

SPECIAL EDUCATION STUDENT OVERSIGHT AGREEMENT

[Sending school unit] and **[receiving school unit]** hereby agree to the terms set forth below for monitoring students from **[sending school unit]** who are attending **[receiving school unit]** as tuition students and who have been identified as in need of special education or in need of referral to special education.

A. General Oversight for All Students

Each high school student from **[sending school unit]** will have a report form (Progress Report Form) and grades sent from the receiving high school to the sending school unit twice a year to monitor the student's progress and to keep an accurate account on transfers and dropouts. The sending school unit shall designate a person to receive those reports.

The sending school unit shall be responsible for contacting each high school guidance department to acquaint them with the Progress Report Form and to instruct them on its use.

In addition, if there is a problem with the student that requires administrative intervention beyond the level of the student's teacher, the Progress Report Form will be filled out by the designated person documenting the problem. That form will be immediately forwarded to the designated individual at the sending school unit. The receiving school unit shall also place a phone call to the designated person from the sending school unit to ensure that the sending unit is aware of the issue.

Any action taken by the sending unit shall be documented on the Progress Report Form.

B. Oversight of Students Referred to PET for Evaluation

1. a. When a student is referred to a Pupil Evaluation Team (PET) or for evaluation, the Director of Special Services of the receiving district will notify the Director of Special Services from the sending school unit (or other designated official) by means of the Progress Report Form within five days of the referral.
- b. The sending school unit will enter the referral into the log to monitor timelines and procedures as they would K-8 referrals.

2. a. The sending school unit shall schedule the PET meeting at a mutually convenient time for all parties and notify the receiving school unit and the parents as described in Special Education. Reg. § 8.5. **[NOTE: Tailor this to whether the unit has a one- or two-step PET process.]**
 - b. Parents will be informed by the sending school unit of their procedural safeguards in accordance with Maine Special Education Regulations and will receive notification of meetings scheduled to discuss their child's school program. Any questions regarding the special education process should be directed to the Director of Special Education in the sending school unit **(or other designated official)**.
 - c. The Special Education Director from the sending school unit **(or other designated official)** will chair the PET meetings held to review evaluations and to make determinations on identification, programming and placement.
- C. Oversight of Students Identified as in Need of Special Education
1. a. For those students enrolled in special education, their progress will be reviewed at annual PET meetings, through the general oversight arrangements noted above, and through PET meetings. Either the sending or receiving school unit may initiate a PET meeting, although the sending school unit shall initiate the annual PET to review and revise the Individual Education Plan (IEP). Whichever school unit initiates the PET meeting shall be responsible for scheduling the meeting at a mutually convenient time and for ensuring that notification requirements are met.
 - b. Parents will be informed of their procedural safeguards in accordance with the Maine Special Education Regulations and will receive notification of meetings scheduled to discuss their child's school program. Questions regarding the student's progress or level of need that are raised with the receiving school unit should also be relayed to the Special Education Director of the sending school unit **(or other designated official)**.

- c. Every three years, or more often if determined necessary by the sending school unit or the student’s PET, the student will be re-evaluated, as specified in the Special Education Regulations, at the sending school unit’s expense. The process of notification will be initiated by the sending school unit.

Dated: _____

Sending School Unit

Receiving School Unit

By: _____

By: _____

Adopted: _____

[NOTE: This sample policy was reviewed and revised for MADSEC by Eric Herlan, Esq., Drummond Woodsum & MacMahon, in April 2000, for compliance with special education regulations in effect as of November 1, 1999, and is distributed by MSMA with the permission of MADSEC. Any substantive modifications of this sample policy should be reviewed by legal counsel. As law and regulations in this area frequently change, local school units may wish to consult with their legal counsel before adopting this policy.]

PLEASE NOTE MSMA sample policies and other resource materials do not necessarily reflect official Association policy. They are not intended for verbatim replication. Sample policies should be used as a starting point for a board’s policy development on specific topics. Rarely does one board’s policy serve exactly to address the concerns and needs of all other school units. MSMA recommends a careful analysis of the need and purpose of any policy and a thorough consideration of the application and suitability to the individual school system.

MSMA sample policies and other resource materials may not be considered as legal advice and are not intended as a substitute for the advice of a board’s own legal counsel.