



# Hastings Public Schools Total Special Education System (TSES)

This document serves as the Total Special Education System Plan for Hastings Public School District 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).

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## I. Child Study Procedures

The District's identification system is developed according to the requirement of nondiscrimination as Hastings Public School District 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.

### A. Identification

Hastings Public School District has developed systems designed to identify pupils with disabilities beginning at birth, pupils with disabilities attending public and nonpublic schools, and pupils with disabilities who are of school age and are not attending any school.

Infant and toddler intervention services under United States Code, title 20, chapter 33, section 1431 et seq., and Code of Federal Regulations, title 34, part 303, are available in Hastings Public School District to children from birth through two years of age who meet the outlined criteria.

The team determines that a child from birth through the age of two years is eligible for infant and toddler intervention services if:

- A. The child meets the criteria of one of the disability categories in United States Code, title 20, chapter 33, as defined in Minnesota Rules; or
- B. The child meets one of the criteria for developmental delay in subitem (1), (2), or (3):

- a. The child has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay regardless of whether the child has a demonstrated need or delay; or
- b. The child is experiencing a developmental delay that is demonstrated by a score of 1.5 standard deviations or more below the mean, as measured by the appropriate diagnostic measures and procedures, in one or more of the following areas:
  - i. Cognitive development;
  - ii. Physical development, including vision and hearing;
  - iii. Communication development;
  - iv. Social or emotional development; and
  - v. Adaptive development.
- c. The child's eligibility is established through the application of informed clinical opinion. Informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments to establish eligibility.

The transition of Early Childhood Special Education (ECSE) services from Part C to Part B occurs at or shortly after age 3. The team shall determine that a child from the age of three years through the age of six years is eligible for special education when:

- A. The child meets the criteria of one of the categorical disabilities in United States Code, title 20, chapter 33, as defined in Minnesota Rules; or
- B. The child meets one of the criteria for developmental delay in subitem (1) and the criteria in subitem (2). Hastings Public School District has elected the option of implementing these criteria for developmental delay.
  - a. The child:
    - i. Has a diagnosed physical or mental condition or disorder that has a high probability of resulting in developmental delay; or
    - ii. Has a delay in each of two or more of the areas of cognitive development; physical development, including vision and hearing; communication development; social or emotional development; and adaptive development, that is verified by an evaluation using one or more technically adequate, norm-referenced instruments. The instruments must be individually administered by appropriately trained professionals, and the scores must be at least 1.5 standard deviations below the mean in each area.
  - b. The child's need for special education is supported by:
    - i. At least one documented, systematic observation in the child's routine setting by an appropriate professional or, if observation in the daily routine setting is not possible, the alternative setting must be justified;
    - ii. A developmental history; and
    - iii. At least one other evaluation procedure in each area of identified delay that is conducted on a different day than the medical or norm-referenced evaluation; which

may include criterion-referenced instruments, language samples, or curriculum-based measures.

Hastings Public School District's plan for identifying a child with a specific learning disability is consistent with Minnesota Rule 3525.1341. Hastings Public School District's plan for identifying a child with a specific learning disability follows a discrepancy model for eligibility determination. The Scientific Research-Based Intervention (SRBI) approach is listed in the criteria definition but is not used as a basis for determining eligibility. The definition and Minnesota criteria for specific learning disability are attached as Appendix A.

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

## **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, title 34, section 303.321.

### **A. General**

- a. The lead agency must ensure that, subject to obtaining parental consent in accordance with §303.420(a)(2), each child under the age of three who is referred for evaluation or early intervention services under this part and suspected of having a disability, receives:
  - i. A timely, comprehensive, multidisciplinary evaluation of the child in accordance with paragraph (b) of this section unless eligibility is established under paragraph (a)(3)(i) of this section; and
  - ii. If the child is determined eligible as an infant or toddler with a disability as defined in §303.21;
    1. A multidisciplinary assessment of the unique strengths and needs of that infant or toddler and the identification of services appropriate to meet those needs;
    2. A family-directed assessment of the resources, priorities, and concerns of the family and the identification of the supports and services necessary to enhance the family's capacity to meet the developmental needs of that infant or toddler. The assessments of the child and family are described in paragraph (C) of this section and these assessments may occur simultaneously with the evaluation, provided that the requirements of paragraph (B) of this section are met.

### **B. As used in this part:**

#### **a. Definitions**

- i. *Evaluation* means the procedures used by qualified personnel to determine a child's initial and continuing eligibility under this part, consistent with the definition of infant or toddler with a disability in §303.21. An initial evaluation refers to the child's evaluation to determine his or her initial eligibility under this part;
- ii. *Assessment* means the ongoing procedures used by qualified personnel to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs throughout the period of the child's eligibility under this part and includes the assessment of the child, consistent with paragraph (c)(1) of this section

and the assessment of the child's family, consistent with paragraph (c)(2) of this section; and

- iii. Initial assessment refers to the assessment of the child and the family assessment conducted prior to the child's first IFSP meeting.
  - b. A child's medical and other records may be used to establish eligibility (without conducting an evaluation of the child) under this part if those records indicate that the child's level of functioning in one or more of the developmental areas identified in §303.21(a)(1) constitutes a developmental delay or that the child otherwise meets the criteria for an infant or toddler with a disability under §303.21. If the child's part C eligibility is established under this paragraph, the lead agency or EIS provider must conduct assessments of the child and family in accordance with paragraph (C) of this section.
  - c. Qualified personnel must use informed clinical opinion when conducting an evaluation and assessment of the child. In addition, the lead agency must ensure that informed clinical opinion may be used as an independent basis to establish a child's eligibility under this part even when other instruments do not establish eligibility; however, in no event may informed clinical opinion be used to negate the results of evaluation instruments used to establish eligibility under paragraph (B) of this section.
  - d. All evaluations and assessments of the child and family must be conducted by qualified personnel, in a nondiscriminatory manner, and selected and administered so as not to be racially or culturally discriminatory.
  - e. Unless clearly not feasible to do so, all evaluations and assessments of a child must be conducted in the native language of the child, in accordance with the definition of native language in §303.25.
  - f. Unless clearly not feasible to do so, family assessments must be conducted in the native language of the family members being assessed, in accordance with the definition of native language in §303.25.
- C. Procedures for evaluation of the child. In conducting an evaluation, no single procedure may be used as the sole criterion for determining a child's eligibility under this part. Procedures must include:
- a. Administering an evaluation instrument;
  - b. Taking the child's history (including interviewing the parent);
  - c. Identifying the child's level of functioning in each of the developmental areas in § 303.21(a)(1);
  - d. Gathering information from other sources such as family members, other caregivers, medical providers, social workers, and educators, if necessary, to understand the full scope of the child's unique strengths and needs; and
  - e. Reviewing medical, educational, or other records.
- D. Procedures for assessment of the child and family.

