

OFFICE OF CHIEF ACADEMIC OFFICER
Summary of State Board of Education Agenda Items
August 19, 2021

OFFICE OF SPECIAL EDUCATION

01. Action: Revise Miss. Admin. Code 7-3: 74.8, State Board Policy 74, Chapter 74, Rule 74.8 – University Based Program [Goals 1, 2, and 3 – MBE Strategic Plan]
(Has cleared the Administrative Procedures Act process with public comments)

Background Information: The University-Based Program (UBP) provides an opportunity for parents of children with disabilities or Local Education Agencies to place students with disabilities in a UBP to receive special education and related services. UBPs shall receive MAEP university-based teacher units based on the number of students enrolled in the UBP.

The purpose of this policy is to establish regulations that govern the overall application, approval, reimbursement, and teacher unit allocation process for the UBP.

The SBE met and voted unanimously on May 20, 2021, to begin the Administrative Procedures Act (APA) process. The APA process began on May 25, 2021, and closed on June 24, 2021. Based on the comments received and additional reviews of the proposed revisions, the MDE recommended additional revisions that necessitated another review through the APA process. The SBE met and voted unanimously on July 15, 2021, to begin APA. The APA process began on July 16, 2021, and closed on August 16, 2021, at 8:00 a.m.

This item references Goals 1, 2, and 3 of the *Mississippi Board of Education 2018-2022 Strategic Plan*.

Recommendation: Approval

Back-up material attached

Summary of Administrative Procedures Act (APA) Comments
Approval to revise State Board Policy Chapter 74, Rule 74.8 University Based Programs
The policy authorizes the administration and procedures of university-based programs

Comment	MDE Response
<p>Mississippi State Senate – Senator John A. Polk, District 44 Once again, I am writing regarding university-based programs (UBPs), specifically the DuBard School for Language Disorders and The Children’s Center for Communication and Development at The University of Southern Mississippi. These public-school programs also are known as USM Statewide Schools #1808. I understand that progress has been made on revisions to the MDE memo dated November 6, 2020; however, the following are continuing concerns about significant components of the proposed policy:</p> <ol style="list-style-type: none"> <u>Proposed requirement of a collaborative agreement or Memorandum of Understanding between the UBPs and the local school districts</u> <p>The University of Southern Mississippi UBPs have operated for many years with the state and federal funds received, supplemented by private donations. There is no intent to charge school districts additional fees. Therefore, any requirement of a Memorandum of Understanding or collaborative agreement should be an <i>option</i> for <i>other</i> UBPs which may choose to assess school districts additional fees. Since each student is placed under the federal guidelines of the <i>Individuals with Disabilities Education Act (IDEA)</i> and has a legally binding Individual Education Program (IEP) created collaboratively with parents, local school districts, and UBPs, the requirement of a collaborative agreement of MOU adds a cumbersome layer of bureaucracy that is unnecessary.</p> <ol style="list-style-type: none"> <u>Proposed requirements that the flow of federal IDEA funds must now be channeled through local school districts to UBPs instead of directly to UBPs a has been the case for the last several decades</u> 	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No Change needed.</p> <p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p>

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Comment	MDE Response
<p>This question has been raised several times and, to my knowledge, has not been addressed or answered by MDE. Since, according to the federal Office of Special Education Programs (OSEP) guidelines, MDE has the option to hold out federal funds for their use at the state level provided they are used specifically for IDEA purposes, <u>why is this not a consideration? Is this the path used during the past 30 years to route these federal funds directly to UBPs? Is this also the mechanism used to distribute IDEA funds to the Mississippi Schools for the Deaf and Blind?</u> It seems that, under these guidelines, these funds could be sent directly to the UBPs which are public statewide agencies.</p> <p>3. <u>Proposed requirements that the Extended School Year (ESY) state funds, as well as IDEA federal funds, will have to flow through local school districts</u></p> <p>It is my understanding that MDE is proposing sending both ESY and IDEA funds through local school districts to UBPs. Since ESY funds are state funds, what is the justification for sending these funds to school districts and expecting them to forward the funds to the UBPs? This will create layers of paperwork and processes for the school districts and the UBPs and will discourage local school districts from utilizing the resources of the UBPs for their students.</p> <p>4. <u>Proposed increases to the number of students required for teacher units threatens to undermine the structure of the UBPs and the quality of services provided</u></p> <p>I strongly encourage MDE to maintain the current teacher unit formulas for each program. Making such changes when the school</p>	

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<p>year is underway, staff is hired, and students are placed is unreasonable.</p> <p>The ongoing uncertainty about these issues continues to create doubt and hesitation by at least some of the local school districts regarding placement of students with unique and special needs in the UBPs. I encourage MDE and the State Board of Education to provide assurances to UBPs and school districts that the funding and policies for UBPs in the current school year is stable. In addition, all parties affected by significant changes in statewide policies and procedures deserve an opportunity to have a voice in matters that affect their existence. Mississippi's children, especially those with special needs, deserve nothing less.</p>	
<p>Missy Schraeder, Ph.D., CCC-SLP, CALT-QI, CERI-SLDS, Director, DuBard School for Language Disorders</p> <p>Policy 1.b. When the UBP staff is requested by a parent to parentally place a student, the UBP will provide clear notice to the parent that the participating student has no individual entitlement to a FAPE from their home school district, including special education and related services for as long as the student is privately enrolled.</p> <p>COMMENTS and POLICY CHANGES 1.b. When the UBP staff is requested by a parent to parentally place a student, that parent would be referred to the LEA to determine eligibility and appropriate placement collaboratively with the UBP. If the IEP Committee does not determine the UBP to be the most appropriate placement for the child, but the UBP services are preferred by the parent, the UBP will provide clear notice to the parent that the participating student has no individual entitlement to</p>	<p>1.b – Student eligibility for IDEA services is a function of Child Find required by IDEA that must be determined by the student's LEA of residence. Placement decisions must be made by the student's IEP Committee. UBP personnel are allowed to be members of the student's IEP Committee if the UBP personnel has knowledge of the student and his/her educational needs. No change needed.</p> <p>1.c. - IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State's definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No change needed</p> <p>1.c. – Policy updated to address the concern regarding Mississippi Adequate Education Program (MAEP) base student cost in accordance with Miss. Code Ann. §37-151-5(n).</p>

