



LISD Special Ed Scoop

August 31, 2023



WELCOME BACK to School!



LISD SPECIAL EDUCATION RESOURCE HUB

SPECIAL EDUCATION TRANSFER PROCEDURES

What does the law say?

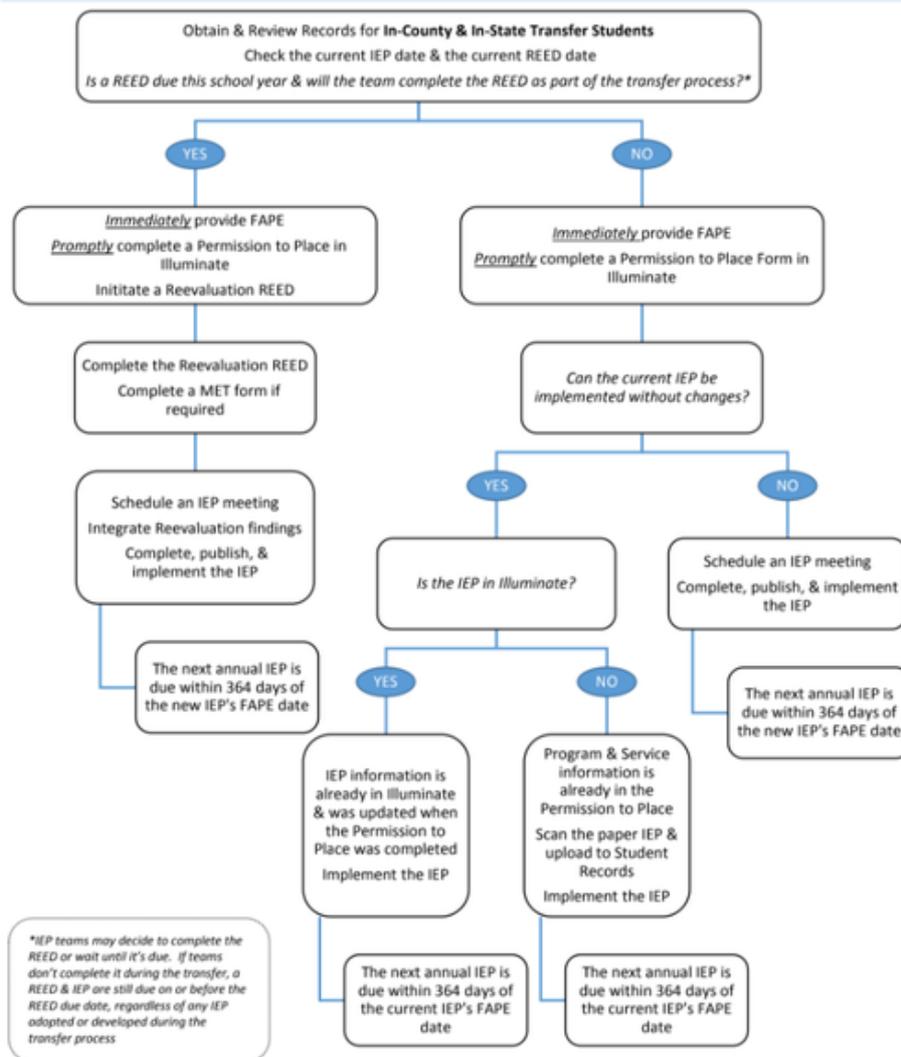
According to federal law, children have the right to a free, appropriate public education no matter where they move. The law states when a student with a disability and an IEP in effect in his/her current public agency (e.g., a school or program) enrolls at a new public agency within the same school year, the new public agency must, upon enrollment:

1. Make reasonable efforts to obtain records from the previous public agency
2. Ensure parents are consulted throughout the transfer process
3. Immediately provide FAPE, including services comparable to those in the IEP from the previous public agency
4. Promptly complete a Permission to Place form in Illuminate to document the provision of FAPE
5. Within 30 school days of enrollment, either (1) adopt the student's IEP from the previous agency OR (2) develop and implement a new IEP based on the student's strengths and needs in the new educational environment
6. For out-of-state transfer students, conduct an initial REED within 30 school days of enrollment to establish whether the student meets Michigan and Lenawee County special education eligibility criteria.

What is a Permission to Place?

The Permission to Place form in Illuminate documents the provision of FAPE for transferring special education students. At the same time, the IEP team, including parents, determines whether the student's current IEP will be adopted or a new IEP will be developed. This documentation includes the student's special education eligibility, important dates, transportation information, and programs and services that will be provided during the interim.

IN-COUNTY AND IN-STATE TRANSFER ACTION STEPS



1. Obtain and review records (before or on the same day as enrollment)

2. Determine comparable services and provide FAPE (before or on the same day as enrollment.)

- IDEA does not define comparable services but instead guides IEP teams to interpret “comparable” as services that are “similar” or “equivalent” to those described in the child’s IEP from the previous public agency, as determined by the child’s newly designated IEP Team in the new public agency.
- Comparable services should be based on needs, programming, and the professional judgment of the IEP Team rather than the eligibility category.