- a. An assessment of each infant or toddler with a disability must be conducted by qualified personnel in order to identify the child's unique strengths and needs and the early intervention services appropriate to meet those needs. The assessment of the child must include the following:
  - i. A review of the results of the evaluation conducted by paragraph (C) of this section;
  - ii. Personal observations of the child; and
  - iii. The identification of the child's needs in each of the developmental areas in § 303.21(a)(1).
  
- b. A family-directed assessment must be conducted by qualified personnel in order to identify the family's resources, priorities, and concerns and the supports and services necessary to enhance the family's capacity to meet the developmental needs of the family's infant or toddler with a disability. The family-directed assessment must:
  - i. Be voluntary on the part of each family member participating in the assessment;
  - ii. Be based on information obtained through an assessment tool and also through an interview with those family members who elect to participate in the assessment; and
  - iii. Include the family's description of its resources, priorities, and concerns related to enhancing the child's development.

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.

Hastings Public School District conducts full and individual initial evaluation before the initial provision of special education and related services to a pupil. The initial evaluation consists of procedures to determine whether a child is a pupil with a disability that adversely affects the child's educational performance as defined in Minnesota Statutes, section 125A.02, who by reason thereof needs special education and related services, and to determine the educational needs of the pupil. The district proposing to conduct an initial evaluation to determine if the child qualifies as a pupil with a disability obtains informed consent from the parent of the child before the evaluation is conducted. Parental consent for evaluation is not construed as consent for placement for receipt of special education and related services. The District will not override the written refusal of a parent to consent to an initial evaluation or re-evaluation.

## **Evaluation Procedures**

Evaluations and reevaluations are conducted according to the following procedures:

- A. Hastings Public School District 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, Hastings Public School District:
  - a. 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, or for preschool pupils, to participate in appropriate activities;

- b. 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
- c. 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. Hastings Public School District ensures that:

- a. Tests and other evaluation materials used to evaluate a child under this part are selected and administered so as 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;
- b. 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;
- c. 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;
- d. 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;
- e. Evaluation tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the pupil are provided;
- f. 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;
- g. 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;
- h. 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
- i. 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 reinstatement under part 3525.3100, the IEP team and other qualified professionals, as appropriate, shall:
  - a. 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 provider observation; and
  - b. 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. The district evaluates a pupil in accordance with federal regulations before determining that the pupil is no longer a pupil with a disability.

### **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:
  - a. 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

- b. 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**

Hastings Public School District's plan for receiving referrals from parents, physicians, private and public programs, and health and human services agencies is attached as Appendix C.

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

Hastings Public School District provides a full range of educational service alternatives. All students with disabilities are provided special instruction and services appropriate to their needs. The following is representative of Hastings Public School District's method of providing 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 special education needs, goals, and objectives of a pupil are determined on an individual basis. The choice of specific program alternatives is 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 or IFSP.

- A. Method of providing the special education services for the identified pupils:
  - a. one-on-one services

- b. small group
- c. co-teaching
- d. indirect services (consultation)
- e. direct services in general education classroom
- f. direct services in the special education classroom
- g. work-based services
- h. community-based services

B. Sites available at which services may occur:

- a. Tilden Community Center, 310 River St, Hastings, MN 55033 - Early Childhood Services; Community-based Transition Services
- b. Kennedy Elementary School, 1175 Tyler Street, Hastings MN – Grades K-4 general and special education services (settings 1 & 2, setting 3 Emotional/Behavioral Disability)
- c. Christa McAuliffe Elementary School, 1601 West 12<sup>th</sup> Street, Hastings, MN – Grades K-4 general and special education services (settings 1 & 2; setting 3 Developmental Cognitive Disabilities and Severe and Multiply Impaired; setting 3 Autism Spectrum Disorders)
- d. Pinecrest Elementary School, 975 West 12<sup>th</sup> Street, Hastings, MN – Grades K-4 general and special education services (settings 1 & 2; setting 3 Developmental Cognitive Disabilities and Severe and Multiply Impaired; setting 3 Autism Spectrum Disorders)
- e. Hastings Middle School, 1000 West 11<sup>th</sup> Street, Hastings, MN – Grades 5-8 general and special education services (settings 1 & 2; setting 3 Emotional/Behavioral Disorders; setting 3 Developmental Cognitive Disabilities and Severe and Multiply Impaired, setting 3 Autism Spectrum Disorders)
- f. Hastings High School, 200 General Sieben Drive, Hastings, MN – Grades 9-12 general and special education services (settings 1 & 2; setting 3 Emotional/Behavioral Disorders; setting 3 Developmental Cognitive Disabilities and Severe and Multiply Impaired, setting 3 Autism Spectrum Disorders)
- g. Hastings High School, 200 General Sieben Drive, Hastings, MN - Ages 18-22 Transition Program
- h. Hastings Area Learning Center, 200 General Sieben Drive, Hastings, MN – Grades 10-12 general and special education services (setting 1)
- i. Intermediate School District 917. Purchase of services and program placements to ensure a continuum of services for Hastings students having access to a Free and Appropriate Public Education.
- j. Homebound & Home-based Services
- k. Non-public services – Child find & access to specialized instruction per IEP & IEP needs. Services are delivered on-site in Hastings Public School District.

C. Available instruction and related services:

- a. Direct specialized instruction
- b. Consultation services
- c. Indirect instruction
- d. Health services
- e. Physical therapy
- f. Occupational therapy
- g. Speech-Language therapy

- h. ASD consultation
- i. Assistive technology consultation
- j. Orientation and mobility consultation
- k. School psychology services
- l. Social work services
- m. Audiological services
- n. Vision services

### III. Administration and Management Plan

Hastings Public School District utilizes the following administration and management plan to ensure effective and efficient results of child study procedures and methods of providing special education services for the identified pupils:

- A. The following table illustrates the organization of administration and management to ensure effective and efficient results of child study procedures and methods of providing special education services for the identified pupils:

<b>Staff Name and Title</b>	<b>Contact Information</b>	<b>Description of Staff Responsibilities</b>
Jill Petersen, Director of Special Services	(651) 480-7008 District Office 1000 West 11 <sup>th</sup> Street Hastings, MN 55033	Duties involve the supervision of special education staff, program development, program evaluation, fiscal/budget administration of special needs programming, and oversight of due process and compliance requirements
Marcia Walker, Special Education Supervisor	Hastings High School	Assists the Director in the areas listed above.
Paul Azen, Special Education Supervisor	Hastings Middle School	Assists the Director in the areas listed above.
Sarah Anderson, Early Childhood Special Ed / Dept Lead	(651) 480-7363 Tilden Community Center	The Early Childhood Department Chair leads the Early Childhood Special Education (ECSE) team and facilitates regular Child Study Review Team meetings. The ECSE Dept Lead also serves on the Special Services Leadership Team..
Katie Mikla, Due Process Lead	(651) 480-7199 Hastings Middle School	The Due Process Lead oversees compliance and SpEd Forms for the district. The Due Process Lead also serves on the Special Services Leadership Team.

