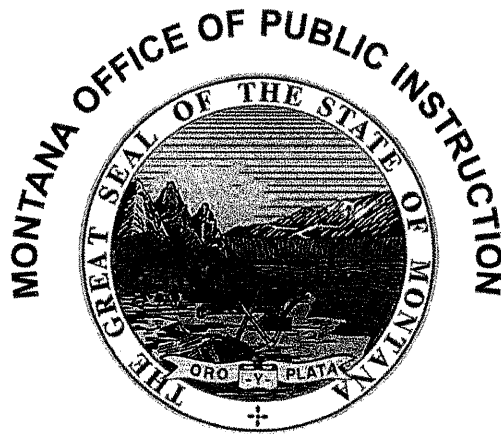


PROGRAM NARRATIVE

**POLICIES AND PROCEDURES FOR THE CONDUCT OF SPECIAL EDUCATION TO ADDRESS
THE REQUIREMENTS OF 34 CFR 300.201 OF IDEA**



Review/Revision Date: June 1, 2026

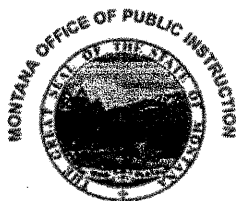
District/Cooperative Name: Missoula Area Education Cooperative

Completed by: Stacia Vaughn, Director

In the case that the Program Narrative is written and submitted by a cooperative or consortium, it is the responsibility of the cooperative/consortium to provide a copy of the final/approved Program Narrative to each of its member districts.

Each cooperative/consortium and individual district shall ensure adherence to these written policies and procedures; districts will utilize guidance and support from the cooperative/consortium. It is the responsibility of each individual district to identify what, if any, additional procedures are implemented by the district and to notify the cooperative/consortium by providing a written copy.

Updated April 2026



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Entity Description

☐ Local Educational Agency (LEA)

☒ Cooperative
(list member districts)

The Missoula Area Education Cooperative ("MAEC") consists of the following member schools:

Arlee School District
Charlo School District
St. Ignatius School District
Dixon School District
Superior School District
Alberton School District
DeSmet School District
Lolo School District
Bonner School District
Clinton School District
Woodman School District
Swan Valley School District
Seeley Lake Elementary School District
Potomac School District
Sunset School District

☐ Consortium
(list member districts)



Program Narrative

34 CFR 300.201

The LEA, in providing for the education of children with disabilities within its jurisdiction, must have in effect policies, procedures, and programs that are consistent with the State policies and procedures established under CFR 300.101 through 300.163, and 300.165 through 300.174.

ARM 10.16.3220

- (1) Each local educational agency or education cooperative must have on file with the Superintendent of Public Instruction a written program narrative that describes policies and procedures used for the provision of special education and related services within the local educational agency or education cooperative. The policies, procedures, and services in the narrative shall be consistent with state policies and address the requirements of CFR 300.101 through 300.163, and 300.165 through 300.174.
- (2) If a local educational agency participates in an education cooperative under 20-7-451 and 20-7-457, MCA, the local educational agency must submit a single program narrative through the cooperative.

Each cooperative must attach/include individual district policies and procedures if different than those of the cooperative.

Authorizing statute(s): 20-7-402

MCA Implementing statute(s): 20-7-403, 20-7-414



SECTION I: Free and Appropriate Public Education (FAPE)

Definition of Free Appropriate Public Education (FAPE) 34 CFR 300.17

FAPE 34 CFR 300.101

The IDEA requires that a FAPE is available to all eligible children with disabilities residing in the state, between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled from school. 34 CFR 300.101. Pursuant to the August 13, 2025 Order from the United States District Court for the District of Montana and OPI's Updated Graduation Guidance Regarding FAPE, Montana is obligated to ensure a FAPE is made available to students with disabilities until they turn 22 years old. Therefore, Montana LEAs must make a FAPE available to students with disabilities until they turn 22 years old.

