

# Summary of 2011 Revisions

## Part 2 – Michigan Administrative Rules for Special Education

Effective October 18, 2011

Title: INITIAL EVALUATION, TIME LINES, INDIVIDUALIZED EDUCATION PROGRAM, DISTRICT RESPONSIBILITIES, AND DUE PROCESS PROCEDURES

### R 340.1721 - REVISED

- Removed the word 'referral' and inserted 'request for an initial evaluation'
- 10 school days to provide notice and request written consent to evaluate
- Clarified that the notice must meet federal requirements
- Removed description of the types of special education programs at the Intermediate School District as it had no basis in federal or state law

### R 340.1721a – REVISED

- Removed duplication of federal requirements for parent input and review of existing evaluation data
- Replaced 'diagnostic evaluation' with 'full and individual evaluation'
- Specified that the individualized education program (IEP) team member that represents the multidisciplinary evaluation team (MET) must be able to explain the instructional implications of the evaluation results
- Revised the requirements of the MET report
- Removed the word 'pre-referral'

### R 340.1721b – REVISED AND NEW

- Changed title to 'Time lines'
- Moved most timeline rules to this section
- 10 day notice requirement applied to ALL written requests for an evaluation
- NEW application of 30 school day evaluation time line to ALL written requests for an evaluation
- NEW 7 school day notice requirement
- NEW requirement to document the mode and date of delivery of notice
- NEW applied immediate time line to provision of a free appropriate public education for transfer students
- REMOVED consent requirement for students previously enrolled in special education
- REVISED transfer student language

### R 340.1721e – REVISED

- Changed title
- Removes superintendent or designee from the convening of the IEP
- Added measurable annual goals requirement
- Removed present level of academic achievement and functional performance as it was duplication of federal requirement
- Removed requirement for IEP team to consider need for a particularly endorsed teacher because there is no basis in federal or state law
- Imported language from the old rule R 340.1721d: the IEP shall not be restricted to the programs and services available
- Retained the responsibility of the resident district to conduct the initial IEP, but moved it to the new rule R 340.1721e

### R 340.1722 – REVISED

- Removed federal overlap of the continuum of services
- IMPORTED the IEP implementation requirement from the old rule R 340.1722a(4)
- Revised language

### R 340.1722a and R 340.1722e - RESCINDED