- B. Due Process assurances available to parents: Hastings Public School District has appropriate and proper due process procedures in place to ensure effective and efficient results of child study procedures and methods of providing special education services for the identified pupils, including alternative dispute resolution and due process hearings. A description of these processes is as follows:

- a. 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.
- b. Hastings Public School District will not proceed with the initial evaluation of a child, the initial placement of a child in a special education program, or the initial provision of special education services for a child without the prior written consent of the child's parent. A district may not override the written refusal of a parent to consent to an initial evaluation or reevaluation.
- c. 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.
- d. 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.
- e. 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. Hastings Public School District 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.
- f. In addition to offering at least one conciliation conference, Hastings Public School District 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.
- g. Descriptions of the mediation process, facilitated team meetings, state complaints, and impartial due process hearings may be found in Hastings Public School District's Procedure Safeguard Notice, attached as Appendix D.

## IV. Interagency Agreements the District has Entered

Hastings Public School District has entered into the following interagency agreements or joint powers board agreements for eligible children, ages 3 to 21, to establish agency responsibility that assures that interagency services are coordinated, provided, and paid for, and that payment is facilitated from public and private sources:

Name of Agency	Terms of Agreement	Agreement Termination/ Renewal Date	Comments
Intermediate School District 917	Joint Powers Agreement	Annual	
Interagency Early Intervention Committee (IEIC)	Joint Powers Agreement	Annual	
Community Transition Interagency Committee (CTIC)	Joint Powers Agreement	Annual	

Additional information and descriptions on Interagency Agreements can be found in Appendix E.

## V. Special Education Advisory Council

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, Hastings Public School District has a special education advisory council.

- A. Hastings Public School District's Special Education Advisory Council is individually established.
- B. Hastings Public School District's Special Education Advisory Council is not a subgroup of an existing board/council/committee.
- C. At least half of Hastings Public School District's parent advisory councils' members are parents of students with a disability.
  - a. The district has a nonpublic school located in its boundaries and the parent advisory council includes at least one member who is a parent of a nonpublic school student with a disability, or an employee of a nonpublic school if no parent of a nonpublic school student with a disability is available to serve.
  - b. Hastings Public School District's Special Education Advisory Council meets no less than once each year.
- D. Hastings Public School District's Special Education Advisory Council meets once each fall, winter, and spring.
- E. The operational procedures of Hastings Public School District's Special Education Advisory Council are attached as Appendix F.

- F. Hastings Public School District's Special Education Advisory Council consists of the following individuals:
- a. Carrie Tate (school board member)
  - b. Jill Petersen (school district employee - Asst. Director)
  - c. Matt Esterby (school district employee – Principal)
  - d. Jen Cavalier, parent

Hastings Public Schools is currently in the process of recruiting additional members.

## **VI. Assurances**

Assurance given Citation and Authority: Code of Federal Regulations, section 300.201: Consistency with State policies. Hastings Public School District, 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)).

# Appendix A: State of Minnesota Definition and Criteria for Specific Learning Disabilities

## Specific Learning Disability - Definition

"Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia."

MN Rule 3525.1341

The disorder is:

- A. manifested by interference with the acquisition, organization, storage, retrieval, manipulation, or expression of information so that the individual does not learn at an adequate rate for the child's age or to meet state-approved grade-level standards when provided with the usual developmental opportunities and instruction from a regular school environment.
- B. demonstrated primarily in academic functioning, but may also affect other developmental, functional, and life adjustment skill areas; and may occur with, but cannot be primarily the result of visual, hearing, or motor impairment; cognitive impairment; emotional disorder; or environmental, cultural, economic influences, limited English proficiency or lack of appropriate instruction in reading or math.

### **Criteria**

A child is eligible and in need of special education and related services for a specific learning disability when the child meets the criteria in items A, B, or C or in items A, B, and D below. Information about each item must be sought from the parent and must be included as part of the evaluation data. The evaluation data must confirm that the effects of the child's disability occur in a variety of settings. The child must receive two interventions, as defined in Minnesota Statutes, section 125A.56, prior to evaluation, unless the parent requests an evaluation or the IEP team waives this requirement because it determines the child's need for an evaluation is urgent.

***NOTE: Hastings Public School District determines eligibility for a specific learning disability using the discrepancy model (criteria items A, B, or C). Criteria items related to the Scientific Research-Based Interventions are defined here but District 200 does not use this method as a basis for determining eligibility.***

- A. The child does not achieve adequately in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematics calculation, or mathematical problem solving, in response to appropriate classroom instruction and either:
  - a. the child does not make adequate progress to meet age or state-approved grade-level standards in one or more of the areas listed above when using a process based on the child's response to scientific, research-based interventions (SRBI) or:
  - b. the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development that is determined by the group to be relevant to the identification of a specific learning disability. The performance measures used to verify this finding must be representative of

the child's curriculum or useful for developing instructional goals and objectives.

Documentation is required to verify this finding. Such documentation includes evidence of low achievement from the following sources, when available: cumulative record reviews; class work samples; anecdotal teacher records; statewide and district-wide assessments; formal, diagnostic, and informal tests; curriculum-based evaluation results; and results from targeted support programs in general education.