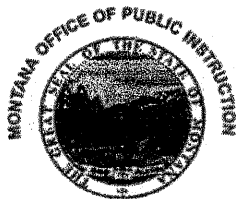
In the space provided, input a detailed description of local implementation. Include the following areas:

- 34 CFR 300.104 Residential placement (ARM 10.16.3341, 10.20.106, MCA 20-7-436)
- 34 CFR 300.105 Assistive technology (MCA 20-7-411(6))
- 34 CFR 300.106 Extended School Year Services (ARM 10.16.3324)
- 34 CFR 300.107 Nonacademic services (34 CFR 300.113)
- 34 CFR 300.108 Physical Education (34 CFR 300.114, 34 CFR 300.117)
- 34 CFR 300.110 Program options (art, music, industrial arts, etc.)
- 34 CFR 300.113 Routine checking of hearing aids and external components of surgically implanted medical devices (ARM 10.16.3122)

MAEC and its member school districts ensure that a Free Appropriate Public Education (FAPE) is made available to all children with disabilities attending public school within the district boundaries who are between the ages of three and twenty-one in accordance with IDEA and the Montana Office of Public Instruction (OPI).

Residential Placement

In the event that the residential facility as defined in MCA § 20-7-436 or children's psychiatric hospital is unable or unwilling to provide an appropriate education as required under the IDEA, the member district in which the child is enrolled will be responsible for ensuring that a child placed in a residential treatment facility or children's psychiatric hospital receives FAPE under IDEA. If placement in a public or private residential program is necessary to provide special education and related services to a child



with a disability, the program, including non-medical care and room and board, must be at no cost to the parents of the child.

Assistive Technology

MAEC and its member school districts make assistive technology available, if required, as part of the child's special education, related services or supplementary aids and services.

Extended School Year

MAEC and its member school districts ensure that extended school year services (ESY) are provided when a child's individualized education program (IEP) team determines the services are necessary for the provision of FAPE to the child. The IEP team shall determine, on an individual basis, that ESY services are necessary to avoid a loss of skills that the child could not otherwise regain within a reasonable period of time. ESY services are provided to maintain identified skills and to prevent or avoid substantial loss of previously acquired or emerging skills or behaviors. ESY services are not intended to introduce new learning and new skills.

Nonacademic Services

MAEC and its member school districts take steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities as provided to children without disabilities.

Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by a school or member school district, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the member school district and assistance in making outside employment available.

Program Options

MAEC and its member school districts take steps to ensure that children with disabilities served by the member schools have available to them the variety of educational programs and services available to nondisabled children, including art, music, industrial arts, consumer and homemaking education, and vocational education. Each child with a disability is afforded the opportunity to participate in general education programs available to non-disabled children, unless the child is in need of specially designed instruction, as described in the child's IEP.



Routine Checking of Hearing Aids and External Components of Surgically Implanted Medical Devices

Through routine checks, the Montana OPI Hearing Conservation Program, MAEC, and its member school districts ensure that hearing aids and implanted medical devices worn in school by children with hearing impairments, including deafness, are functioning properly.



SECTION II: Full Educational Opportunity Goal (FEOG)

34 CFR 300.107

34 CFR 300.109

34 CFR 300.110

34 CFR 300.201

If the program narrative is for a cooperative or for multiple districts, each district's policy must be provided; the written procedures of the individual district must identify what, if any, differences in procedures are implemented by that district.

Please provide a detailed description of the district's current policy or policies that identify the age range for which education is provided to all students.

Each member district has in effect policies (policies are attached) and procedures that adhere to the State of Montana's policy establishing a goal of providing full educational opportunity to all children with disabilities, age 3 through 21, consistent with the Individuals with Disabilities Education Act.

It is the goal of MAEC and each member district to provide full educational opportunity to all children with disabilities within its boundaries. MAEC and its member districts ensure that all its children with disabilities have access to the variety of educational programs and services available to nondisabled children.