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<p>a FAPE from their home school district, including special education and related services for as long as the student is privately enrolled.</p> <p>POLICY</p> <p>1.c. When a student with disabilities is placed by the IEP Committee in a UBP, the UBP shall enter into a collaborative agreement with the LEA that will require state and federal funds already designated for the student placed to be utilized to cover the costs of special education and related services at the UBP to ensure that the student receives a FAPE. UBP students enrolled in a local school district will generate Mississippi Adequate Education Program (MAEP) base student cost funds in the same manner as all other students. State funds provided through the MAEP Special Education Teacher Units and MAEP transportation funding shall not be included in the collaborative agreement. MAEP Special Education Teacher Units and MAEP transportation funding shall flow through to the UBP directly. Additionally, the collaborative agreement will delineate individualized services, responsibilities, and other costs related to placement of students in the university-based program UBP. 96 The collaborative agreement will be a template provided by the Mississippi Department of Education (MDE) and shall reference the IEP developed by the LEA in collaboration with the university-based program UBP and their responsibility for IEP implementation.</p> <p>COMMENTS and POLICY CHANGES</p> <p>Comments: This policy revision appears to be inconsistent with state law. The statement that “UBP students enrolled in a local school district will generate Mississippi Adequate Education Program (MAEP) base student cost funds in the same manner as all other students” is unclear. Pursuant to Miss. Code Ann. § 37- 151-5 (n)(i), average daily attendance does not include self-contained, special education students. Therefore, students enrolled in a UBP appear to not be included in the calculation of base student cost funds. Funding is based on Teacher Unit Allocations. *However, it should</p>	<p>1.d. – In order for LEAs to receive the MAEP Base cost in accordance with Miss. Code Ann. §37-151-5(n), and IDEA Part B funding for students ages 3- 21, the LEAs must include students placed by a LEA IEP Committee in a UBP, the LEA must continue to count the students in their December 1 Child Count. UBPs must continue to count all students placed in a UBP for Teacher Unit allocations. No change needed.</p> <p>1.f. - Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p>

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<p>be noted that The Children’s Center, which serves children ages birth-5, provides services in both self-contained and inclusive environments. Additionally the student’s IEP is the legally binding document between the student, LEA, and UBP, which states in detail the student’s placement (i.e. their LRE), and plan for education. It also outlines roles and responsibilities of all parties (i.e. the LEA and the UBP). The student’s IEP also addresses ESY. ESY funds should continue to come directly to the UBP from MDE because it is state funded and can flow directly to the UBP. An MOU is duplicitous and burdensome on the LEA and the UBP. There is no federal or state statutory requirement for the MOU. 1.c. When a student with disabilities is placed by the IEP Committee in a UBP, the LEA shall be required to direct all federal funds already designated for the student placed to be utilized to cover the costs of special education and related services at the UBP to ensure that the student receives a FAPE. If a UBP requires additional funds outside those already designated for the student(s), they may enter into a collaborative agreement with the LEA. State funds provided through the MAEP Special Education Teacher Units, Master Teacher Salary Supplement Program, MAEP transportation funding, and extended school 8-11-21 year (ESY) funds should continue to come directly to the UBP from MDE.</p> <p>POLICY</p> <p>1.d. The LEA shall remain the district of enrollment for students placed in the UBP by the IEP committee or through due process, state-complaint process or binding mediation. The student shall be included in the LEA’s December 1 Child Count and the LEA shall be responsible for ensuring student receives a FAPE. The UBP will count all students enrolled in their program on the UBP December 1 Child Count for the purposes of funding the MAEP Special Education Teacher Units.</p> <p>COMMENTS and POLICY CHANGES</p>	

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<p>Comments: This provision appears to allow for the double counting of students; however, the UBPs are required to submit a December 1 Child Count directly to MDE. There appears to be no reason for the LEA to count the same students. Because of the federal regulation, the federal funding allocated to that child should be routed to the UBP from the LEA when a child is placed with a UBP through the IEP process.</p> <p>POLICY</p> <p>1.f. The LEA shall continue to be responsible for ensuring that the IEP of each student placed at a UBP includes transportation as a related service. MAEP transportation funds for each student enrolled in a UBP will flow through directly to the UBP regardless of how the student was placed.</p> <p>COMMENT and POLICY CHANGES</p> <p>Comments: While transportation is addressed in this section, the proposed policy does not include extended school year (ESY) funds. ESY funds are administered at the state level and should be included in the direct flow of funds from MDE to the UBP. Ref. Miss. Code Ann. § 37-7-339</p> <p>POLICY</p> <p>2. The administrator of the UBP shall submit Teacher Allocation data in accordance with the teacher unit reimbursement request process required by the Office of Special Education. Teacher units shall be allocated based on the teacher certificate requirements of special schools under the Office of Accreditation and each teacher being responsible for the educational instruction of a minimum of fourteen (14) children and maintaining a teacher schedule of 330 instructional minutes daily. Any request for a teacher to serve less than fourteen (14) shall be made in writing to the Office of Special Education and shall include the reason for the request. Request for teachers to serve less than fourteen (14) shall be approved based on the schedule of the teacher and instructional needs of the children. All exemptions of the</p>	