- B. The child has a disorder in one or more of the basic psychological processes which includes an information processing condition that is manifested in a variety of settings by behaviors such as inadequate: acquisition of information; organization; planning and sequencing; working memory, including verbal, visual, or spatial; visual and auditory processing; speed of processing; verbal and nonverbal expression; transfer of information; and motor control for written tasks.
- C. The child demonstrates a severe discrepancy between general intellectual ability and achievement in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematics calculation, or mathematical problem solving. The demonstration of a severe discrepancy shall not be based solely on the use of standardized tests. The group shall consider these standardized test results as only one component of the eligibility criteria. The instruments used to assess the child's general intellectual ability and achievement must be individually administered and interpreted by an appropriately licensed person using standardized procedures. For initial placement, the severe discrepancy must be equal to or greater than 1.75 standard deviations below the mean of the distribution of difference scores for the general population of individuals at the child's chronological age level.
- D. The child demonstrates an inadequate rate of progress. The rate of progress is measured over time through progress monitoring while using intensive SRBI, which may be used prior to a referral or as part of an evaluation for special education. A minimum of 12 data points are required from a consistent intervention implementation over at least seven school weeks in order to establish the rate of progress. The rate of progress is adequate when the child's:
  - a. rate of improvement is minimal and continued intervention will not likely result in reaching age or state-approved grade-level standards;
  - b. progress will likely not be maintained when instructional supports are removed;
  - c. level of performance in repeated assessments of achievement falls below the child's age or state-approved grade-level standards; and
  - d. level of achievement is at or below the fifth percentile on one or more valid and reliable achievement tests using either state or national comparisons. Local comparison data that is valid and reliable may be used in addition to either state or national data. If local comparison data is used and differs from either state or national data, the group must provide a rationale to explain the difference.

# Appendix B: Hastings Restrictive Procedures Plan

## HASTINGS PUBLIC SCHOOLS – Restrictive Procedures Plan 2024-2025

Law	Restrictive Procedures Plan 2024-2025
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)	Schools that intend to use restrictive procedures are required to maintain and make publicly accessible in an electronic format on a school or district website or make a paper copy available upon request describing a restrictive procedures plan for children with disabilities.
Definition found at Minnesota Statutes, section 125A.0941(f)	Restrictive procedures means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child.
Definition found at Minnesota Statutes, section 125A.0941(b)	An emergency means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person’s request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 2(f)	Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child’s IEP or BIP
Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(1)	<p><b>Hastings Public Schools intends to use the following restrictive procedures:</b></p> <p><i><b>NOTE:</b> While seclusion, defined as confining a child alone in a room from which egress is barred, is an allowable procedure under Minnesota Statutes, District 200 will NOT use seclusion. Physical holding as defined below will be the only restrictive procedure used.</i></p>

<p>Definition found at Minnesota Statutes, section 125A.0941(c)</p>	<p>A. Physical holding</p> <ol style="list-style-type: none"> <li>a. Physical holding means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.</li> <li>b. The term physical holding does not mean physical contact that: <ol style="list-style-type: none"> <li>i. Helps a child respond or complete a task;</li> <li>ii. Assists a child without restricting the child's movement;</li> <li>iii. Is needed to administer an authorized health-related service or procedure; or</li> <li>iv. Is needed to physically escort a child when the child does not resist or the child's resistance is minimal.</li> </ol> </li> <li>c. Hastings Public Schools intends to use the following types of physical holds <ol style="list-style-type: none"> <li>i. CPI Children's Control Position, CPI Team Control Position</li> <li>ii. CPI Holding in a Seating Position (Low, Medium, High)</li> <li>iii. CPI Holding in a Standing Position (Low, Medium, High)</li> </ol> </li> </ol>
<p>Definition found at Minnesota Statutes, section 125A.0941(g)</p>	<p>B. Seclusion</p> <ol style="list-style-type: none"> <li>a. Seclusion means confining a child alone in a room from which egress is barred.</li> <li>b. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room.</li> <li>c. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.</li> <li>d. Hastings Public Schools does not intend to use seclusion as a restrictive procedure and does not have any rooms assigned for this purpose.</li> </ol> <p><b>NOTE:</b> While seclusion, defined as confining a child alone in a room from which egress is barred, is an allowable procedure under Minnesota Statutes, District 200 will NOT use seclusion.</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p><b>Hastings Public Schools will implement a range of positive behavior strategies and provide links to mental health services.</b></p>
<p>Definition found at Minnesota Statutes, section 125A.0941(d)</p>	<p>A. Positive behavioral interventions and supports mean interventions and strategies to improve the school environment and teach children the skills to behave appropriately.</p>

<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p> <p>Encouragement found at Minnesota Statutes, section 125A.0942, Subdivision 6<sup>1</sup></p>	<p>B. Hastings Public Schools is committed to using positive behavioral interventions and supports to improve the school environment and to teach children the skills to behave appropriately.</p> <p>Listed below are some of the highlights of techniques or strategies used in each building:</p> <ol style="list-style-type: none"> <li>1. Tilden Community Center – Conscious Discipline</li> <li>2. Kennedy Elementary, McAuliffe Elementary, &amp; Pinecrest Elementary use methodologies adapted from PBIS, Conscious Discipline and Restitution.</li> <li>3. Hastings Middle School has been trained in and uses Restitution. In addition, HMS has also implemented the full Positive Behavior Interventions &amp; Supports (PBIS) approach school-wide.</li> <li>4. Hastings Public Schools is part of a bullying prohibition initiative and has resources and training available to students, staff and parents on the District website.</li> </ol> <p><sup>1</sup> Minnesota Statutes, section 125A.0942, Subd, 6 encourages school districts to establish effective school-wide systems of positive behavior interventions and supports.</p>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(2)</p>	<p>C. Hastings Public School District provides the following links to mental health services:</p> <ol style="list-style-type: none"> <li>1. Washington County Mental Health Resources: <a href="http://www.co.washington.or.us/HHS/MentalHealth/">www.co.washington.or.us/HHS/MentalHealth/</a></li> <li>2. Washington County Crisis Services: <a href="http://www.co.washington.or.us/HHS/MentalHealth/GettingHelp/crisis-services.cfm">www.co.washington.or.us/HHS/MentalHealth/GettingHelp/crisis-services.cfm</a></li> <li>3. Dakota County Children’s Mental Health Resources <a href="http://www.co.dakota.mn.us/HealthFamily/MentalHealth/Childrens/Pages/default.aspx">www.co.dakota.mn.us/HealthFamily/MentalHealth/Childrens/Pages/default.aspx</a></li> <li>4. National Alliance on Mental Illness (NAMI): <a href="http://www.namihelps.org/">http://www.namihelps.org/</a></li> <li>5. Minnesota Association for Children’s Mental Health (MACMH): <a href="http://www.macmh.org">http://www.macmh.org</a></li> <li>6. Canvas Health: <a href="http://www.canvashealth.org">http://www.canvashealth.org</a></li> <li>7. Family Adolescent &amp; Children’s Therapy Services (FACTS): <a href="http://www.facts-mn.org/">http://www.facts-mn.org/</a></li> <li>8. Sternau &amp; Associates: 612-338-5267</li> </ol>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(3); <i>See also,</i></p>	<p><b>Hastings Public Schools will provide training on de-escalation techniques.</b></p> <p>A. Hastings Public Schools maintains at least two staff members who are fully certified as CPI trainers in Nonviolent Crisis Prevention Intervention to teach de-escalation techniques. They provide training in the summer, prior to the school year, as well as during the school year, to ensure that staff likely to use physical restraint has and maintains training.</p>