MAEC and its member districts also provide supplementary aids and services, as determined appropriate and necessary by the child's Individualized Education Program (IEP) team, to ensure that children with disabilities have an equal opportunity to participate in non-academic and extracurricular services and activities.

MAEC and its member districts ensure the availability of a continuum of placements to provide each child with a disability the opportunity for education in the least restrictive environment (LRE). Any removal of a child with a disability from the regular education environment may occur only when the nature and severity of the child's needs dictate that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. The member districts ensure the provision of program options; non-academic and extracurricular services are available to children eligible for services under IDEA through the development of an IEP.



SECTION III: Child Find

34 CFR 300.111

ARM 10.16.3125 ; 10.60.101, 10.60.103

34 CFR 131

Authorizing statute(s): Sec. 20-2-121, MCA Implementing statute(s): Sec. 20-7-402, MCA

Child find is the affirmative, ongoing obligation of states to identify, locate, and evaluate all children with disabilities residing within the jurisdiction who require special education and related services. 34 CFR 300.111(a)(1)(i).

Each program narrative must include written procedures that ensure that all children with disabilities residing within the boundaries of the LEA, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are required special education and related services are identified, located, and evaluated. The requirements apply to highly mobile children with disabilities and children who are suspected of being a child with a disability and in need of special education, even though they are advancing from grade to grade.

Each local educational agency shall establish procedures consistent with the requirements under the Individuals with Disabilities Education Act (IDEA) and state administrative rules to ensure that all students with disabilities living within the boundaries of the local educational agency regardless of the severity of their disability are identified, located, and evaluated including a practical method to determine which students are currently receiving needed special education and related services. ARM 10.16.3125(1)

In the space provided, insert a detailed description of local implementation. Include the following areas:

- Annual procedures used to inform the public of child find activities for children birth through age 21 (include the job title of coordinator).
 - Procedures and practices used for collecting, maintaining, and reporting data on child identification.
 - Take into account audiological, health, speech/language, and visual screening and review of data or records for students who have been or are being considered for retention, delayed admittance, long-term suspension or expulsion or waiver of learner outcomes, describe the procedures for child find activities in each of the following age groups. Include in the description the role and responsibilities, if any, of other public or private agencies.
-



Notice of Child Find

In accordance with federal law, MAEC and its member districts are responsible for the location and evaluation of all children ages 3-21 who reside within the LEA's boundaries who require special education and related services. This includes children who are suspected of having a disability even though they may be advancing grade to grade.

MAEC staff share responsibility with member district staff in the implementation of Child Find activities as described herein. The designated coordinator of Child Find activities is the MAEC Director. The Director is hereby authorized to serve as the administrative representative at Evaluation and Individual Education Plan team meetings for all member districts at the district administrators' request.

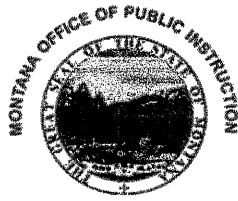
MAEC and its member school districts have developed policies and procedures which locate, identify, and evaluate all students with disabilities, regardless of the severity of their disability, from birth through age 21, who have not graduated from high school with a regular diploma, who reside within their jurisdiction; this includes children who are homeless, wards of the state, and children who attend private school(s) which are located within the school district boundaries.

The public is annually informed of Child Find activities through local newspapers, school newsletter, or newspapers; member districts may also use school sources such as notices to parents, student/parent handbooks. Flyers describing the screening activities, times, date(s), and site location may also be posted in the school, on social media and websites, at local businesses or sent home with students. In addition, local agencies who serve children (day care centers) will be provided an annual notice as will any other entity that requests notice.

These Child Find activities are overseen by MAEC and implemented by school district personnel, MAEC employees, and cooperating agencies.

The MAEC office will maintain a file that includes the Child Find activities for each school year. The file will include notices and advertisement, lists of children who participated in Child Find activities, the status of each child who went through the Child Find process, and other similar information.

