

Berrien Regional Education
Service Agency Plan
for the
Delivery of Special Education
Programs and Services
2006

(06/03/2009 Clarification Revisions)



CONTENT AREAS

R 340.1832 Content areas.

Rule 132. (1) An intermediate school district plan for special education, or any modification thereof, shall be an operational plan that sets forth the special education programs and related services to be delivered. The plan shall comply with 1976 PA 451, MCL 380.1 et seq. and these rules.

A. Special Education Opportunities and Procedure

Surrogate Parents

The Berrien County Intermediate School District and its constituent local districts assures that the ISD and LEAs comply with the State Board of Education (SBE) approved Policy for the Appointment of Surrogate Parents.

When necessary, the ISD, in cooperation with the local school district of which a student is a resident, will appoint a surrogate parent from a pool composed of Parent Advisory Committee members or others who are trained in IDEA and other aspects of special education services. If another public agency is responsible for the general care of the student, then that agency will first be asked to appoint a surrogate for the child.

Training for surrogate parents will take place one time per year through a regularly scheduled Parent Advisory Committee meeting or alternatively scheduled meeting at the Berrien County Intermediate School District.

Parent Rights and Program Information

The Berrien County Intermediate School District and its constituent local districts will assure that persons with disabilities and their parents are informed of available educational opportunities and due process procedures with distribution of the Parent Handbook and through the Parent Advisory Committee. The Parent Handbook includes the following information: Procedural Safeguards; the title, address and phone numbers of local and intermediate school district representatives who can provide information about special education opportunities; names and phone numbers of organizations which can provide information and support to parents; names and phone numbers of parent advisory committee members; and information about special education processes, programs and services. In addition, the intermediate and local school districts will advise parents and the community concerning educational opportunities which are available in Berrien County.

B. Activities and Outreach Methods for Awareness of Services

The intermediate school district director of special education or his designee will be responsible for the implementation and coordination of this public awareness effort.

Meetings will be arranged on an ongoing basis by intermediate school district personnel with medical professionals, public media and community groups to plan and implement the distribution of information to the general public and pertinent professionals about available programs and services and appropriate referral procedures. The ISD Child Find program will use all means at their disposal to seek out students with disabilities who are eligible for service. Specifically, Child Find works closely with such agencies as the Community Connections, Gateway-Milestones, hospitals, the Berrien County Department Human Services, the Berrien County Health Department, Berrien Mental Health Authority, Capstone Center, Berrien County Council for Children and others to identify potential special education students and to provide information in the form of pamphlets and brochures. The information shall be made available in the native language of the family.

C. Types of Diagnostic and Related Services

1. Diagnostic services include educational, psychological, sensory and medical components as appropriate to the needs of the individual and as required by the Rules. A multidisciplinary evaluation team (MET) will perform the required functions as prescribed by the Michigan Administrative Rules for Special Education and will report its findings to the IEP Team using appropriate MET/Eligibility Recommendation forms. The composition and activities of the team will be coordinated by the special education director/coordinator of each local district. When the evaluation of any student in English is not feasible, the intermediate or local district will proceed as outlined in the Michigan Administrative Rules for Special Education. Appendix B describes the diagnostic services provided directly by each LEA and public school academy, those provided directly by or available from the ISD, and those purchased or contracted for through outside agencies and service providers.
2. The Berrien County Intermediate School District assures that copies of contracts or service agreements (per Section 380.1751(1)(b) of the School code) are on file at the ISD and available for review.

D. Special Education Programs

1. The continuum of special education programs and services in the Berrien County Intermediate School District include services for all disability categories and all age levels, birth through twenty-five (25). All LEAs operating elementary and/or secondary facilities within Berrien County ISD provide special education program or services. The programs and services include a full continuum ranging from the least to the most restrictive environment depending upon the severity of the impairment and the individual needs of the students. Refer to Appendix A for a complete description of programs and services provided by the ISD, LEAs and public school academies.
 - a. Moderate Cognitive Impairment, Severe Cognitive Impairment and/or Severe Multiple Impairment programs are operated by the ISD at the Blossomland Learning Center (BLC) and/or within local school districts. SCI/SXI programs will be operated with an instructional year of a minimum of 200 days and 1,150 clock hours of instruction. Due to the low incidence of eligible MOCI (Moderate

Cognitive Impair.), SCI (Severe Cognitive Impair.), and SXI (Severe Multiple Impair.) students, expanded age ranges may be employed for programmatic feasibility and meeting the needs of students.