<p>Minnesota Statutes, section 122A.09, Subdivision 4(k) and Minnesota Rule 8710.0300</p>	<p><b><i>CPI trainers in District 200 are the following employees: Amy Davis and Tina Hauer</i></b></p> <p>B. Hastings Public Schools provides the training on accommodating, modifying, and adapting curriculum, materials, and strategies to appropriately meet the needs of individual students and ensure adequate progress toward the state’s graduation standards. Staff development is delivered by District 200 specialists, via guest presenters, or by sending staff to trainings outside the district.</p> <ul style="list-style-type: none"> <li>a. Graduation Standards &amp; Standards-based IEPs: Attended by special education teachers at McAuliffe Elementary, Pinecrest Elementary, Kennedy Elementary, Hastings Middle School &amp; Hastings High School.</li> <li>b. Practical Strategies for Paraprofessional Who Work with Students with Special Needs Grades K-12: Attended by paraprofessionals across District 200.</li> <li>c. Conscious Discipline: Attended by teachers and paraprofessionals at Tilden Community Center and all 3 elementary schools.</li> <li>d. All staff that intend to use physical holds attends Nonviolent Crisis Prevention Intervention (CPI) training, which meets the required training components outlined above.</li> </ul>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)</p> <p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(5)</p>	<p><b>Hastings Public Schools will monitor and review the use of restrictive procedures in the following manner:</b></p> <p>A. Documentation:</p> <ul style="list-style-type: none"> <li>a. Each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion documents, as soon as possible after the incident concludes, the following information: <ul style="list-style-type: none"> <li>i. A description of the incident that led to the physical holding or seclusion;</li> <li>ii. Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;</li> <li>iii. The time the physical holding or seclusion began and the time the child was released; and</li> <li>iv. A brief record of the child’s behavioral and physical status.</li> </ul> </li> <li>b. The Hastings Public Schools’ form used to document the use of physical holding is found on SpedForms and is titled <u><i>Restrictive Procedures Form Physical Holding</i></u>. IEP managers must assure timely completion of this form.</li> </ul>

<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 1(a)(4)(i)</p>	<p>B. Post-use debriefings, consistent with documentation requirements:</p> <ul style="list-style-type: none"> <li>a. Each time physical holding is used the staff person who implemented or oversaw the physical hold shall conduct a post-use debriefing as soon as possible and no more than two (2) days after the incident concludes. A copy of this documentation will be submitted to the building principal. Additionally a copy will be submitted to the Director of Special Services and Special Services Office Assistant for the purpose of compiling required restrictive procedure summary for annual submission to Minnesota Department of Education and for quarterly review of restrictive procedure data with the District’s restrictive procedure oversight committee.</li> <li>b. Persons participating in the post-use debriefing will include: <ul style="list-style-type: none"> <li>i. The student’s IEP case manager,</li> <li>ii. Staff person(s) involved with the physical hold, and</li> <li>iii. At least one of the following: school administrator, school psychologist, school social worker, or special education department chair with knowledge of the student.</li> <li>iv. Additional persons may be included as needed.</li> </ul> </li> </ul>
<p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)<sup>2</sup></p> <p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision. 3(a)(1)<sup>3</sup></p> <p>Requirement found at Minnesota Statutes, section 125A.0942, Subdivision 3(a)(2)<sup>4</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(3)<sup>5</sup></p>	<p>C. The post-briefing will review the following requirements to ensure the physical holding was used appropriately and record the findings:</p> <ul style="list-style-type: none"> <li>a. Whether the physical holding was used in an emergency.</li> <li>b. Whether the physical holding was the least intrusive intervention that effectively responds to the emergency.</li> <li>c. Whether the physical holding was used to discipline a noncompliant child.</li> <li>d. Whether the physical holding ended when the threat of harm ended and the staff determined that the child could safely return to the classroom or activity.</li> <li>e. Whether the staff directly observed the child while physical holding was being used.</li> <li>f. Whether the documentation was completed correctly.</li> <li>g. Whether the parents were properly notified.</li> <li>h. Whether an IEP team meeting needs to be scheduled.</li> <li>i. Whether the appropriate staff used physical holding.</li> <li>j. Whether the staff that used physical holding was appropriately trained.</li> </ul> <p><sup>2</sup> Minnesota Statutes, section 125A.0942, Subd. 3(a) requires that restrictive procedures only be used in response to behavior that constitutes an emergency.</p> <p><sup>3</sup> Minn. Stat. § 125A.0942, Subd. 3(a)(1) requires physical holding or seclusion to be the least restrictive intervention that effectively responds to the emergency.</p> <p><sup>4</sup> Minn. Stat. § 125A.0942, Subd. 3(a)(2) requires physical holding or seclusion NOT be used to discipline a noncompliant child.</p>

<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(4)<sup>6</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 3(a)(5)<sup>7</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(b)<sup>8</sup> and Minn. § 125A.0942, Subdivision 2(f)<sup>9</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(c)<sup>10</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 2(a)<sup>11</sup></p> <p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 5</p>	<p><sup>5</sup> Minn. Stat. § 125A.0942, Subd. 3(a)(3) requires the physical holding or seclusion end when the threat of harm ends and the staff determines the child can safely return to the classroom or activity.</p> <p><sup>6</sup> Minn. Stat. § 125A.0942, Subd. 3(a)(4) requires staff to directly observe the child while physical holding or seclusion is being used.</p> <p><sup>7</sup> Minn. Stat. § 125A.0942, Subd. 3(a)(5) requires the staff person who implements or oversees the physical holding or seclusion to document, each time physical holding or seclusion is used, as soon as possible after the incident concludes, the following information: (i) a description of the incident that led to the physical holding or seclusion; (ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical; (iii) the time the physical holding or seclusion began and the time the child was released; and (iv) a brief record of the child's behavioral and physical status.</p> <p><sup>8</sup> Minn. Stat. § 125A.0942, Subd. 2(b) requires a school to make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means or as otherwise indicated by the child's parent.</p> <p><sup>9</sup> Minn. Stat. § 125A.0942, Subd. 2(f) provides that an IEP team may plan for using restrictive procedures and may include these procedures in a child's IEP or BIP; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency. The IEP or BIP shall indicate how the parent wants to be notified when a restrictive procedure is used.</p> <p><sup>10</sup> Minn. Stat. § 125A.0942, Subd. 2(c) requires the district to hold a meeting of the IEP team: within ten calendar days after district staff use restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's IEP or BIP does not provide for using restrictive procedures in an emergency; or at the request of a parent or the district after restrictive procedures are used. The district must review use of restrictive procedures at a child's annual IEP meeting when the child's IEP provides for using restrictive procedures in an emergency.</p> <p><sup>11</sup> Minn. Stat. § 125A.0942, Subd. 2(a) requires restrictive procedures only be used by a licensed special education teacher, school social worker, school psychologist, behavior analyst certified by the national Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professional, paraprofessional, or mental health professional, who has completed training.</p>
	<p>D. If the post-use debriefing revealed that the use of the physical hold was not used appropriately, the team participating in the staff debrief will consult with their building administrator and/or special education director to generate a corrective action plan as outlined on the Post-Use Debriefing Form. The corrective action plan may consist of the following:</p> <ol style="list-style-type: none"> <li>a. Re-training in CPI</li> <li>b. Behavior management strategies training (Provided by in-district specialists or out of district specialists.)</li> <li>c. Coaching</li> </ol>