All children found to be eligible for service under Part B will be included in the annual October Child Count report submitted annually to OPI by MAEC and its member districts. A record will be maintained of all children who did not qualify for special education following Child Find activities. For those children who do not qualify, the results of the Evaluation Report will be maintained in the Child Find records at the MAEC office and/or its member districts.



Infants and Toddlers (Birth-age 2)

Describe procedures for referral of infants and toddlers to the appropriate early intervention agency or procedures for conducting Child Find.

When a member district or MAEC staff member becomes aware of a child (from birth through two and a half years old) who may have a disability, the staff member will notify the MAEC Director who will notify the appropriate early intervention agency liaison of a potentially eligible child. The agency that serves as the early intervention agency for children located in Missoula, Lake, Mineral, and Sanders Counties is Benchmark Human Services located at 1601 2nd Ave. N., Suite 349, Great Falls, MT 59401 and can be reached by phone at 406-403-0087.



Children Transitioning from Part C to B (age 2)

Describe procedures for staff participation in Part C transition planning conferences; indicate frequency and location of screening; describe efforts to coordinate with other agencies. Include/upload a copy of any Interagency Agreements or Memorandums of Understanding regarding Part C to B transition, follow-up procedures for referral and evaluation, and procedures for responding to individual referrals.

Across MAEC's and its member districts' boundaries and throughout the academic calendar, MAEC will host at least one annual screening for children under 3 years of age who may have a disability. A team, which may include a school psychologist, speech/language pathologist, occupational therapist and/or physical therapist, public health nurse, and audiologist conducts screening. Screening includes cognitive, fine and gross motor, vision, hearing, speech/language development, and wellness (height, weight, immunization review, and general wellness usually provided by a nurse). Parents may be notified of screening dates through advertisement in social media, posting screening information in each member school, school newsletters and websites, notices to local agencies who provide services to children, and posting in various public locations. MAEC and its member schools make a concerted effort to coordinate these screenings with the early intervention agency.

If a family is unable to attend the screening, MAEC will find an alternative way to screen the child upon request. MAEC may screen a child at their school of residence at a date and time mutually agreed upon by MAEC and parents.

If the early intervention agency notifies MAEC of a child who may have a disability and has parental permission to do so, MAEC will proceed with screening of the child. MAEC may screen a child at their school of residence at a date and time mutually agreed upon by MAEC and parents.

A Part C Transition Conference will be scheduled at least 90 days prior to the child's third birthday. The purpose of this conference includes: to provide the family an opportunity to meet the public school staff, to provide the school staff an opportunity to meet the child and his/her family, to help the family decide if they wish to pursue preschool special education services for their child, to help families choose what specific preschool special education support services they wish to obtain and what is available based on their child's eligibility, to describe the steps of the transition process if parent/guardian wishes to proceed, arrange for a family to observe a classroom, to discuss how to prepare the child and family for changes in the service delivery of Part C services compared to Part B services, to clarify the differences between the two programs (Part C and Part B) and the appropriate services that the child may receive, and how to provide on-going support for the transition. Families may "opt out" of this process or may even change their mind. Parent decisions are documented by the appropriate agency depending upon who is responsible at the time.



If a family/guardian chooses to move forward with the transition from moving from Part C to Part B services, they will be assisted through the process. At the Part C Transition Conference, Part C staff, family/guardian, as well as MAEC and member school district staff will attend this meeting. A referral from the Part C agency will be completed and an evaluation or evaluations by MAEC and the member district will be conducted provided the parent consents. If the child is eligible under IDEA an Individualized Education Program (IEP) is developed and implemented. Completion of the evaluation, the eligibility determination, and development of an initial Individualized Education Program will occur prior to the child's 3rd birthday. Eligible children will begin services at the time the child turns 3 years of age.



