEP team or, by amending, rather than redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporate.

Consolidation of IEP Meetings

IDEA 2004 makes provisions that to the extent possible, the district will encourage the consolidation of reevaluation meetings and other IEP team meetings for the child.

Alternative Means of Meeting Participation

IDEA 2004 makes provisions that when conducting IEP team meetings and placement meetings and carrying out administrative matters (such as scheduling, exchange of witness lists and status conferences), the parent of a child with a disability and the district may agree to use alternative means of meeting participation, such as video conferences and conference calls.

_____ If eligibility cannot be supported send or provide parents (1) **Notice of Proposed Action or Denial** and check (The school district recommended that all current special education and related services be discontinued and will proceed with this change unless you object in writing within 14 days of receiving this notice). Include Parent Rights brochure (4). **File copy in student's special education folder.**

_____ Evaluation/IEP meeting held & IEP developed. IEP must be developed (**written and sent to parents**) within a reasonable amount of time after the IEP planning meeting (*recommend within 10 school days*). **File copy in student's special education folder.**

_____ Send parents (1) copy of IEP and **Notice of Proposed Action or Denial** and check (Your child's IEP, IFSP, or IIIP is changed as noted below. The school district will proceed with this change unless you object in writing within 14 calendar days of receiving this notice). Include Parent Rights brochure (4). **File copy in student's special education folder.**

_____ Permission form signed by parents returned. Begin services (**services can begin for continued placement if no response from parent after 14 calendar days after parent receipt of notice**) (6). If parent disagrees, contact the case manager or school psychologist. **File copy in student's special education folder.**

14 calendar day no response date _____

(note: the district must comply with the current IEP in providing services until eligibility status is determined or the district may develop an interim IEP as long as the parents agree with their written permission)

For an interim IEP...

_____ Provide parents (1) with **Notice Of Proposed Action or Denial** and check the box labeled: *Your child's IEP, IFSP, or IIP is changed as noted below. The school district will proceed with this change unless you object in writing within 14 calendar days of receiving this notice.*

If eligibility cannot be supported check the box labeled: *The school district recommended that all current special education and related services be discontinued and will proceed with this change unless you object in writing within 14 days of receiving this notice.* Include Parent Rights brochure (4). **File copy in student's special education folder.**

Scenario #3: Student with a current IEP enrolls in the district from another district and the SST determines the evaluation data supports Minnesota eligibility criteria but the district wishes to change the IEP.

(note: if considering a change in level of placement, this change requires parental permission or 14 calendar days elapse with no response after parent receipt of notice before enacting the placement. The IEP should reflect changes and then obtain the parent's permission through use of sending parents copy of IEP and Notice of Special Education Services and check (your child begin to receive special education services. The school district will proceed with this change unless you object in writing within 10 school days of receiving this notice (IEP or IFSP attached). see also Change in Level of Placement Due Process Requirements.)

_____ SST determines that the IEP needs to be changed. An IEP manager is assigned (team must include person licensed in the area of the student's disability).

(IEP Manager)

_____ Attach **Record of Access to Private Education Folder** if not already in place (attach to inside front cover of file).

_____ Attach **Student Log** to file if not already in place (this documents parent contacts and other actions regarding the student).

_____ Place **Notice of Private Special Education Folder** in the student's cum file if not already in place (*recommend brightly colored paper*).

_____ Send parents (1) **Notice of Team Meeting: Plan** (2) (3) and check the box labeled: *Your child's IEP or IFSP, including consideration of extended school year services, and revise as needed.* Include Parent Rights brochure (4) and document attempts to invite parents to this meeting. Best practice includes attempting to contact parent by phone and then sending out notice (*attempt to notify parent 7-10 days before the meeting*). **(note: the student must also be invited to any team**

meeting where transition will be discussed (5). Provide copy of notice to all invitees. File copy in student's special education folder.

Excusing Team Members' Attendance

IDEA 2004 states that a member of the IEP team is not required to attend an IEP meeting, in whole or in part, if:

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- The parent's agreement must be in writing.
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_____ Team meeting held and IEP reviewed and revised.

_____ Send/provide parents (1) with **Notice of Proposed Action or Denial** and check the box labeled: *Your child's IEP, IFSP, or IIP is changed as noted below. The school district will proceed with this change unless you object in writing within 14 calendar days of receiving this notice.* If eligibility cannot be supported check the box labeled: *The school district recommended that all current special education and related services be discontinued and will proceed with this change unless you object in writing within 14 days of receiving this notice* and a copy of the new IEP. Include Parent Rights brochure (4). **File copy in student's special education folder.**

_____ Permission form signed by parents returned or no response after 14 calendar days after parent receipt of notice (6). **(due process follows reevaluation procedures**

for students who enter the district with a current IEP). File copy in student's special education folder.

14 calendar day no response date _____

(Note: the district must comply with the current IEP in providing services until eligibility status is determined or the district may develop an interim IEP as long as the parents agree with their written permission)

For an interim IEP...

_____ Provide parents (1) with **Notice Of Proposed Action or Denial** and check the box labeled: *Your child's IEP, IFSP, or IIP is changed as noted below. The school district will proceed with this change unless you object in writing within 14 calendar days of receiving this notice* (6). Include Parent Rights brochure (4). **File copy in student's special education folder.**

14 calendar day no response date _____

Reports of student progress must be made as often as that for regular education students. Indicate dates and types of reports:

- _____ Quarter 1 (team meeting, school conference, phone, letter)
- _____ Quarter 2 (team meeting, school conference, phone, letter)
- _____ Quarter 3 (team meeting, school conference, phone, letter)
- _____ Quarter 4 (team meeting, school conference, phone, letter)

- (1) Parents may be the student's biological parents, foster parents, surrogate parents, guardians, etc. Consult the case manager or school psychologist if there are questions about who the parents are. Also consult SCRED Special Education Guideline #1.
 - (2) Reasonable efforts must be made to invite parents to team meetings. This involves more than one attempt including phone calls, letters, and formal notices.
 - (3) If a student is a resident of another school district, a representative must also be invited from the student's resident district. Consult the case manager.
 - (4) IDEA 2004 revises requirements regarding the provision of procedural safeguards notice to parents:
A copy of the procedural safeguards ... shall be given to the parents only one time a year, except that a copy also shall be given to the parents:
 - Upon initial referral or parental request for evaluation;
 - Upon the first occurrence of the filing of a complaint; and
 - Upon request by a parent.
- Internet Web Site*—A school district may place a current copy of the procedural safeguards notice on its internet web site if such web site exists.
- (5) All students, from age 13 and older or 8th grade or higher, must be invited to any team meeting where transition is discussed.

(6) The 14 calendar days applies only after parent receives notice. This typically would begin 2-3 days after notice was sent.