- b. A few seriously involved children, who technically remain residents of the Berrien County Intermediate School District, may be placed, when it is the only reasonable alternative, at state residential facilities, with services provided by public schools in those areas.
 - c. In addition to BLC, the ISD also operates the Lighthouse Education Center for students with emotional impairment. Additionally, the Niles Community Schools are authorized to operate programs for emotional impairment and cognitive impairment in a segregated setting.
 - d. Vocational Education programs are provided on a consortium basis and have been renamed Career-Technical Education. The programs fall under six major categories: Arts and Communication; Business, Management, and Marketing Technology; Engineering, Manufacturing, and Industrial Technology; Health Science; Human Services; and Agriscience and Natural Resources. These programs are available to all high school students in Berrien County.
 - e. The Berrien County Intermediate School District assures that programs provided for students with autism under Rule 340.1758(1)(b) meet the following criteria:
 1. Inservice education will be provided to the special education teacher responsible for the education of students with autism. The inservice education shall be provided in the following areas:
 - (i) Syndrome of autism, including its etiology;
 - (ii) Child Development, with special emphasis on language, communications, and cognitive development;
 - (iii) Behavioral management techniques;
 - (iv) Systematic curriculum development, with special emphasis on personal adjustment and prevocational education;
 - (v) Home/school interactions;
 - (vi) Family and community support services.
 2. A consultant knowledgeable about autism and programming for students with autism will be available to the teacher and support staff to assist in meeting the unique individual needs of the student.
 3. Ancillary and related service providers who are responsible for the delivery of services to students with autism will have inservice education relating to the service they provide.
 4. The IEP Team will describe its consideration of the ability of the student with autism to function in the program of placement in the context of such items as class size and student/staff ratio.
2. The provision of ancillary and other related services by the ISD, LEA or public school academies is described in Appendix B.

Additional Programs and Services

The Berrien County Intermediate School District may contract with the Berrien County Juvenile Court to provide the educational component of services at Berrien County Juvenile Center.

Berrien Springs School District, Lewis-Cass Intermediate School District, and the Van Buren Intermediate School District may operate non-residential programs for hearing impaired children to serve Berrien County residents. Hearing impaired teachers, hearing impaired teacher consultants, teachers of speech and language impaired, teacher consultants for the hearing impaired or other appropriate personnel will provide diagnostic and educational services per the individual educational plan.

E. Alternative Programs Under Rule 340.1832(e)

All of the following current rules apply, with the stated exceptions:

Designation	Current Rule	Exceptions
340.1832(SCI-a)	340.1738a	The SCI caseload is increased from 1 teacher and 2 aides for 12 students to 1 teacher and 2 aides for 14 students.
340.1832(MiCI)	340.1740	The caseloads at the elementary and secondary levels are increased from 15 to 18.
340.1832(SLD)	340.1747	The SLD caseload is increased from 15 to 18 students and an increase of 10 to 13 students at one time. An aide must be assigned when 12 or more students are in the classroom at one time.
340.1832(Dept.)	340.1749c(4)	Increases average of 10 to 12 students per class period per instructional day. In elementary programs, a paraprofessional must be assigned when 12 or more students are in the classroom at one time.
340.1832(Juvenile Detention)	340.1757(d)(ii)	Students in class at any 1 time increased from 10 to 13.

F. Confidentiality of Information

Berrien Regional Education Service Agency assures that any personally identifiable data, information, and records of students with disabilities are collected, used, or maintained in compliance with 34 C.F.R. §§300.610 through 300.626.

G. Local districts and public school academies administrators responsible for the implementation of special education programs and services.

Special Education Administrators

Berrien County contains fourteen (14) K-12 school districts and three charter schools which operate special education programs and services and two (2) K-8 school districts. Each of these districts employs an approved special education director, an approved supervisor of special education, or coordinator. All LEA special education administrators who represent

themselves as special education directors or supervisors will have appropriate approvals for these titles or designations. Coordinators, for purposes of this document, is a superintendent appointed liaison between the local district and the intermediate school district, for matters pertinent to special education. These positions are listed in Appendix C.

H. Paraprofessional Personnel

1. Qualifications for paraprofessional personnel specifically follow 340.1793 and 340.1793a of the Revised Administrative Rules for Special Education. In addition, the Berrien County Intermediate School District and local school districts require paraprofessionals to possess a high school diploma or its equivalent and follow all state and federal requirements.

I. Transportation

Transportation

Transportation for all students with disabilities, including off-site students, who cannot use regular school transportation has been assured within the Berrien County Intermediate School District. Resident district maintains primary responsibility when sending a student with disabilities to programs outside of the resident district. Any or all modes of transportation may be explored in order to facilitate appropriate transportation. A need for special transportation is determined through the IEP process.

Accountability for transportation is a shared responsibility of the local district and the ISD. As with other facets of programs, the ISD will work cooperatively with local districts to correct any legal or ISD plan differences but will report any willful noncompliance to the State Board of Education as required by law.

Transportation provided by the ISD for students attending the Lighthouse Education Center for severe emotional impairment students will be charged back to the resident local district on a per pupil basis.

J. Distribution of Funds

ISD Millage

The distribution of special education millage is based on Rule 340.1811 and Rule 340.1812. Only those costs included on the final cost report (DS-4096) and allowable by the Department will be eligible for Intermediate School District reimbursement. Act 18 monies will not be used to pay for the educational costs for students whose resident district is outside of the ISD and who receive services within the ISD as a result of Schools of Choice. Expenses of the ISD Central office, not to exceed 25%, may be charged to the ISD Special Education fund.

