

March 15, 2011

Office of Special Education and
Early Intervention Services
Michigan Department of Education
PO Box 30008
Lansing, MI 48909

Re: Comments to Proposed State Special Education Rules

To Whom It May Concern:

The Arc Michigan is a statewide organization of 12,000 members and 34 local chapter affiliates that advocate with, and on behalf of, citizens with developmental disabilities and their families. WE have reviewed the proposed changes to Michigan Administrative Rules for Special Education and offer our comments.

Role of and Training Program for School Social Worker

- No Comments

Special Education Programs and Services Part 2

R 340.1721 Rule 21 Request for Initial Evaluation

- After a parent sends written notice requesting an evaluation the school should be able to act within 5 school days. Giving the school an additional 5 school only prolongs the evaluation process. Current practice by schools is to have parents attend a meeting to develop the evaluation plan and written consent. It is in the student's best interest to start the evaluation as soon as possible. You should add the following language "If the parent provides the school with all the necessary information for an evaluation and signs the letter stating please evaluate, the parent should not have to use the school form.

R 340.1721a Rule 21a Initial Evaluation

- We suggest adding that parents must receive the report(s) 2-3 days prior to meeting which the report(s) will be discussed.



- There needs to be clarification of “multidisciplinary evaluation team member who can explain instructional implication of evaluation results”. Does this mean only one person or might it be more people?
- We feel strongly that the information presented should be drawn from a variety of sources and that “parent input” should not be taken out. Parents are part of the IEP Team.

R 340.1721b Rule 21b Timelines

- If the evaluation request comes from a parent and contains all the legal information required and is signed by the parent, this request should be considered parental consent to evaluate.
- Using Public Agency is unclear. Replacing Local Education Agency where you have used Public Agency would be more consistent with the entire wording of the Administrative Rules.
- We disagree with this change. The intent of the IEP Meeting should be to determine eligibility or to make an offer of FAPE. There is no reason for the school district to wait 7 days to make an offer of FAPE. Parents should leave the IEP with a copy of the offer of FAPE.
- This timeline seems to offer confusion on when the IEP will begin. The IEP identifies when and where the program begins. Unless there is an appeal, the program should begin on the date that the IEP designates.

R 340.1721e Rule 21e (1)

- We agree with the addition of the word “measurable” annual goals and “measurable” short term objectives. Adding who is responsible for implementing data collection and reporting would also be helpful.

R 340.1721e Rule 21e (2)

- We disagree with removal of #4- “The individualized education program team shall determine whether the student has a need for a placement with a special education teacher who is endorsed in a particular disability category”. This may be looked at in the future.

R 340.1721e Rule 21e (4)

- We approve of this addition. It allows the IEP Team determine what best fits the student not just what is offered.

R 340.1721e Rule 21e (7)

- We believe the resident districts should be present at the IEP Team meeting if a parent requests it. We suggest that you take out “shall be invited to attend” and change to “shall attend”.



R 340.1784 Cross categorical teacher of students with disabilities

Rule 84 (1)

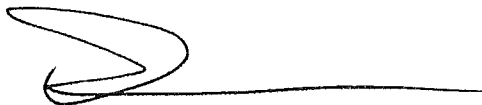
- We like the addition of cross categorical teacher of students with disabilities. This is moving closer to inclusion of students in their local school. This also will give teachers an overview of the four categories of disabilities enabling them to teach students with disabilities better.
- We are not sure if this is a graduate program or addition to existing certificate or endorsement. This may have to have wording that clarifies the intent of this certificate.
- We propose that all general education teachers be exposed to the same cross categorical curriculum.
- We strongly oppose the development of a cross categorical classroom. Wording clarifying the intent of the use of this certification might be needed.

Part 10 Birth to Three

- We support the addition of Part 10 Birth to Three.

Thank you for considering these comments. Please contact The Arc Michigan Executive Director or The Education Committee of The Arc Michigan if you have any questions.

Very Truly Yours,



Dohn Hoyle,

Executive Director

The Arc Michigan

Maggie Kolk,

Chair Education Committee

The Arc Michigan