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<p>minimum number of children served by a teacher shall be reviewed and approved by the Deputy State Superintendent, Chief Academic Officer. If a UBP teacher is providing instructional services on a part-time basis (165 instructional minutes daily) based on the complex needs of individual students, then the UBP may request and be awarded one half of a special education teacher unit.</p> <p>COMMENT and POLICY CHANGES</p> <p>Comments: Our experience indicates a minimum teacher to student ratio should be determined based on the variety of needs, age differences, and levels of intensity required to address the population of children served at a UBP. To date the DuBard School has requested and received 1 teacher unit for every 8 school-aged students enrolled. To date The Children’s Center has requested and received 1 teacher unit for every 10 students, ages birth to five years, accounting for additional children enrolled throughout the school year as they are born and determined eligible for early intervention and preschool services due to their delays. The rationale for a teacher unit ratio of 1:14 has not been explained. The move to a ratio of 1:14 will reduce the funding provided to the UBP. Due to the significance of the needs of the children placed in a UBP, the ratio should be a minimum of 1:8 to provide the intensity of instruction and services, as delineated by the IEP, needed to meet those needs. Additionally, while the local school districts received notification of their approved number of teacher units for the 2021-2022 school year in the spring, the application for teacher units has not yet been received by the UBPs for the 2021-2022 school year. This is problematic because the UBPs do not have confirmation of teachers’ salaries for the upcoming school year (beginning August 2021). 8 -11 -21 2. The administrator of the UBP shall submit Teacher Allocation data in accordance with the teacher unit reimbursement request process required by the Office of Special Education. Teacher units shall be allocated based on the teacher certificate requirements of special schools under the</p>	

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<p>Office of Accreditation and each full time teacher being responsible for the educational instruction of a minimum of eight (8) children and maintaining a teacher schedule of 330 instructional minutes daily. Any request for a teacher to serve fewer than eight (8) shall be made in writing to the Office of Special Education and shall include the reason for the request. Request for teachers to serve less than eight (8) shall be approved based on the schedule of the teacher and instructional needs of the children. All exemptions of the minimum number of children served by a teacher shall be reviewed and approved by the Deputy State Superintendent, Chief Academic Officer. If a UBP teacher is providing instructional services on a part-time basis (i.e., anything less than 330 minutes daily) with a reduced student roster, then the UBP may request and be awarded a portion of a special education teacher units (.25, .5, or .75).</p>	
<p>Robert T. Jackson, Sr. – Chair, DuBard School Foundation Trust</p> <p>I, as a current Director of the DuBard School Foundation Trust, and former member of the Board of the DuBard School, object to MDE insisting on the necessity of an MOU (collaborative agreement/contract) Between our organizations and the school districts (LEA) in order to receive federal and some state funding, after it flows through the LEA.</p> <p>I additionally object to Teacher Unit requirements being changed from a minimum of ten (10) children per teacher to fourteen (14), as it does not fit the needs of the DuBard School or the Children’s Center currently serving children from ages birth through age 14, with a wide array of disabilities.</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No Change needed.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p>
	<p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p>

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<p>I further object to MDE insisting that Extended School Year funds flow through the school district (LEA) rather than being sent directly to our organizations.</p> <p>In support, I would say that a collaborative agreement or memorandum of understanding (MPU) is not required for federal special education law. Additionally, language in MDE’s proposed revisions state that state and federal funds are “already designated for the student. An MOU is not needed to state this a second time because the student’s Individual Education Plan (IEP is already in place for this.</p> <p>The use of an MOU should be an option for those programs that require funds in addition to what is already designated by MDE/IDEA for that student to receive special education services. It should not be required.</p> <p>Per the Federal Office of Special Education Programs (OSEP) guidelines, ME has the option to hold out federal funds for use at the state level provided they are used specifically for IDEA purposes. These funds should be sent directly to the UBPs public statewide agencies.</p> <p>Although MDE has indicated that Teacher Units and Transportation Funding will flow directly to the UBP, Extended School Year (ESY) funding must be included in the MOU to flow to the districts. ESY state money is not part of federal funding. As such, it should flow directly to the UBP.</p> <p>Lastly, MDE has changed the minimum number of students from 10 to 14. To date, the DuBard School has requested and received one teacher unit for every 8 students. The Children’s Center has</p>	

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<p>requested and received one teacher unit for every 10 children for many years with additional children enrolled throughout the schoolyear as they are born and determined eligible for early intervention and prescribed services due to their delays. The criteria for approval of fewer than 14 students are unclear which leaves both programs with uncertainty regarding child placement and corresponding funding. Additionally, while the local school districts received notification of their approved number of teacher units for the 2021-2022 school year in the spring, the application for teacher units <u>has not yet been received</u> by the UBPs for the 2021-2022 schoolyear. This is problematic because the UBPs do not have confirmation of teachers' salaries for the upcoming school year (beginning August 2021).</p>	
<p>Edward J. “Ed” Langton, Chairman and CEO Grand Bank – DuBard School Advisory Board member</p> <p>Thank you for your continued receipt and consideration of our comments with regard to this most important MDE policy change that is proposed. It has far reaching consequences upon the chances of continued success of the University Based Programs (UPBs) that enable children to overcome complex disabilities enabling them to become productive work ethic citizens that mainstream into our society. These results have been proven for the past 50 years and over the last 30 years the funding of these special educational programs have been without any glitches with regard to uncomplicated funding of the programs.</p> <p>I have served in many capacities with the DuBard School and its advisory board and have also been involved with the Children’s Center. Both masterfully facilitate the continuum of education for these special children in need of the educational expertise of both University Based Programs and have enabled school districts (LEAs)</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No change needed.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p> <p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p>