Preschool (ages 3-5) and In-School (ages 6-18)

- Referral procedures, including teacher assistance teams.
 - Parent referrals or referrals from public or private agencies. Include follow-up procedures for referral and evaluations. In the case of a preschool child, referrals may also come from preschool screening activities that reach out to the community at large, including private and home preschools and daycares, as well as local Head Start programs.
 - Include a description of the procedures the district uses to ensure that all initial evaluations are conducted within the 60-day timeline established in 34 CFR 300.301(c).
 - Identify the procedure used for SLD identification (RTI and/or Discrepancy)
 - If the district uses RTI in the identification of a severe learning disability, the district must identify the subject area(s) (math, reading, and language arts) and include which grades.
-

Preschool (ages 3-5)

Across MAEC's and its member districts' boundaries and throughout the academic calendar, MAEC will host at least one annual preschool screening for children who may have a disability. A team, which may include a school psychologist, speech/language pathologist, occupational therapist and/or physical therapist, public health nurse, and audiologist conducts screening. Screening includes cognitive, fine and gross motor, vision, hearing, speech/language development, and wellness (height, weight, immunization review and general wellness usually provided by a nurse). Parents may be notified of screening dates through advertisement on social media, posting of screening information in each member school, school newsletters, notices to local agencies who provide services to children, and posting in various public locations. MAEC and its member schools make a concerted effort to coordinate these screenings with the early intervention agency.

If a family is unable to attend the screening, MAEC will find an alternative way to screen the child upon request. MAEC may screen a child at their school of residence at a date and time mutually agreed upon by MAEC and parents.

A Part C Transition Conference will be scheduled at least 90 days prior to the child's third birthday. The purpose of this conference includes: to provide the family an opportunity to meet the public school staff, to provide the school staff an opportunity to meet the child and his/her family, to help the family decide if they wish to pursue preschool special education services for their child, to help families choose what specific preschool special education support services they wish to obtain and what is available based on their child's eligibility, to describe the steps of the transition process if parent/guardian wishes to proceed, arrange for a family to observe a classroom, to discuss how to prepare the child and family for changes in the service delivery of Part C services compared to Part B services, to clarify the differences between the two programs (Part C and Part B) and the appropriate



services that the child may receive, and how to provide on-going support for the transition. Families may "opt out" of this process or may even change their mind. Parent decisions are documented by the appropriate agency depending upon who is responsible at the time.

If a family/guardian chooses to move forward with the transition from moving from Part C to Part B services, they will be assisted through the process. At the Part C Transition Conference, Part C staff, family/guardian, as well as MAEC and member school district staff will attend this meeting. A referral from the Part C agency will be completed and an evaluation or evaluations by MAEC and the member district will be conducted provided the parent consents. If the child is eligible under IDEA an Individualized Education Program (IEP) is developed and implemented. Completion of the evaluation, the eligibility determination, and development of an initial Individualized Education Program will occur prior to the child's 3rd birthday. Eligible children will begin services at the time the child turns 3 years of age.

In-School (ages 6-18)

MAEC and its member districts use scientifically and research-based pre-referral processes to identify struggling children with multi-tiered system of academic and behavioral interventions and supports. Member districts use this process to provide tiered interventions and supports for both academics and positive behavior to assist children's progress in the general education curriculum. Member districts utilize both academic and behavioral systems as interventions. Intervention for academics and behavior occurs in the general education environment. Data will be kept determining the success or failure of the interventions and supports. This data is then used to determine if the child requires additional interventions or supports or whether it may be appropriate to refer the child for a special education evaluation.