	<p>d. Other actions as determined by the school team and/or administration</p>
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(b)<sup>12</sup></p>	<p>E. Oversight committee</p> <p>a. Hastings Public Schools publicly identifies the following oversight committee members:</p> <ul style="list-style-type: none"> <li>i. Jill Petersen, Director of Special Services</li> <li>ii. Paul Azen, Special Services Supervisor</li> <li>iii. Marcia Walker, Special Services Supervisor</li> <li>iv. Amy Davis, Special Education Teacher</li> <li>v. Tina Hauer, Special Education Teacher</li> <li>vi. Kyle Latch, Principal Kennedy Elementary</li> </ul> <p><sup>12</sup> Minn. Stat. § 125A.0942, Subd. 2(b) requires schools to annually publicly identify oversight committee members who must at least include: (1) a mental health professional, school psychologist, or school social worker; (2) an expert in positive behavior strategies; (3) a special education administrator; and (4) a general education administrator.</p>
<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(4)(ii)<sup>13</sup></p>	<p>b. Hastings Public School's oversight committee meets quarterly during the months of November, January, March, &amp; May.</p> <p>c. The oversight committee will review of the use of restrictive procedures by reviewing post-use debriefings and look for patterns or problems indicated by:</p> <ul style="list-style-type: none"> <li>i. time of day;</li> <li>ii. day of the week</li> <li>iii. duration of the use of the restrictive procedure;</li> <li>iv. the individuals involved;</li> <li>v. the number of times a restrictive procedure was used school-wide and for individual children;</li> <li>vi. the number and types of injuries, if any, resulting from the use of restrictive procedures;</li> <li>vii. whether restrictive procedures were used in non emergency situations;</li> <li>viii. the need for additional staff training; and,</li> <li>ix. proposed actions to minimize the use of restrictive procedures.</li> </ul> <p>d. The Oversight committee will ensure that training is provided as needed and that IEP meetings are conducted in a timely manner.</p> <p><sup>13</sup> Minn. Stat. § 125A.0942, Subd. 1(a)(4)(ii) requires that an oversight convene to undertake a quarterly review of the use of restrictive procedures.</p>

<p>Requirement found at Minn. Stat. § 125A.0942, Subdivision 1(a)(5) and Subdivision 5</p>	<p><b>Hastings Public School staff who use restrictive procedures, including paraprofessionals, received training on de-escalation techniques including the use of positive behavior interventions.</b> Courses are provided via staff development training by District 200 specialists, guest speakers, or by sending staff outside the district for training. CPI training and other training provided throughout the year meet the requirements of the items listed below.</p> <ol style="list-style-type: none"> <li>1. Positive behavioral interventions</li> <li>2. Communicative intent of behaviors</li> <li>3. Relationship building</li> <li>4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior</li> <li>5. De-Escalation methods</li> <li>6. Standards for using restrictive procedures</li> <li>7. Obtaining emergency medical assistance</li> <li>8. The physiological and psychological impact of physical holding and seclusion</li> <li>9. Monitoring and responding to a child's physical signs of distress when physical holding is being used</li> <li>10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used</li> <li>11. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure; and</li> <li>12. School-wide programs on positive behavior strategies</li> </ol>
<p>Prohibitions found at Minn. Stat. § 125A.0942, Subdivision 4(1-9)</p>	<p><b>Hastings Public Schools will never use the following prohibited procedures on a child:</b></p> <ol style="list-style-type: none"> <li>1. Engaging in conduct prohibited under section 121A.58 (corporal punishment);</li> <li>2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;</li> <li>3. Totally or partially restricting a child's senses as punishment;</li> <li>4. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;</li> <li>5. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;</li> <li>6. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under</li> </ol>

	<p>section 626.556 (reporting of maltreatment of minors);</p> <ol style="list-style-type: none"><li>7. Withholding regularly scheduled meals or water;</li><li>8. Denying access to bathroom facilities; and</li><li>9. Physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.</li></ol>
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# Appendix C: Process for Receiving Referrals

## ***How do I refer my child?***

Parents, teachers, physicians, or any concerned person can refer a child for potential special education services.

### ***Birth through Age 5:***

Referrals for preschool children ages birth through 5 may be made by contacting the Early Childhood Special Education Office at (651)480-7446.

### ***K-12:***

Referrals for students in Kindergarten through grade 12 may be made by contacting the child's teacher, counselor, or the principal of the school your child attends.

#### **Hastings High School**

200 General Sieben Drive, Hastings, Minnesota 55033

Phone: (651) 480-7470

#### **Hastings Middle School**

1000 West 11th Street, Hastings, Minnesota 55033

Phone: (651) 480-7060

#### **Kennedy Elementary**

1175 Tyler Street, Hastings, Minnesota 55033

Phone: (651) 480-7221

#### **McAuliffe Elementary**

601 West 12th Street Hastings, MN 55033

Phone: (651) 480-7390

#### **Pinecrest Elementary**

975 West 12th Street, Hastings, Minnesota 55033

Phone: (651) 480-7280

#### **Hastings Area Learning Center**

200 General Sieben Drive, Hastings, Minnesota 55033,

Phone: (651) 480-7690

Once a referral is received, a team of professionals will meet to review the concerns and determine how to proceed. Options available to the team in attempting to resolve the reported academic or behavior problem include:

- developing and implementing interventions within the general education setting that are designed to target the identified problem;

- making a referral to the Section 504 team to determine if the student is eligible for and needs accommodations through a 504 plan.
- conducting a comprehensive evaluation to determine if the child is eligible for and needs special education instruction. If an evaluation is warranted, parents will be asked for their written permission to assess their child before any testing occurs.