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<p>to place children in need of the Free Appropriate Public Education that these children sorely need.</p> <p>I applaud the collaborative effort made by Ms. Robin Lemonis and other MDE, State legislators and other elected officials and representatives to meet June 22, 2021 to discuss and resolve concerns expressed by the University Based Programs. Some of our concerns were addressed however there are some remaining issues that require further attention in order to not create very detrimental deleterious unintended consequences for the future of the University Based Programs that enable the children they serve to overcome disabilities and become successes.</p> <p>This entire matter came about due to an alleged misunderstanding regarding the proper funding of federal IDEA money. State funding has been properly funded and should not be subject to any perceived need to change the federal funding procedures or policy. We discussed this in our meeting July 22, 2021 and thought it was clearly understood that the two are separate matters.</p> <p>The student count due December 1st of each year can continue to be reported to MDE and therefore included in the student count with the LEAs in order to fund the IDEA money. That flow of money can be addressed in a Collaborative Agreement (MOU) if deemed necessary however it is not needed for State Funding. Those state funds can continue to be payable as they have been for the past 30 years. The UBPs have submitted documentation and cited the law to explain that very thing.</p> <p>What is MOST important is that after this APA response is completed is to form a Task Force as has been previously recommended, that can resolve any disputed policies and procedures that can be</p>	

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<p>mutually resolved legally and procedurally. I pray you see fit to do just that in order to facilitate a prompt and concise meeting of the minds to have closure with regard to these last issues in need of resolution.</p> <p>Remaining issues to resolve are:</p> <ol style="list-style-type: none"> 1. An MOU or Collaborative agreement is not required and the IEP is already sufficient and proper to memorialize and document appropriate funding. As an alternative if resolution cannot be had is to certainly only require one for Federal Funding and NOT State funding. There has been mention of a Template Collaborative Agreement however it has not been provided to the public (UPSs) so there is no way to know what it may entail. Please furnish the template as soon as possible so that it may be incorporated into any Task Force discussions. 2. The Teacher Unit ratio has always required 1:8 and therefore should not require special permission to do that which has been done for 30 years and is both de facto and officially done for the past 30 years. Why make a burdensome and unnecessary requirement to ask for permission to fall below a 1:14 ratio when we KNOW that is not the case. Also the Childrens Center has a unique situation where treatment is not a normal school day and should be counted in the base student cost to be properly funded as has been done so for may years. They have a 1:10 student ratio. 3. ESY is a state funding item and was inadvertently left our of the policy changes. It has always been a part of the direct 	

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<p>UBPs funding by the state for Teacher Units, Transportation and ESY.</p> <p>4. We have requested the actual source document/law that requires some of the changes proposed. We have not gotten that specific document so that we can discuss it. Our attorney who is specialized and held in high esteem in educational circles, Jim Keith, has provided his expertise regarding this matter and has assisted in the UPBs more specific response to the APA. Please refer to their response for more detailed explanation.</p> <p>Once again I express appreciation for the work of the MDE and its board and staff. Their willingness to meet with us to resolve these last details is most appreciated and we pray a Task Force or joint committee can be formed forthright in order to have closure to these matters. The outcome needs to always be about what is best for the children and that is indeed our purpose in writing.</p>	
<p>Maureen K. Martin, Ph. D., CCC-SLP, CED, CALT-QI, Speech Language Pathologist, Educator of deaf and hard-of-hearing students, Certified Academic Language Therapist-Qualified Instructions</p> <p>I am writing regarding university-based programs (UBPs), specifically the DuBard School for Language Disorders and The Children’s Center for Communication and Development at The University of Southern Mississippi. These public-school programs also are known as USM Statewide Schools #1808.</p> <p>I appreciate the progress on the proposed policy noted above, and respectfully request consideration of these additional components:</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. It should be noted that the Mississippi School for the Blind (MSB) and Mississippi School for the Deaf (MSD) no longer directly receive IDEA Part B funds based on the State’s definition of an LEA and MSB/MSD’s inability to make assurances to the State Education Agency (SEA) that they are able to meet each of the conditions outlined in §§ 300.201. No Change needed.</p>

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<ul style="list-style-type: none"> • The requirement of a collaborative agreement or Memorandum of Understanding between the UBPs and the local school districts is unnecessary and is likely to discourage and delay placement of children in the programs. It should be an option for UBPs which need to charge local school districts additional fees beyond the funding received from existing state and federal funds, not a requirement. Each child’s Individual Education Plan (IEP) indicates the services provided and which entity will provide them. • The requirement that the flow of federal IDEA funds must now be channeled through local school districts to UBPs instead of directly to UBPs as has been the case for the last several decades is a concern. According to the federal Office of Special Education Programs (OSEP) guidelines, the Mississippi Department of Education (MDE) has the option to hold out federal funds for their use at the state level provided they are used specifically for IDEA purposes. Since the Mississippi Schools for the Deaf and Blind receive IDEA funds, please explain why UBPs as state entities, may not continue to receive IDEA funds through the same mechanism. • The requirement that the Extended School Year (ESY) state funds will have to flow through local school districts is illogical. Why is this necessary? ESY services, as well as the services throughout the school year, are designed and agreed upon through the IEP process with parents, school districts, and UBPs. Creating additional layers of bureaucracy for school districts will delay services to students who desperately need them. • The teacher unit formulas for UBPs at The University of Southern Mississippi have been in place for many years. Student outcomes are excellent indicators of the appropriateness of the current levels of service. I strongly encourage MDE to maintain the current teacher unit formulas for each program. <p>Making policy and funding changes when staff is hired, students are placed, and the school year is underway is unreasonable. The</p>	<p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p>