Member districts may use a process based on the child's response to scientific, research-based interventions (RTI/MTSS), or a process to determine a severe discrepancy between intellectual ability and achievement, to determine eligibility for special education services under the category of a specific learning disability (SLD) in basic reading, reading comprehension, reading fluency, written expression, math problems solving, and/or math calculation in grades K-12. The process districts follow for use of the RTI model for SLD identification includes a review of child and peer progress following at least two scientific, research-based interventions delivered with fidelity for a minimum of six weeks each. A school-based team will review progress data and adjust interventions as warranted. If a child fails to make adequate progress, the team will refer the child for comprehensive evaluation which will include the RTI progress data as well as other data deemed necessary by the Evaluation team. The process districts follow for use of the discrepancy model for SLD identification typically includes pre-referral activities, which normally consist of two interventions specific to the problem area, each for a minimum of four weeks. If the pre-referral process concludes with a decision to complete a referral for a special education evaluation, district or Cooperative staff will secure parent



permission to evaluate the child.

The pre-referral process will not be used to delay or substitute for an evaluation. If MAEC or member district staff have a reason to suspect the child has a disability and may need special education, the child will be referred for an evaluation. Likewise, if a parent makes a request for an evaluation, neither MAEC nor the member district will delay or refuse the evaluation in order to complete any intervention processes.

In addition to the typical process described above, referrals can also be brought forward for consideration by:

- Medical practitioners (doctors, physician assistants, nurses)
- Community agencies (including but not limited to, Child Start, Inc.)
- Childcare providers

When a teacher or an administrator suspects a child may have a disability, they will begin the pre-referral process and will document at least two interventions, each of which will be used over at least a six-week period of time. If the data collected during the intervention period indicates lack of progress, the member district may proceed with referring the child for a special education evaluation. Alternatively, a team including school staff, specialists, and the parent may meet to consider whether to proceed with a referral for a special education evaluation.

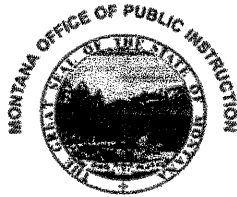
If an evaluation will proceed, a case manager will be assigned by the member district for the child. The individual making the referral will join the case manager to contact the MAEC staff member (school psychologist and/or speech/language pathologist) who will then facilitate the development of a written referral and notice of evaluation plan.

The case manager will work with the appropriate MAEC staff member(s) to ensure the evaluation is completed. The case manager is responsible for monitoring the evaluation timeline to ensure the evaluations are completed within 60 calendar days of the member district receiving the signed parent permission to evaluate the child. The school psychologist and MAEC director may also monitor completion of the evaluation report within 60 calendar days.

Post-School (ages 19-21)

Individuals who have not graduated from high school with a regular diploma and who were not previously identified. Include in your description efforts to coordinate with other agencies.

The member district of residence and MAEC will use the same procedures to evaluate students age 19-22 as they would for all students, provided they have not yet graduated from high school with a regular diploma and were not previously identified for services. MAEC and the member district will



review the history of the student in the area of suspected disability. If MAEC and the member district and the adult student (or court-appointed guardian) agree that an evaluation would be appropriate, the evaluation would consider all areas of suspected disability and would conclude with an evaluation team meeting to determine eligibility. The member district and MAEC will coordinate with other agencies as appropriate to ensure the person is evaluated in a timely manner and has access to needed services.

Parentally Placed Private/Non-public School

Child find procedures addressing the provisions of ARM 10.16.3125(3); and follow-up procedures for referral and evaluation.

Each member district is obligated to identify, locate, and evaluate all children residing within its boundaries or attending a private school located within that district's boundaries who may have a disability and need special education services. MAEC and its member districts will ensure that eligible children with disabilities who are parentally placed in private schools, including religious schools, homeschool, or placed in schools or facilities that meet the state definition of elementary or secondary schools, will have access to free school-based evaluations. MAEC and its member districts will engage in meaningful consultation with the private schools or County Superintendent within their boundaries and determine what type and amount of services will be provided to private school students by the district. If a child with a disability is enrolled in a private school, the member district will be responsible for developing a service plan as required under IDEA. MAEC and its member district will provide services consistent with that plan.

For most private school and homeschool children in the boundaries of the member districts, MAEC relies on the following methods to encourage parents to be aware of Child Find activities:

- Advertisement of screening, as described above, and with the express purpose of reaching private and homeschool parents.
- By providing information on Child Find to the County Superintendent of Schools in each county in which a member district is located and to administrators of private schools within MAEC's boundaries.

