

Special Education Responsibilities of the North Dakota School for the Deaf

November 2013

North Dakota School for the Deaf (NDS)

The following are special education responsibilities of the North Dakota School for the Deaf when students are placed at the facility by an agency or by a resident district IEP team. The school will need to provide evidence of meeting each of these responsibilities when monitoring is conducted by the NDDPI Special Education Office.

Responsibility	Evidence of Compliance	Discussion
<p>1. Annually gain approval as an "approved" school from State Superintendent's office.</p> <p>-NDCC Section 15.1-06-06.1</p>	<p>Compliance is met if the school is on the state approved list of North Dakota schools.</p>	<p>All schools in North Dakota must seek annual approval from the state Superintendent's office. That application must be made by October of each year.</p>
<p>2. Participate in the IEP meeting at which NDS placement is considered.</p> <p>-CFR 300.2 -CFR 300.303 -CFR 300.321 -NDCC 25-07-12 -NDCC 15.1-32-04</p>	<p>Compliance is met if an NDS staff member is listed as participating on the cover page of the IEP that was developed.</p>	<p>NDCC allows NDS to collaborate with school districts for the provision of services to students who are deaf or hard of hearing. Federal regulations require individuals with expertise and knowledge about assessments and the interpretation of assessments to be participants of IEP meetings. Federal regulations and NDCC require that NDS, as a public agency, have a participant at the meeting who can commit resources of that public agency. A teacher for the Deaf/Hard of Hearing, who is knowledgeable about the evaluation procedures, the assistive technology that could be used, the linguistic needs, the communication means used by deaf/hard of hearing individuals and the various instructional programs available must participate in each meeting for a student who is identified as either deaf or hard of hearing. For many districts, the NDS staff will serve as that person, and for others who employ their own teacher for the deaf, the NDS staff person would serve as a representative of NDS and assist the team in determining whether NDS is an appropriate placement and in completing the application, if it is determined to be so.</p>
<p>3. Review and, if agree, approve each application for enrollment if placement is determined to be appropriate by an IEP team of a resident district.</p> <p>-NDCC 25-07-04, 2.</p>	<p>Compliance is met if there is an enrollment form in each student file.</p>	<p>NDCC requires an application to be completed and approved before any student can be admitted to NDS. Approval is not automatic and NDS may have concerns that need to be addressed before approval can be given. Once approved, a copy should be placed into the student file.</p>

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<p>4. Provide special ed. and related services listed on IEP, excluding ESY services.</p> <p>-CFR 300.2 -NDCC 15.1-32-04 -NDCC 25-07-06 -MOA with Devil's Lake</p>	<p>Compliance is met if the school can demonstrate that it implemented the school year special education and related services as discussed at the IEP meeting; and, if there was a problem, an IEP meeting was held to discuss it.</p>	<p>The IEP outlines what was discussed and agreed to at the IEP team meeting. NDS D needs to make sure that the IEP is implemented as written. They are required to reconvene the IEP team if a problem arises that may be cause for the IEP to not be implemented as written. NDS D does not operate their school program in the summer and any ESY services agreed to and on an IEP are the responsibility of the resident district. DPI understands the unique nature of the NDS D services and that a Memorandum of Agreement exists between them and the Devils Lake schools to serve students in more integrated settings. The MOA does not, however, transfer this responsibility of supervision and oversight of special education and related services for students enrolled in the NDS D school program to the Devils Lake school system.</p>
<p>5. Initiate, complete and document IDEA procedures, including the state's TieNet system entries.</p> <p>-CFR 300.2 -NDCC 15.1-32-04</p>	<p>Compliance is met with required documentation in the student file and finalized entries in the TieNet system.</p>	<p>Once approved for admittance, the responsibility for case management shifts to NDS D from the resident district. The resident district is still responsible for the establishment and annual re-establishment of the program, but the program's implementation and the procedural documentation are completed by NDS D staff. The DPI Special Education Unit's Self Assessment Tool Kit can be used to assist staff in understanding each procedure and the documentation that must be filed. It should also be used periodically by NDS D to determine their current state of compliance with these issues. (IDEA procedures include such things as the setting up of meetings, adherence to compliant timelines, providing appropriate notices and procedural safeguards, gaining consents, documenting communications with resident district and parents, completing student profiles, writing IWARs, and completing IEP's.)</p>
<p>6. Provide resident district/special ed. unit & parents with progress reports.</p> <p>-CFR 300.2 -CFR 300.320 -NDCC 15.1-32-04</p>	<p>Compliance is met if the school has progress reports entered in TieNet.</p>	<p>Federal regulations require communications regarding special education progress as often as is provided to students without disabilities in the school, or as listed in the student's IEP. For NDS D, the school does not enroll students without disabilities, but just like all other schools, should set up the frequency and timeline for when progress is reported to parents and the resident districts. Variances written into the IEP may be cause for NDS D to communicate progress more often.</p>