***What must occur prior to a special education evaluation for K-12 Students?***

To assure that students are given ample opportunity to succeed within the general education program, [Minnesota Statute 125A.56](#) requires that schools implement and document at least two “instructional strategies, alternatives or interventions” within the general education classroom prior to referring a child for special education evaluation. This stage is called the ‘pre-referral process.’ In many instances, the child’s needs can be met by changing instructional strategies or through other interventions within the general classroom.

The duration of the pre-referral interventions is based on the individual child’s needs. The interventions must be of sufficient duration to allow the child to succeed from the new instructional strategies and/or interventions. However, the pre-referral process must not be used to unduly delay a special education evaluation if it becomes apparent the interventions are not successful.

**For additional information**

**please contact:**

**Hastings Public School Special Services at (651) 480-7016**

## Appendix D: Procedural Safeguards

The most current versions of Procedural Safeguards: Parental Rights for Public School Special Education Students for both Part B and Part C services can be located by clicking on the following link:

<https://education.mn.gov/MDE/dse/sped/proc/index.htm>

The safeguards are available in multiple languages at the above site. A paper copy can be mailed to you by calling the Special Services Office at (651) 480-7016.

# Appendix E: Interagency Agreements

## A. Intermediate School District 917

The mission of the special education programs of Intermediate School District 917 is to provide students with disabilities an appropriate individualized educational program in collaboration with their home district. These programs and services are offered because the local school districts desire comprehensive special education services that can be offered with enhanced efficiency through a cooperative arrangement under the direction of District 917.

Additional information on Intermediate School District 917 can be found [here](#).

## B. Community Transition Interagency Committee (CTIC)

1. Hastings Public School District is a member of the Dakota County Community Transition Interagency Committee (CTIC) established in cooperation with other districts in Dakota County for youth with disabilities, beginning at grade 9 or age equivalent, and their families.
2. The CTIC meets on the second Monday of the month at the Dakota County Technical College, 1300 145th Street East, Rosemount, MN 55068.
3. The Community Transition Interagency Committee's operating procedures include the following:
  - a. identification of current services, programs, and funding sources provided within the community for secondary and postsecondary-aged youth with disabilities and their families;
  - b. facilitation of the development of multiagency teams to address present and future transition needs of individual students on their individualized education programs;
  - c. development of a community plan to include mission, goals, and objectives, and an implementation plan to assure that transition needs of individuals with disabilities are met;
  - d. recommendation of changes or improvements in the community system of transition services;
  - e. exchange of agency information such as appropriate data, effectiveness students, special projects, exemplary programs, and creative funding of programs; and
  - f. preparation of a yearly summary assessing the progress of transition services in the community including follow-up of individuals with disabilities who were provided transition services to determine post-school outcomes.

The CTIC disseminates the summary to all adult services agencies involved in the planning and MDE by October 1 of each year.

Additional information on the Dakota County CTIC can be found [here](#).

## C. Interagency Early Intervention Committee (IEIC)

Hastings Public School District is a member of the Region 11 Interagency Early Intervention Committee. This committee is established for children with disabilities under the age of five and their families.

Region 11 Interagency Early Intervention Committee consists of the following individuals:

- ❖ Anoka County Parent TBD Parent

- ❖ Carver County Parent TBD Parent
- ❖ Dakota County Parent TBD Parent
- ❖ Hennepin County Parent Andrea Robinson Parent
- ❖ Ramsey County Parent Jessica Mattson Parent
- ❖ Scott County Parent TBD Parent
- ❖ Washington County Parent TBD Parent
- ❖ Anoka County IEIC Cathy Lombard Education Special Education Director
- ❖ Former Carver County IEIC Chris Hansen ECSE Coordinator
- ❖ Former Dakota County IEIC Janell Schilman Social Services - Help Me Grow Interagency Coordinator
- ❖ Former Minneapolis IEIC Stephanie Graves Maternal and Child Health MCH Coordinator  
Former North Suburban Ramsey/St. Paul IEIC Jayne Cox-Lindsey St. Paul/North Suburban Help Me Grow Service Coordinator/Supervisor
- ❖ Former NW Hennepin County IEIC Diana Huffman NW Hennepin Help Me Grow Central Intake/Interagency Service Coordinator
- ❖ Former Robbinsdale IEIC Judy Pilz Hennepin County Health Dept.
- ❖ Former Scott County IEIC Sharon DeZeeuw Social Services Social Work Case Manager DD  
Former South Hennepin County IEIC Jean Cady Richfield ECSE Special Education Supervisor  
Former St. Paul IEIC Laura Shae ECSE Supervisor
- ❖ Former Washington County IEIC Mary Jo Hei ECSE Coordinator/Service Provider  
Former West Suburban IEIC Lori Fildes ECSE Director of Special Education
- ❖ Health Phyllis Haag Ramsey County Dept. of Public Health and Environment PHN Clinician, Family
- ❖ Health Supervisor Human Services Suzanne Levy Ramsey County Social Services Developmental Disabilities
- ❖ County Boards Julie Ring Association of MN Counties Legislative Coordinator & Health and Human

Region 11 Help Me Grow IEIC Project Coordinator

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Region 11 Help Me Grow IEIC Child Find Coordinator

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- A. The chair of the Early Intervention Committee is Suzie Levy.
- B. The Early Intervention Committee meets approximately 5 times during the school year.
- C. The Early Intervention Committee's operating procedures include the following:
  - a. development of public awareness systems designed to inform potential recipient families, especially parents with premature infants, or infants with other physical risk factors associated with learning or development complications, of available programs and services;
  - b. reduction of families' need for future services, especially parents with premature infants, or infants with other physical risk factors associated with learning or development

complications, implement interagency child find systems designed to actively seek out, identify, and refer infants and young children with, or at risk of, disabilities, including a child under the age of three who: (i) is involved in a substantiated case of abuse or neglect or (ii) is identified as affected by illegal substance abuse, or withdrawal symptoms resulting from prenatal drug exposure;