MAEC and/or its member district may conduct a Child Find screening of a child upon notice of a potential disability. If MAEC and its member district determines there is enough information from the screening to warrant a special education evaluation, the parent will be asked to provide permission to conduct the evaluation.

MAEC and its member districts ensure that the RTI process does not delay the evaluation of a student with a suspected disability. The area(s) of suspected delay/concern will be identified in the



evaluation plan.

SECTION IV: Evaluations, Eligibility Determinations, Individualized Education Programs, and Educational Placements

Parental Consent 34 CFR 300.300

Parental consent for evaluation and the implementation of services as outlined in CFR 300.300.

In the space provided, insert a detailed description of local implementation outlining the practice in place for obtaining parental consent.

Parental Consent

MAEC and its member districts ensure that reasonable efforts are made to obtain consent to conduct an initial evaluation and re-evaluation.

Consent confirms the following:

- Parents/guardians have been fully informed in their native language or other mode of communication of all information relevant to the activity for which consent is sought.
- Parents/guardians understand and agree in writing to the conducting of the activity for which the consent was asked. The consent describes that activity and lists the records (if any) that will be released and to whom they will be released.
- Parents/guardians understand that the granting of consent is voluntary and may be revoked at any time.

Written consent is obtained prior to an initial evaluation, providing initial special education and/or related services (does not apply to transfer students), re-evaluation, sharing of personally identifiable information to any person or entity not authorized to obtain those records in accordance with FERPA (or any additional occasions).

Written consent is not required with reviewing existing data as part of an evaluation or re-evaluation or when administering a test or evaluation that is given to all children, unless consent is required of all parents/guardians.

Parental Failure or Refusal to Provide Consent

MAEC and each member district will make reasonable efforts to obtain written consent. This may include written correspondence, phone calls, electronic mail communication, and/or in-person communication.



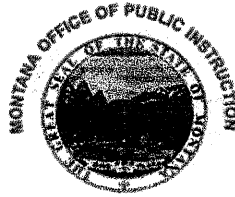
Documentation of attempts is kept on file. If MAEC or its member district is unable to obtain consent the procedure is as follows:

Initial Evaluation: The member district may request a due process hearing and engage in conflict resolution if needed, to attempt to have parents/guardian provide consent. The member district may also choose not to pursue the initial evaluation and provide prior written notice of this decision.

Re-evaluation: The member district and the parent/guardian may agree that the re-evaluation is unnecessary. If this agreement is reached, the three-year re-evaluation need not be conducted, FAPE will continue. If the member district determines that a re-evaluation is necessary, but the parent/guardian refuses to consent to the re-evaluation, the member district will not conduct the evaluation. The member district may, but is not required to, pursue the reevaluation by using the IDEA's consent override provisions included in the procedural safeguards if the parents refuse to consent a re-evaluation.

Parental consent does not need to be obtained to conduct a re-evaluation if the member district can demonstrate that it has taken reasonable measures to obtain that consent and the child's parent has failed to respond. If unsuccessful after several attempts, the district may proceed with the evaluation.

Revocation of Consent: The parent/guardians may revoke consent for and remove the child from special education and related services. When the member district receives written revocation of consent, prior written notice is provided, and appropriate interventions continue to be provided through the regular education environment. The revocation is for all special education services. The parent/guardian may not revoke consent for some services and not others.



Evaluations and Reevaluations

Evaluation Procedures 34 CFR 300.304

The IDEA regulations require the Evaluation Team to assess the student in any area of suspected disability. This means that the Evaluation Team must conduct the assessments necessary to address the disability criteria for each suspected disability.

Screening

34 CFR 300.302

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services.

Screening for instructional purposes is not an evaluation.