3. Consult with parents (before or on the same day as enrollment)

- Consult with parents about the process and provide copies of all relevant forms and records.

4. Complete a permission to place in Illuminate Ed (before or on the same day as enrollment)

5. Notify all receiving providers (before or on the same day as enrollment)

6. Determine if a REED is due (before or as soon as possible upon enrollment)

- If a REED is due during the same school year for in-county or in-state student transfers, the IEP team may decide to complete the REED as part of the transfer process or may choose to wait until the REED is due. If the team does not complete the REED during the transfer process, a REED & IEP are still due on or before the REED due date, regardless of any IEP completed or implemented because of the student’s transfer.
- For example, if a student enters the district in early February with a REED due in early June, the new school may elect to complete the REED during the transfer process and have a Reevaluation IEP meeting at the end of the 30-school-day period. This means the student’s annual and reevaluation dates would restart.

7. Adopt the current IEP or develop/implement a new IEP (within 30 school days of enrollment)

- The decision to either adopt the current IEP or develop a new IEP should be based on the IEP team, in consultation with parents, identifying the student's current educational strengths and needs and how to best meet those needs in the new setting.

When should I -

1. Adopt the CURRENT IEP?

The IEP from the previous district may be used in the new setting with no changes. The services and programming in the IEPs are EXACTLY the same, including the frequency and duration of programs and services.

To adopt an IEP, the most recent IEP must meet **ALL** of the following criteria:

1. The annual IEP date and Reevaluation IEP date must be current
2. The most recent IEP is from a district in Michigan
3. The district can replicate exactly all components of the IEP, including the frequency and duration of programs and services, and keeping these the same best meets the student's educational needs in the new public agency

If the current IEP is adopted, the next annual IEP is due within 364 days of the adopted IEP's FAPE date or when the Reevaluation REED & IEP are due, whichever comes first.

To adopt an IEP already in Illuminate, see the guidance on "Permission to Place." Indicate the IEP will be adopted, and Illuminate will guide you through changing the service providers and assigning the student to them; Illuminate will then reflect these changes.

To adopt an IEP from a paper copy, complete the Permission to Place in Illuminate (see guidance on "Permission to Place") and indicate it is a paper IEP. Illuminate will guide you through adding the student's programs and services to the Permission to Place.

- Scan and upload a copy of the paper IEP to Student Uploads, as this will ensure the other parts of the IEP are accessible to all providers in Illuminate. Service providers will complete paper Progress Reports until the next IEP is due and the student's records become entirely electronic.

2. Develop a NEW IEP?

The IEP team has 30 days upon enrollment to develop the new IEP. The new IEP should be entered into Illuminate following standard procedure for annual IEPs.

A new IEP should be developed when:

- The new public agency is not able to replicate all components of the previous public agency's IEP, and/or the frequency, duration, or any other aspect of the services and programming will change based on the student's educational needs
- The most recent IEP is more than a year old*
- The most recent Reevaluation IEP is more than three years old.**

*In instances of overdue IEPs (more than a year old), the new public agency must follow the same requirements of other transfer students even if the previous public agency failed to meet annual review requirements. Therefore, the new IEP should be completed as soon as possible upon enrollment. A Permission to Place form is required, and the student should receive special education services while the new IEP is in process.

**In the instance a Reevaluation IEP is overdue (the most recent Reevaluation IEP is more than three years old) but (1) the student's annual IEP is still in effect or (2) the student continued to receive special education services under an overdue annual IEP, the IEP team should complete a Reevaluation REED & IEP in conjunction with the transfer process and as soon as possible upon enrollment. A student who has previously received special education services will be allowed to continue to receive services while the REED is in process.

EXPIRED DOES NOT MEAN INELIGIBLE! IT MEANS THEY NEED AN UPDATED PLAN.