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Comment	MDE Response
<p>ongoing uncertainty about these issues continues to create doubt and hesitation by at least some of the local school districts regarding placement of students in the UBPs. <i>Once again, I encourage MDE and the State Board of Education to provide immediate assurances to UBPs and school districts that the funding and policies for UBPs is stable for the 2021-22 school year.</i></p> <p>In addition, improved timelines for teacher unit applications and approvals are urgently needed. The programs are in operation and, thankfully, children are receiving services despite 9 months of uncertainty. The programs have made commitments to parents and school districts for services and to teachers for jobs. However, at this late date, there is <i>absolutely no assurance that those jobs will receive funding.</i> Under any business model, this is unwise and untenable.</p> <p>Several interested parties, as well as the UBPs, have recommended creation of a Task Force through which all those affected may have a voice in matters affecting their very existence. Please give this serious consideration.</p>	
<p>Michael Dixon – Executive Director, Pinebelt Foundation</p> <p>We as a community are very troubled by proposed changes to codes relating to University Based Programs and would like to voice our desire that such unnecessary and prohibitively convoluted procedures be implemented. I have no doubt that the decisions being made are in good faith, and in no way represent a bias against the good work being done by the University program, but we are pleading with you to consider their objections and suggestions in this process. There are countless inherent obstacles to education for the students being served by these programs. Life has dealt them a hand that will often be excruciatingly difficult even in the best of circumstances. We are morally obligated to ensure that no additional burdens be place on these children, their parents, or the educators who have sacrificed so much to serve them. The</p>	<p>No proposed changes to policy recommended. No change needed.</p>

Summary of Administrative Procedures Act (APA) Comments
Approval to revise State Board Policy Chapter 74, Rule 74.8 University Based Programs
The policy authorizes the administration and procedures of university-based programs

Comment	MDE Response
<p>generational changes that these programs are responsible for initiating cannot be hindered unnecessarily. It is not easy to keep the programs running or funded as it is, let alone what will happen when the administrative burden is multiplied without practical purpose or improvement to services. We are passionately protective of these programs and the children they serve, and we are asking you to protect them with equal tenacity. Please listen to the questions, concerns, and suggested changes offered by our University Based Programs. They have given their lives to developing the expertise necessary to care for our most vulnerable children. At best, these new rules will greatly complicate their work and divide their energy away from our kids. At worst, these new rules will be a poison pill that ultimately ends the work altogether. Please don't let either of these things happen, neither are acceptable to our community.</p>	
<p>Joe Kinnan, Ph.D. and Sandy Kinnan, MSN, RN, FPMH-NP (Ret.) We continue to be concerned that MDE is considering the most appropriate means of funding the services provided by the USM DuBard School for Language Disorders. We urge you to support the DuBard School with funds flowing directly from the State of Mississippi, rather than distributing them through the local school districts. The present system of funding ensures that the school's superior services will reach the optimum number of students with language disorders in our state. If the funding is allowed to flow through the local schools, there is a strong possibility that the special needs students' learning will diminish due to inconsistent instructional programs and a lack of highly skilled teachers who are capable of effectively using the proven DuBard Method.</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State's definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No Change needed.</p>

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<p>We urge you and your staff to continue to fund the DuBard School and other university-based centers of excellence directly from the state. We are well acquainted with the amazing success of the DuBard program as we have witnessed the school’s students and graduates excel for many years.</p>	
<p>Susan McDonald – Parent of student attending The Children’s Center for Communication and Development</p> <p>I am contacting you to comment on the proposed changes for University Based Programs serving children with special needs. I am asking specific questions as these changes will directly affect the life of my 3-year-old daughter and the benefits or, if changes are executed, the damage that will impact her development and education from this department. She has been attending an outstanding university-based program (The Children’s Center for Communication and Development) since she was 6 months of age and the specialized therapy she has received there, and the training this Center has given me as a parent is why she is doing as well as she is today.</p> <p>In reference to proposed change 1.c., I see that this policy will be for a UBP to have a memorandum of understanding with the local school district. The language used in the new proposal state that these <i>federal funds are already designated to the student</i>. This is already written into the student’s IEP that the UBP and the school district have developed in partnership with the family and does not need to be stated a second time. This MOU is <i>not required</i> per federal special education law and will require more paperwork, more time delay, and a delay in services for the student during a time in his/her life when time is of the essence. The current process of the UBP working in conjunction with the local school district already works well and it benefits both organizations (the local school district</p>	

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<p>and the UBP) and most importantly, if benefits the student, which should be the overall goal of any proposed changes. Requiring this MOU will slow down services for the student. If this is made a requirement, I propose it be made an <i>option</i> for programs that require funds in addition to what is already designated by MDE/IDEA for the student. These funds that are already designated for the student should follow where the student receives the highest quality of services.</p> <p>In addition, it was proposed that ESY money for the student must be included in the MOU to flow to the districts. However, ESY funds are state money and not a part of the federal funding. It should flow directly to the UBP and follow the student so their continuum of care will not be compromised.</p> <p>Thank you for your continued commitment to better <i>improve</i> the lives of the children in Mississippi and to my child. Thank you for your time and consideration on these very important matters that will affect my child for the rest of her life.</p>	
<p>Melinda Koerber I would like to share a few concerns that I have. A MOU is not required through federal education law. The MDE Proposed revision states that state and federal funds are already designated for the student and the student's IEP is already in place. The use of a MOU should be an option for these programs that require funds in addition to what is already designated by MDE/IDEA for that student to receive special education services. It should not be required. The maximum number of students per classroom should be no more than 10.</p>	<p>IDEA funds authorized under § 300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State's definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201 through 300.213. No change needed.</p> <p>There is not a current SBE Policy that identifies a cap for the number of students receiving special education services in a class. No change needed</p>