K. Parent Advisory Committee

The parent advisory committee consists of two parents from each of the fourteen K-12, the two K-8 school districts and the three charter schools within Berrien County and may include "at-large" members selected by the ISD (not to exceed 1/3 of the total members) to assure representation of a variety of disability areas. Local district boards of education nominate parents to serve on the committee. The nominations go to the ISD board which makes the appointments. Terms of appointment are for two years with 50% of the terms expiring in alternate years.

The meetings of the parent advisory committee are held monthly with the exception of December, June, July and August. The president serves as the chairperson of each meeting and the secretary records the minutes. The ISD sends each member a notice of the meetings. All business of the PAC shall be decided by a simple majority of the quorum. A copy of the parent advisory committee bylaws is on file at the ISD.

L. Role and Responsibility of the Parent Advisory Committee

The primary role of the parent advisory committee is to work cooperatively in the development and review of the intermediate special education plan. In addition to this primary responsibility, the parent advisory committee is further involved with reviewing needs assessments for additional programs in the county and providing recommendations to the intermediate school board of education in the area of special education. In review of the intermediate school district plan, the committee may work as a whole, or may form subcommittees, each reviewing various sections of the plan and reporting to the committee of the whole at the next appropriate meeting. This committee will work cooperatively with local school districts and the intermediate school district in reviewing the plan and suggesting appropriate modifications. The parent advisory committee, by a majority vote, may file objections to the plan in accordance with procedures outlined in Part 7 of the Michigan Rules.

M. Administrative Relationship with the Parent Advisory Committee

An administrative representative from the intermediate school district, generally the Director or Supervisor of Ancillary Services and Compliance, will attend each meeting of the parent advisory committee. The ISD allocates fiscal and staff resources to the committee to make it efficient and effective in operation.

N. Fiscal and Staff Resources Available to the Parent Advisory Committee

Fiscal Resources

Fiscal resources available to the PAC shall be outlined in the annual Berrien County Intermediate School District Special Education budget. The Berrien County ISD will provide the following items in support of the PAC:

- Postage for notices and other committee meetings
- Reimbursement for phone calls
- Reproductions of appropriate documents
- Mileage
- In-service
- Information materials

Staff Resources

The Berrien County ISD shall make available staff resources for the purpose of making the PAC an efficient and effective operational unit. The Supervisor of Ancillary Services and Compliance shall be responsible for assuring that reasonable secretarial support is available to the PAC for committee business and serve as the liaison between the PAC and the Berrien County ISD.

Appendix A
Special Education Programs By District

District of Operation	MCI	MoCI	Categorical & Resource Room Programs										11/5/2010		
			SCT	EI	LD	HI	VI	POHI	SXI	ECDD	C-SLI	AI		ERR	SRR
Berrien RESA*		14	4	9				1		5	3		8		
Benton Harbor	12			6	2						2				8
Berrien Springs	3			0	1		4.3					1			3
Brandywine															3
Bridgman					2										3
Buchanan	1				2.5						1				2
Coloma	4														5
Eau Claire	1				3										4
Gallien	1			1											
Lakeshore	4			2											6
New Buffalo					4										7
Niles	12			10	11						3				2
River					1										6
River Valley					6										
Riverside					1										
St. Joseph				1							1				3
Watervliet	3			1	4										6
Countryside															1
Benton Harbor Charter															1
Mildred C Wells															2
Dream Academy															1

*Berrien RESA Operated programs available to all districts.

Special Education Berrien County Programs
 (Available to residents of local districts in Berrien County)

District	Type of Program	Location/Level	# of Rooms
Berrien RESA	MOCI/SCI/SXI	Blossomland, Age 3 to 26	23
		CBI - NS County	3
Berrien RESA	EI	Lighthouse, Age 3 to 26	9
Berrien RESA	ASD	Lighthouse Pre/MS/HS	2
		St. Joseph/Brown EI	1
		Upton MS	1
		St. Joseph HS	2
		Lakeshore/Roosevelt EI	2
Berrien RESA	E/O	North County SS	2
		Niles Northside	1
Berrien Springs	LD	Mars EI	1
	Speech & Language	Mars EI	1
	MICI	Middle School	2
	MICI	High School	1
Lakeshore	MICI	Stewart EI	2
		High School	1
		Middle School	1
	EI	Hollywood EI	1
		Middle School	1
Niles	ECDD	Northside	3
	MICI	Northside	1
	CI	Southside	3
	EI/SEI	Ballard EI	1
		Howard EI	1
		Southside HSA	5

**County Program
 (Not Federally Funded)**

Berrien Springs	HI	Mars EI	1
		Sylvester EI	2
		Middle School	0.3
		High School	1
		Audiologist	1.5

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