# North Dakota Department of Public Instruction
# Special Education Responsibilities of Marmot School

January 2026

## Marmot School at the North Dakota Youth Correctional Center

The following are special education responsibilities of the Marmot School at the Youth Correctional Center (YCC) when students with an Individual Education Plan (IEP) are placed at the facility. Marmot School will need to provide evidence of meeting each of these responsibilities when monitoring is conducted by the North Dakota Department of Public Instruction (NDDPI) Office of Specially Designed Services. A monitoring activity that looks at adherence to these responsibilities will occur every five years to ensure compliance, and more often when complaints received by the Office of Specially Designed Services warrant such monitoring efforts.

| Responsibility | Evidence of Compliance | Discussion |
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| 1. Annually gain approval as an "approved" school from State Superintendent's office.<br><br>-NDCC Section 15.1-06-06.1 | Compliance is met if Marmot School is on the state approved list of North Dakota schools. | All public and nonpublic schools in North Dakota must submit an Annual Compliance Report to maintain approved status from the State Superintendent's office. The deadline for submission is October 1 at 5:00 PM each year. |
| 2. When a student with an IEP is initially placed at YCC, the school will notify the resident district of the placement, and that comparable special education and related services will begin. It should also initiate the discussion to set up the required IEP meeting.<br><br>-CFR 300.2<br>-CFR 300.323<br>-NDCC 15.1-32-04<br>-Interagency Agreement | Compliance is met if Marmot School can show that they have made such notification to the resident district or its special education unit director. | Under the federal regulations, ND Century Code, and the Interagency Agreement, the Marmot School, in cooperation with the resident district, is responsible for ensuring comparable special education and related services are implemented as soon as reasonably possible, considering the correctional environment. The notice from the facility should also inform the resident district of possible meeting times to discuss necessary changes to the special education program because of the change in placement. This notice is provided by the IEP case manager and is made to the resident district. |
| 3. Participation in each meeting to establish or review the special education program.<br><br>-CFR 300.2<br>-CFR 300.321<br>-NDCC 15.1-32-04<br>-Interagency Agreement | Compliance is met if one or more representatives of resident district are listed as participating on the cover page of the IEP. | The participation of the resident district representative who must have the authority to commit public resources on behalf of the district is required in federal regulations.<br>The participation of a facility representative who can commit the public resources of the Youth Correctional Center is required by NDCC.<br>Participation by educational staff of Marmot School fulfill requirements for IEP or Evaluation team membership (general education teacher, special education teacher, etc.). |

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| 4. In cooperation with the resident district, provide special education and related services listed on IEP.<br><br>-CFR 300.2<br>-NDCC 15.1-32-04<br>-Interagency Agreement | Compliance is met if Marmot School can demonstrate that it implemented the special education and related services in the manner that was discussed at the IEP meeting; and, that if there was a problem, an IEP meeting was held to consider it. | The IEP outlines what was discussed and agreed to at the IEP team meeting. The resident district and Marmot School need 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 a cause for the IEP to not being implemented as discussed and written. Issues specific to the correctional setting (participation in statewide testing, services during lockdown, etc.) should be included in the discussion and can be written into the IEP to reduce the need for frequent reconvening. |
| 5. Initiate, complete and document IDEA procedures, including online state case management system entries.<br><br>-CFR 300.2<br>-NDCC 15.1-32-04<br>-Interagency Agreement | Compliance is met with required documentation entered into the online state case management system. | The Interagency Agreement and ND Century Code emphasize that Marmot School and resident district must cooperate to ensure all federal and state procedural requirements are met. This includes timelines, documentation, and service delivery under IDEA. Marmot School special education staff have assumed case management responsibilities and will initiate and complete IDEA procedures and document them in the online state case management system. It is suggested that the staff use the NDDPI Special Education Unit's ***Procedural Compliance Self-Assessment Tool Kit*** to clarify these procedural issues whenever there is a question. |
| 6. Provide resident district/special education unit & parents with progress reports.<br><br>-CFR 300.2<br>-CFR 300.320<br>-NDCC 15.1-32-04 | Compliance is met if Marmot School has progress reports entered in the online state case management system and a plan of dispersing report to parents. | Federal regulations under IDEA require that schools report progress on IEP goals to the parents. The IEP must include a statement of when the progress reports will be provided to parents. |