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Comment	MDE Response
<p>Extended School Year funds should be sent directly to UBP as this is state money and not part of federal funding. Thank you for your consideration on these matters.</p>	<p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p>
<p>Robert C. Thomas, Ph.D. and Sissy Ryan Thomas We are writing again to express our concern about the proposal to change the flow of state funding to the DuBard School for Language Disorders and The Children’s Center for Communication & Development, university-based programs (UBPs), also known as USM Statewide Schools #1808. We understand that progress has been made on this proposed policy, but some important concerns remain.</p> <p>Requiring a Memorandum of Understanding or collaborative agreement with each of the 39 school districts with which the UBPs work will delay services, or potentially eliminate school districts’ willingness to place children. Since the UBPs are in complete compliance with all current MDE and federal guidelines, this appears to be an unnecessary and detrimental layer of bureaucracy.</p> <p>An increase in the number of children needed for each teacher unit will diminish the quality of services provided by these outstanding programs. Without a doubt, these children will need more services for more years when they return to the local schools if this change in teacher units is implemented.</p> <p>Requiring IDEA funds to flow through local school districts to UBPs likely will mean that the UBPs never see those funds, or a process that is cumbersome and time-consuming for school districts and UBPs will have to be created. Since the federal Office of Special Education (OSEP) allows states to utilize a portion of IDEA funds for state level purposes, why is this option not being considered?</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. No Change needed.</p> <p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p> <p>IDEA does allow for the State Education Agency to use State set-aside funds for the purposes of educating students ages 3-21 with disabilities. UBPs may request State set aside funds through an application process. Additional clarification regarding the application process for requesting State set-aside funds will be provided through training and technical assistance. No change needed.</p> <p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p>

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<p>It is our understanding that Extended School Year (ESY) funds are state, not federal, funds. If that is the case, why is MDE now proposing that those funds be routed through school districts when other state funding will continue to be sent directly to UBPs? The decision about a student’s eligibility for ESY follows the same process as placement for the regular school year. Is it necessary to add another cumbersome and time-consuming process to the legally binding Individual Education Program (IEP)?</p> <p>Thank you for considering these concerns. Mississippi has a treasure in its UBPs. Support of their crucial work for the benefit of children with special needs is in our best interests.</p>	
<p>Thomas Lewis I am writing regarding university-based programs (UBPs), specifically the DuBard School for Language Disorders and The Children’s Center for Communication and Development at The University of Southern Mississippi. These public-school programs are also known as USM Statewide Schools #1808.</p> <p>While some progress has been made on the MDE policy changes proposed last November, there are still some glaring inequities which have not as yet been addressed. <u>Why is the SDE continuing to try to fix what is not broken and make needed services harder for children to access?</u></p> <p>1) MDE still proposes to require a collaborative agreement or Memorandum of Understanding between the UBPs and local school districts. That requirement is unnecessary for the USM UBPs because they <u>do not</u> charge school districts for their services. THEY ARE PUBLIC SCHOOLS. Retaining the</p>	<p>IDEA funds authorized under §300.705 can only be distributed to an eligible LEA. In order to be an eligible LEA, an agency must meet the State’s definition of LEA <i>and</i> must meet the requirements under § 300.200, including submitting a plan that provides assurances to the SEA that the LEA meets each of the conditions in §§ 300.201. It should be noted that the Mississippi School for the Blind (MSB) and Mississippi School for the Deaf (MSD) no longer directly receive IDEA Part B funds based on the State’s definition of an LEA and MSB/MSD’s inability to make assurances to the State Education Agency (SEA) that they are able to meet each of the conditions outlined in §§ 300.201. No Change needed.</p> <p>Policy updated to address the concern regarding the flow of Extended School Year funds to the UBP.</p>

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<p>requirement for an additional layer of paperwork beyond each child’s IEP is unnecessary and a burden to both parties in this scenario and is likely to discourage and delay placement of children in the programs. While it may be necessary for UPBs which need to charge local school districts additional fees beyond the funding received from existing state and federal funds, why should those which do not charge have to suffer this bureaucratic overkill, particularly when it discourages help for children in need?</p> <p>2) MDE still proposes to route IDEA funds to UBPs through local school districts. Why is it now necessary after decades of not being necessary? Federal guidelines don’t require it, and MDE doesn’t require it for the Schools for the Deaf and Blind. The UBPs are state schools and the MSD and MSB are state schools. Please explain the difference. Again, when you require more steps and agreements to be completed, you create barriers to children receiving the help they need, and you create paperwork for public school districts (PSDs) and UBPs.</p> <p>3) MDE continues to propose that Extended School Year (ESY) state funds will have to flow through PSDs. How does that make any sense at all? ESY services, as well as the services throughout the school year, are designed and agreed upon through the IEP process with parents, school districts, and UBPs. Once again, MDE is making a proposed change which just creates more paperwork and will serve to hinder children receiving the services they desperately need.</p>	<p>The proposed policy allows UBPs to request a teacher unit for fewer than 14 students. These requests will be approved by the MDE OSE and the Deputy State Superintendent, Chief Academic Officer. To request a teacher unit for fewer than 14 students, the UBP shall submit the teacher schedule, instructional needs of the students, and reason for the request. No change needed.</p>

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<p>4) The teacher unit formulas in place for UBPs at The University of Southern Mississippi have been in place for many years. Student outcomes are excellent indicators of the appropriateness of the current levels of service. I strongly encourage MDE to maintain the current teacher unit formulas for each program.</p> <p>Finally, the process of rulemaking should have been done in a timely manner and in consultation with the affected parties. This process has been mismanaged from the very beginning and has now pushed into the current school year, resulting in uncertainty for parents, PSDs, and UBSs. The teachers at the two USM schools have to be wondering if they will be paid.</p> <p>The MDE website in the “About” tab states in part “...all students must be given multiple pathways to success,” and “MDE is dedicated to improving the educational opportunities for all students and ensuring a bright future for every child through the Board’s strategic goals that are centered on achievement on every level of Mississippi’s public education system, including districts, schools, classrooms and individual students.” How do ANY of these four changes serve to accomplish what the Department states as its policy?</p> <p><u>PLEASE</u> put these changes on hold until after this school year, and in the intervening period make needed changes the right way. Don’t dictate, but be collaborative with parents, PSDs, and UBPs. <u>LISTEN</u> to and work with all the parties and come up with a system which works and does not create barriers to service for children.</p>	

Chapter 74: Special Education

Rule 74.8 University Based Programs. The University-Based Program is authorized in Miss. Code Ann. §§ 37-23-31 through 37-23-35. Any state supported university or college may apply for minimum program funds under these regulations.