- c. establishment and evaluation of the identification, referral, child and family assessment systems, procedural safeguard process, and community learning systems to recommend, where necessary, alterations and improvements;
- d. assurances of the development of individualized family service plans for all eligible infants and toddlers with disabilities from birth through age two, and their families, and individualized education programs and individual service plans when necessary to appropriately serve children with disabilities, age three and older, and their families and recommend assignment of financial responsibilities to the appropriate agencies;
- e. implementation of a process for assuring that services involve cooperating agencies at all steps leading to individualized programs;
- f. facilitation of the development of a transitional plan if a service provider is not recommended to continue to provide services;
- g. identification of the current services and funding being provided within the community for children with disabilities under age five and their families;
- h. development of a plan for the allocation and expenditure of additional state and federal early intervention funds under United States Code, title 20, section 1471 et seq. (Part C, Public Law 108-446) and United States Code, title 20, section 631, et seq. (Chapter I, Public Law 89-313)
- i. development of a policy that is consistent with section 13.05, subdivision 9, and federal law to enable a member of an interagency early intervention committee to allow another member access to data classified as not public
- j. identification and assistance in removing state and federal barriers to local coordination of services provided to children with disabilities;
- k. identification of adequate, equitable, and flexible use of funding by local agencies for these services;
- l. implementation of policies that ensure a comprehensive and coordinated system of all state and local agency services, including multidisciplinary assessment practices, for children with disabilities ages three to 22;
- m. use of a standardized written plan for providing services to a child with disabilities developed under section 125A.023;
- n. access the coordinated dispute resolution system and incorporate the guidelines for coordinating services at the local level, consistent with section 125A.023;
- o. use the evaluation process to measure the success of the local interagency effort in improving the quality and coordination of services to children with disabilities ages three to 22 consistent with section 125A.023;
- p. development of a transitional plan for children moving from the interagency early childhood intervention system under sections 125A.259 to 125A.48 into the interagency intervention service system under this section;
- q. coordination of services and facilitation of payment for services from public and private institutions, agencies, and health plan companies; and
- r. share needed information consistent with state and federal data practice requirements.

- D. The Early Intervention Committee participates in needs assessment and program-planning activities conducted by local social service, health, and education agencies for young children with disabilities and their families.

The Early Intervention Committee reviews and comments on the early intervention service of this Total Special Education System Plan for Hastings Public School District, the county social service plan, the section(s) of the community health services plan that addresses the needs of and service activities targeted to children with special health care needs, the section on children with special needs in the county child care fund plan, sections in Head Start plans on coordinated planning and services for children with special needs, any relevant portions of early childhood education plans, such as early childhood family education or school readiness, or other applicable coordinated school and community plans for early childhood programs and services, and the section of the maternal and child health special project grants that address needs of and service activities targeted to children with chronic illness and disabilities.

# Appendix F: Special Education Advisory Council (SEAC)

## Legal Basis

### 125A.24 PARENT ADVISORY COUNCILS.

In order to increase the involvement of parents of children with disabilities in district policy making and decision making, school districts must have a special education advisory council that is incorporated into the district's special education system plan.

(1) This advisory council may be established either for individual districts or in cooperation with other districts who are members of the same special education cooperative.

(2) A district may set up this council as a subgroup of an existing board, council, or committee.

(3) At least half of the designated council members must be parents of students with a disability. When a nonpublic school is located in the district, the council must include at least one member who is a parent of a nonpublic school student with a disability, or an employee of a nonpublic school if no parent of a nonpublic school student with a disability is available to serve. Each local council must meet no less than once each year. The number of members, frequency of meetings, and operational procedures are to be locally determined.

## SEAC's Statement of Purpose

According to Minnesota Statute 125A.24, school districts must have a special education advisory council incorporated into the district's special education system plan. The purpose of the parent advisory council established through this statute is to:

- Increase the involvement of parents of children with disabilities in district policy-making and decision-making.
- Advise the district on decisions affecting and/or related to special education.
- Recommend ideas to be addressed by the district in their annual and long-term strategic planning.

The purpose of Hastings's SEAC is to represent the interests of district learners with disabilities from birth through age 22, by:

- Advising the Hastings' Special Services Department on current issues, program needs, parental concerns and involvement, and department priorities;
- Serving as an advocate for high-quality special education programs;
- Promoting communication between family, school, and community;
- Actively seeking input from students and parents;
- Hosting informational workshops for parents, students, and community members on current special education topics and services.

The following may also be addressed by the SEAC:

- Supporting activities on behalf of students with disabilities.
- Developing cooperative relationships between general and special education.
- Training and supporting parents, families, and students with disabilities.
- Developing strategies that allow district and parent groups to work together to advocate for current and future legislation including, but not limited to, the implementation and/or reauthorization of the Individuals with Disabilities Education Act (IDEA).
- Serving as a forum that allows for the expression of concerns and recommendations pertaining to

the education of students with disabilities in the district.

- Supporting and encouraging the involvement of families of learners with disabilities in their school and educational programs.
- Promoting respect towards all learners and an appreciation of their unique differences.

## **Membership**

The Special Education Advisory Council shall consist of the following council members: the Director of Special Services, ISD 200 Principal or other ISD 200 administrator, two Special Services Supervisors, five parent representatives (one non-public parent), and two special education teachers. The Director of Special Services will ensure that the legal requirements of the SEAC meeting are being met. A Secretary will be named or appointed, and that member will be responsible for taking meeting notes.

## **Terms of Office**

Parent, teacher, & principal/administrator council members shall be appointed, by the Director of Special Services, to a term of two years and may serve a maximum of three terms. The Director of Special Services and Special Services Supervisors will serve as ongoing members of the SEAC.

## **Attendance**

To promote cohesiveness and enable all members of the council to be part of an informed decision-making process, members are encouraged to attend each of the council meetings. The Director of Special Services will contact any member who misses two meetings in any given year to determine if that member remains interested in council membership.

If a member is unable to attend a council meeting, it is asked that they contact the Special Services Department at 651-480-7016 before 12:30 p.m. on the day of the meeting.

In case of inclement weather, a council meeting may be canceled. Every effort will be made to contact council members via a phone call to alert them to the cancellation. Please also check your emails for cancellations.

## **Meetings**

The Special Education Advisory Council will meet two times a year within the District and one time a year within the Dakota County SEAC (comprised of nine member districts). Meetings will be limited, as much as possible, to two hours in length.

## **Discussion and Information Sharing**

In order to facilitate discussion among all council members, all members will be asked to limit their comments so as not to prohibit others from speaking. Agendas will be timed so that meetings can be efficient and end on time. If a particular agenda item requires more discussion or more information is needed to make an informed decision, an agenda item may be carried over to the next meeting.

If a council member wishes to bring an item to the council for discussion, they are encouraged to provide the membership with all necessary information to aid in the discussion. If more information is needed, as stated above, the member may be asked to bring it to the next meeting and discussion will be tabled until that time.

If a member wishes for the council to discuss an issue which requires outside expertise, they are encouraged to contact the chair prior to the meeting so that the item can be placed on the next agenda and need be, an appropriate speaker can be contacted.