Total Special Education System (TSES) for Lakes Country Service Co-op #0926

This document serves as the Total Special Education System Plan for Lakes Country Service Cooperative 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, 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).

Angela Doll, Lakes Country Service Cooperative Director of Special Education, is responsible for program development, coordination, and evaluation; in-service training; and general special education supervision and administration.

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I. Child Study Procedures

The District's identification system is developed according to the requirement of nondiscrimination as Lakes Country Service Cooperative 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.

Pupils grades K-12 are served in the Setting IV Program.

A. Identification

Lakes Country Service Cooperative consists of a Setting IV program where all students attending are already receiving special education services and an alternative high school program. Locations of the Setting IV program known as Lakes Country Academy are located in Alexandria, and Fergus Falls, Minnesota.

Lakes Country Academy:
Lakes Country Academy is a consortium of 27 school districts, currently. Referrals to the Setting IV program are made by member districts who complete initial identification services. To attend one of our Setting IV programs students are referred by their district of residence or enrollment.

Lakes Country Service Cooperative plan for identifying a child with a specific learning disability is consistent with Minnesota Rule 3525.1341. Lakes Country Service Cooperative implements its interventions consistent with the law. At this time Lakes Country Service Cooperative is not

using an SRBI approach. All students meeting criteria for Specific Learning Disability must do so under the discrepancy criteria as defined by Minnesota Rule 3525.1341.

B. Evaluation

Evaluation of the child and assessment of the child and family will be conducted in a manner consistent with Code of Federal Regulations.

The team conducts 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.

Lakes Country Academy is a Setting IV program so all students attending are already receiving services and all evaluations are reevaluations. The District will not override the written refusal of a parent to consent to a re-evaluation.

Evaluation Procedures

Evaluations and reevaluations are conducted according to the following procedures:

A. Lakes Country Service Cooperative 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, Lakes Country Service Cooperative*:*

   (1) Uses 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 progress in the general curriculum, to participate in appropriate activities;

   (2) Does 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) Uses technically sound instruments that are designed to assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

C. Lakes Country Service Cooperative ensures that:

   (1) Tests and other evaluation materials used to evaluate a child under this part are selected and administered so as to 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 administers 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. The district obtains 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 evaluates a pupil in accordance with federal regulations before determining that the pupil is no longer a pupil with a disability.

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 the 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 administers 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. The district obtains 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 evaluates a pupil in accordance with federal regulations before determining that the pupil is no longer a pupil with a disability.

The district intends to use restrictive procedures in the Setting IV programs. See the attached Restrictive Procedure Plan as Appendix A. The district follows the restrictive procedure statute, Minnesota Statute 125A.094-125A.0942.

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:

   (1) Draws 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) Ensures 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 is developed for the pupil according to Minnesota Rule 3525.2810.

Evaluation report

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

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

Lakes Country Service Cooperative's plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies is attached as Appendix *B.*

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

Lakes Country Service Cooperative provides 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 Lakes Country Service Cooperative'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.

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

(1) One on one services/instruction

(2) Small group instruction

(3) Special Education Services within the regular classroom

(4) In-direct services

(5) Consultation

(6) Inclusion with support

(7) Self-contained classrooms

(8) Modifications and accommodations (in conjunction with a method of specialized instruction).

Lakes Country Academy is a Setting IV program for students in grades K-12 designed to provide special education services per the Individualized Education Plan (IEP) for students with identified disabilities in a structured setting, enabling students to develop and grow academic and social emotional skills.

Available instruction and related services:

A. Language Arts Instruction

B. Math Instruction

C. Study Skills Instruction

D. Employment Instruction

E. Special Education Instruction

F. Related Services needed to benefit from special education available through contracted services when needed

G. Sites available at which services may occur:

1. Lakes Country Academy- K-12 EBD/ASD Setting IV program- 1814 1st Ave N, Fergus Falls MN 56537
2. Lakes Country Academy - K-7 EBD/ASD Setting IV program- 1204 34th Ave W, Alexandria, MN 56308
3. Lakes Country Academy - K-12 EBD/ASD Setting IV program- 2777 34th St S, Moorhead, MN 56560

H. Available instruction and related services:

1. Special Education
2. Physical Therapy
3. Occupational Therapy
4. Speech/Language Therapy
5. Nursing
6. School Psychology
7. Special Transportation
8. Developmental Adaptive Physical Education
9. Social Work
10. Physical Disabilities Consultation
11. Vision Services (teacher, orientation and mobility, braillist)

12. Hearing Services (teacher, audiologist, sound field systems)

13. Other services as determined necessary by the team for students to receive FAPE

III. Administration and Management Plan.

Lakes Country Service Cooperative utilizes 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
Angela Doll, Director of Special Education	Lakes Country Service Cooperative 1001 East Mt. Faith Fergus Falls, MN 218-737-6545	Responsible for program development, coordination, and evaluation; in-service training; and general special education supervision and administration.
Josh Nelson, Director of Educational Programs	Lakes Country Service Cooperative 1001 East Mt. Faith Fergus Falls, MN 218-737-6508	Assure staff attendance & compliance with process.

B. Due Process assurances available to parents: Lakes Country Service Cooperative 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) 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.

(3) 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.

(4) 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. Lakes Country Service Cooperative holds 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.

(5) In addition to offering at least one conciliation conference, Lakes Country Service Cooperative informs 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.

(6) Descriptions of the mediation process, facilitated team meetings, state complaint, and impartial due process hearings may be found in Lakes Country Service Cooperative Procedural Safeguard Notice, attached as Appendix A.

IV. Interagency Agreements the District has Entered

Lakes Country Academy has not entered into an interagency agreement for a Special Education Level IV Setting K-12 Serving from 27 Region IV LCSC Districts.

V. Special Education Advisory Council

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, Lakes Country Service Cooperative has a special education advisory council.

A. Lakes Country Service Cooperative Special Education Advisory Council is individually established. Lakes Country Service Cooperative Special Education Advisory Council is not a subgroup of an existing committee or board.

B. At least half of Lakes Country Service Cooperative's Advisory Council's members are parents of students with a disability.

C. Each local council meets no less than once each year.

D. Lakes Country Service Cooperative's Special Education Advisory Council meets in April of each school year.

E. The operational procedures of Lakes Country Service Cooperative's Special Education Advisory Council are attached as Appendix C.

V. Assurances

Code of Federal Regulations, section 300.201: Consistency with State policies. Lakes Country Service Cooperative, 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)).

Appendixes:

A - Due Process Procedural Safeguards from State

B- Referral Process

C- Special Education Advisory Council