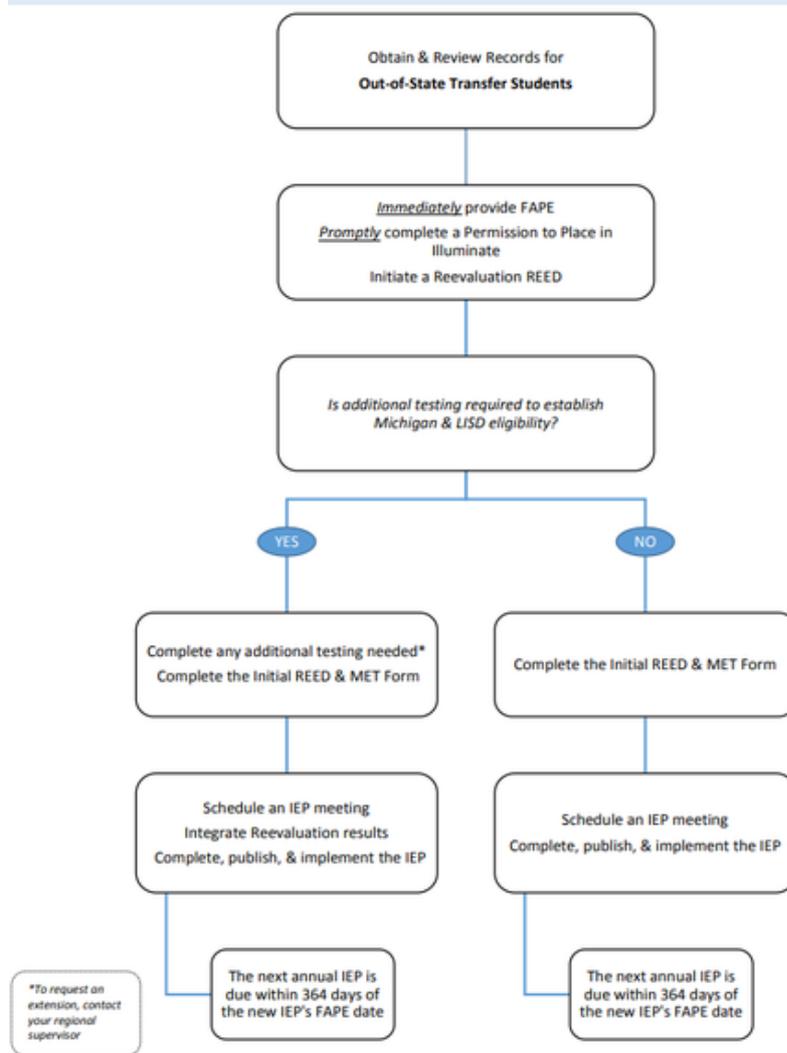
EXPIRED means you need to update it!



There are just FOUR ways a student becomes ineligible for special education

1. Ages out
2. Revocation
3. Graduate with a HS Diploma
4. Evaluated and found ineligible

OUT OF STATE TRANSFER ACTION STEPS



When a new IEP is developed and implemented, the next annual IEP is due within 364 days of the new IEP's FAPE date.

1. Obtain and review records (before or on the same day as enrollment)

2. Determine comparable services and provide FAPE (before or on the same day as enrollment.)

- IDEA does not define comparable services but instead guides IEP teams to interpret “comparable” as services that are “similar” or “equivalent” to those described in the child’s IEP from the previous public agency, as determined by the child’s newly designated IEP Team in the new public agency.
- Comparable services should be based on needs, programming, and the professional judgment of the IEP Team rather than the eligibility category.

3. Consult with parents (before or on the same day as enrollment)

- Consult with parents about the process and provide copies of all relevant forms and records.

4. Complete a permission to place in Illuminate Ed (before or on the same day as enrollment)

5. Notify all receiving providers (before or on the same day as enrollment)

6. Complete an initial REED and MET form (within 30 school days of enrollment)

- An Initial REED (**not** a Reevaluation REED) must be completed as part of the transfer process for out-of-state students. Parent consent must be obtained for the REED regardless of the decision to conduct additional assessments. In consultation with parents, the MET team may determine if additional assessment is required to establish eligibility per Michigan and Lenawee County guidelines.
- Available information and data from the most recent 12 months would be considered most relevant to the decision process as guided by the professional judgment of the IEP team.

- The MET team should complete the MET form to indicate the student's eligibility for special education services. The team should contact their regional supervisor if an extension is required to complete the evaluation.

7. Develop and Implement a New IEP (within 30 school days of enrollment)

- Develop and implement a new IEP that integrates evaluation results with the student's current educational strengths and needs to best meet those needs in the new educational setting.
- In instances of overdue IEPs (more than a year old), the new public agency must follow the same requirements of other transfer students even if the previous public agency failed to meet annual review requirements for the student's IEP.
- A Permission to Place form is required and the student should receive special education services while the new IEP is in process.
- In the instance a Reevaluation IEP is overdue (the most recent Reevaluation IEP is more than 3 years old) but (1) the student's annual IEP is still in effect or (2) the student continued to receive special education services under an overdue annual IEP, the IEP team should complete the Initial REED & IEP as soon as possible upon enrollment.
- For a student who has previously received special education services, the student will be allowed to continue to receive services while the REED is in process. I

Permission to Place Terminology

Use the most recent IEP when entering information, even if it has expired.

Effective Date = the date the permission to place was completed.

Thirty-Day Target Date = the date the district must adopt the current IEP or develop a new IEP. The school has 30 SCHOOL DAYS from enrollment.

Assignment Start Date = First the student started in the district, likely matching the Effective Date.

Don't Forget About the Notice Page!

Complete the notice page, including whether a previous IEP will be adopted or a new IEP developed and any options and other factors considered by the team and their decision.

The Permission to Place must be published before a new IEP can be started!

Upon publication, the case manager will ensure

1. The district representative signs the Permission to Place.
2. Scan and upload a copy of the signed Permission to Place to Student Uploads.
3. Send parents a copy of the signed Permission to Place, corresponding Notice, and Procedural Safeguards Notice.
4. File the originals in the student's CA60.

RESOURCES

Resource Hub - Child Find

All documents can be found here.

[LISD Transfer Procedures for Students with Disabilities](#)

[MDE Provision of Special Education Services for Transfer Students](#)

[Completing a Permission to Place in Illuminate](#)

[Permission to Place FAQs](#)



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