1. Procedures for Enrollment in a University-Based Program (UBP)
 - a. Students with disabilities may be enrolled in a UBP in the following two situations:
 - i. the student is not enrolled in a Local Educational Agency (LEA) and is parentally placed by their parent(s) in the UBP
 - OR**
 - ii. the LEA Individualized Education Program (IEP) committee initiates placement in a UBP because the IEP committee in that district has determined that the UBP is that student's Least Restrictive Environment (LRE) for the purposes of providing that student with a Free Appropriate Public Education (FAPE), the IEP committee shall include UBP personnel. Yearly placement decisions relative to whether a student with disabilities is to be placed in a UBP by an LEA continues to be the responsibility of LEA's IEP committee.
 - b. When the UBP staff is requested by a parent to parentally place a student, the UBP will provide clear notice to the parent that the participating student has no individual entitlement to a FAPE from their home school district, including special education and related services for as long as the student is privately enrolled.
 - c. When a student with disabilities is placed by the IEP Committee in a UBP, the UBP shall enter into a collaborative agreement with the LEA that will require state and federal funds already designated for the student placed to be utilized to cover the costs of special education and related services at the UBP to ensure that the student receives a FAPE. UBP students enrolled in a local school district will generate Mississippi Adequate Education Program (MAEP) base student cost funds in the same manner as all other students in accordance with Miss. Code Ann. §37-151-5(n). State funds provided through the MAEP Special Education Teacher Units, Extended School Year (ESY) programs, and MAEP transportation funding shall not be included in the collaborative agreement. MAEP Special Education Teacher Units, ESY programs, and MAEP transportation funding shall flow through to the UBP directly. Additionally, the collaborative agreement will delineate individualized services, responsibilities, and other costs related to placement of students in the UBP. The collaborative agreement will be a template provided by the Mississippi Department of Education (MDE) and shall reference the IEP developed by the LEA in collaboration with the UBP and their responsibility for IEP implementation.
 - d. The LEA shall remain the district of enrollment for students placed in the UBP by the IEP Committee, or through due process, state complaint process, or binding

mediation. The student shall be included in the LEA's December 1 Child Count, and the LEA shall be responsible for ensuring the student receives a FAPE. The UBP will count all students enrolled in their program on the UBP December 1 child count for the purposes of funding the MAEP Special Education Teacher Units.

- e. The LEA shall be responsible for ensuring that the IEP of each student placed at a UBP includes transportation as a related service. MAEP transportation funds for each student enrolled in a UBP will flow through directly to the UBP regardless of how the student was placed.
- f. The LEA and the UBP must ensure that there is no delay in implementing the student's IEP, including any case in which the payment source for providing or paying for special education and related services to the student is being determined.

2. Teacher Units Approved for UBP

Children counted for the allocation and approval of a university-based teacher unit(s) shall meet the following criteria:

- 1. Documentation verifying birth date and age from birth through twenty-one (21) years,
- 2. Documentation confirming residency in the State of Mississippi,
- 3. Documentation of current eligibility by Early Intervention and/or LEA,
- 4. Documentation of current IEP or Individualized Family Service Plan (IFSP),
- 5. Documentation of placement by a local school district IEP committee OR documentation of private parental placement, and
- 6. Have not finished or graduated from high school.

Documentation of numbers 1-6 above shall be maintained on file for each child served by an approved state funded teacher and be available upon request by the MDE.

The UBP shall submit annual child count data in accordance with the procedures of the Office of Special Education. An assurance from the UBP that data for each child served has been verified and is maintained on file shall be forwarded to the MDE when the teacher unit is requested for approval.

The administrator of the UBP shall submit Teacher Allocation data in accordance with the teacher unit reimbursement request process required by the Office of Special Education. Teacher units shall be allocated based on the teacher certificate requirements of special schools under the Office of Accreditation and each teacher being responsible for the educational instruction of a minimum of fourteen (14) children and maintaining a teacher schedule of 330 instructional minutes daily. Any request for a teacher to serve less than fourteen (14) shall be made in writing to the Office of Special Education and shall include the reason for the request. Request for teachers to serve less than fourteen (14) shall be approved based on the schedule of the teacher and instructional needs of the children. All exemptions of the minimum number of children served by a teacher shall be reviewed and approved by the Deputy State Superintendent, Chief Academic Officer. If a UBP teacher is

providing instructional services on a part-time basis (165 instructional minutes daily) based on the complex needs of individual students, then the UBP may request and be awarded one half of a special education teacher unit.

The administrative head of the facility is responsible for ensuring a teacher approved for a teacher unit shall be paid based on the salary scale, years of teaching experience, and salary schedule requirements found in Miss. Code Ann. §§ 37-19-7, 37-19-9, and 37-19-10.

Teacher units shall be allocated and approved for the regular school session. The number of days the facility will provide a regular school session shall be in accordance with the MDE's regulations and Miss. Code Ann. §§ 37-151- 7(3)(c), 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-151-7(3)(c). The calendar dates of the beginning and ending of the regular school session shall be submitted to the Office of Special Education when requesting an allocation for a teacher unit.

3. Application Steps for UBP Proposal

The outline for the proposal which is to be submitted to the Office of Special Education is as follows:

- a. Title of the Program
 - b. General Information
 - i. Number, age, and IDEA or Early Intervention eligibility of students
 - ii. Length of School Day (must be full day program to receive full funding)
 - iii. Number of teachers requested, teacher's name (if available), and certification (if available)
 - iv. Location and description of the classroom(s) or educational environment
 - c. A list of program objectives
 - d. An outline of program evaluation criteria
 - e. A copy of the university/college approved policies and procedures as required
 - f. An assurance that the university/college will comply with all applicable State Department of Education regulations relating to programs for students with disabilities. It is the responsibility of personnel who operate this program to be familiar with all regulations.
4. Upon receipt of this proposal, Office of Special Education personnel shall review it and either approve it or provide feedback to university/college personnel and allow for re-submission. The Bureau Director shall provide written notification indicating approval of acceptable proposals and indicating that university/college personnel may proceed with implementation. If teacher certification and number of eligible children is not available when the proposal is submitted, the MDE shall give tentative approval until such time as this information is received. Proposals shall be submitted for renewal every 3 years or any time there are substantial changes to the program.

Source: Miss. Code Ann. §§ 37-1-3, 37-23-31, 37-23-33, 37-23-35, and 37-151-85
(Revised 8/2021).

Chapter 74: Special Education

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 - OR**
 - ii. the LEA Individualized Education Program (IEP) committee initiates placement in a UBP because the IEP committee in that district has determined that the UBP is that student's Least Restrictive Environment (LRE) for the purposes of providing that student with a Free Appropriate Public Education (FAPE), the IEP committee shall include UBP personnel. Yearly placement decisions relative to whether a student with disabilities is to be placed in a UBP by an LEA continues to be the responsibility of LEA's IEP committee.
 - b. When the UBP staff is requested by a parent to parentally place a student, the **UBP** will provide clear notice to the parent that the participating student has no individual entitlement to a FAPE from their home school district, including special education and related services for as long as the student is privately enrolled.
 - c. When a student with disabilities is placed by the IEP Committee in a UBP, the UBP shall enter into a collaborative agreement with the LEA that will require state and federal funds already designated for the student placed to be utilized to cover the costs of special education and related services at the UBP to ensure that the student receives a FAPE. UBP students enrolled in a local school district will generate Mississippi Adequate Education Program (MAEP) base student cost funds in the same manner as all other students **in accordance with Miss. Code Ann. § 37-151-5(n)**. State funds provided through the MAEP Special Education Teacher Units, **Extended School Year (ESY) programs**, and MAEP transportation funding shall not be included in the collaborative agreement. MAEP Special Education Teacher Units, **ESY programs**, and MAEP transportation funding shall flow through to the UBP directly. Additionally, the collaborative agreement will delineate individualized services, responsibilities, and other costs related to placement of students in the UBP. The collaborative agreement will be a template provided by the Mississippi Department of Education (MDE) and shall reference the IEP developed by the LEA in collaboration with the UBP and their responsibility for IEP implementation.
 - d. The LEA shall remain the district of enrollment for students placed in the UBP by

the IEP Committee, or through due process, state complaint process, or binding mediation. The student shall be included in the LEA's December 1 Child Count, and the LEA shall be responsible for ensuring the student receives a FAPE. The UBP will count all students enrolled in their program on the UBP December 1 child count for the purposes of funding the MAEP Special Education Teacher Units.

- e. The LEA shall be responsible for ensuring that the IEP of each student placed at a UBP includes transportation as a related service. MAEP transportation funds for each student enrolled in a UBP will flow through directly to the UBP regardless of how the student was placed.
- f. The LEA and the UBP must ensure that there is no delay in implementing the student's IEP, including any case in which the payment source for providing or paying for special education and related services to the student is being determined.

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- 10. Documentation of current IEP or Individualized Family Service Plan (IFSP),
- 11. Documentation of placement by a local school district IEP committee OR documentation of private parental placement, and
- 12. Have not finished or graduated from high school.

Documentation of numbers 1-6 above shall be maintained on file for each child served by an approved state funded teacher and be available upon request by the MDE.

The UBP shall submit annual child count data in accordance with the procedures of the Office of Special Education. An assurance from the UBP that data for each child served has been verified and is maintained on file shall be forwarded to the MDE when the teacher unit is requested for approval.

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approved by the Deputy State Superintendent, Chief Academic Officer. If a UBP teacher is providing instructional services on a part-time basis (165 instructional minutes daily) based on the complex needs of individual students, then the UBP may request and be awarded one half of a special education teacher unit.

The administrative head of the facility is responsible for ensuring a teacher approved for a teacher unit shall be paid based on the salary scale, years of teaching experience, and salary schedule requirements found in Miss. Code Ann. §§ 37-19-7, 37-19-9, and 37-19-10.

Teacher units shall be allocated and approved for the regular school session. The number of days the facility will provide a regular school session shall be in accordance with the MDE's regulations and Miss. Code Ann. §§ 37-151- 7(3)(c), 37-3-49, 37-13-61 through 69, 37-151-5(j), and 37-151-7(3)(c). The calendar dates of the beginning and ending of the regular school session shall be submitted to the Office of Special Education when requesting an allocation for a teacher unit.

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 - iii. Number of teachers requested, teacher's name (if available), and certification (if available)
 - iv. Location and description of the classroom(s) or educational environment
 - c. A list of program objectives
 - d. An outline of program evaluation criteria
 - e. A copy of the university/college approved policies and procedures as required
 - f. An assurance that the university/college will comply with all applicable State Department of Education regulations relating to programs for students with disabilities. It is the responsibility of personnel who operate this program to be familiar with all regulations.
4. Upon receipt of this proposal, Office of Special Education personnel shall review it and either approve it or provide feedback to university/college personnel and allow for re-submission. The Bureau Director shall provide written notification indicating approval of acceptable proposals and indicating that university/college personnel may proceed with implementation. If teacher certification and number of eligible children is not available when the proposal is submitted, the MDE shall give tentative approval until such time as this information is received. Proposals shall be submitted for

renewal every 3 years or any time there are substantial changes to the program.

Source: Miss. Code Ann. §§ 37-1-3, 37-23-31, 37-23-33, 37-23-35, and 37-151-85
(Revised 8/2021).