MAEC and each member district do not rely on screening as an evaluation tool to determine eligibility for special education and/or related services. Screenings are used as a basis for making informed referrals for special education evaluations.

Initial Evaluations 34 CFR 300.301

Each public agency must conduct a full and individual initial evaluation before the initial provision of special education and related services to a child with a disability.

MAEC and each member district will conduct the assessments necessary to address the disability criteria for each suspected area of disability.

Within a reasonable amount of time from the receipt of a request for an evaluation, or the initial suspicion of a disability, parental consent for assessment is obtained. The team consists of members of MAEC and member district staff qualified to conduct such an evaluation and, whenever possible, who are most familiar with the child. The evaluation is conducted within the 60-day timeline and includes the following:

- Review of existing data
- Information provided by parents/guardians of the child
- Evaluation of child's identified areas of concern



- Classroom-based assessment(s)
- Classroom observation(s)
- Data pertaining to child's progress in the general curriculum as compared to peers
- Data pertaining to the child's growth and development as compared to peers
- Data from previous interventions

The Evaluation team will use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, that may assist in determining if the child meets the eligibility requirements as a child with a disability.

An evaluation report will be shared with the entire team upon completion of the evaluation process. Determination of eligibility will be discussed and decided at the Evaluation team meeting.



Reevaluations 34 CFR 300.303

Reevaluations must occur at least once every three years, unless the parent and the district agree that a reevaluation is unnecessary.

In the space provided, insert a detailed description of the Reevaluation process. Include details as to why a reevaluation would or would not be completed.

Within a reasonable amount of time when a re-evaluation is necessary, parental consent is requested. Re-evaluations of a child with a disability occur at least once every three years, unless the parent and the district agree the re-evaluation is unnecessary. A re-evaluation will be conducted if the district determines that the child's educational or related service needs, including improved academic achievement and functional performance, warrant a re-evaluation, or if the child's parent or teacher requests a re-evaluation, or in order to make a change in the disability category.

A re-evaluation conducted under this section may not occur more than once a year unless the parent and district agree otherwise.

MAEC and each member district will re-evaluate a child with a disability before determining that child is no longer a child with a disability, although this evaluation is not required if the child's eligibility terminates due to graduation from high school with a regular diploma or due to exceeding the age of eligibility for FAPE (age 22). If a child's eligibility terminates for one of these reasons, the member district will provide the child with a summary of performance, which includes recommendations on how to assist the child in meeting their post-secondary goals.

MAEC and each member district will also re-evaluate a child prior to discontinuing special education services under one or more disability categories.



Additional Requirements for Evaluations and Reevaluations 34 CFR 300.305

The reevaluation determines whether the student continues to have a disability and needs special education; whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals and to participate, as appropriate, in the general education curriculum; or the parent has requested a reevaluation.

Determination of Eligibility 34 CFR 300.306

ARM 10.16.3007 ARM 10.16.3010-22

To be eligible under IDEA, the student must meet the criteria for a disability in one or more disability category(ies) as defined in the Administrative Rules of Montana 10.16.3010-22 and demonstrate a need for special education and related services.

Additional procedures for identifying children with specific learning disabilities include the following:

- Specific learning disabilities 34 CFR 300.307
- Additional group members 34 CFR 300.308
- Determining the existence of a specific learning disability 34 CFR 300.309
- Observation 34 CFR 300.310
- Specific documentation for the eligibility determination 34 CFR 300.311

In the space provided, insert a detailed description of local implementation. A link to each of the regulations has been provided for your access and review.

Additional Requirements for Evaluations and Re-evaluations

MAEC and each member district will use re-evaluations to determine whether the child continues to have a disability and needs special education; whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals and to participate, as appropriate, in the general education curriculum; or the parent has requested a re-evaluation.

Determination of Eligibility

To be eligible under IDEA, the child must meet the criteria for a disability in one or more disability category(ies) as defined in the Administrative Rules of Montana 10.16.3010-10.16.3022 and demonstrate a need for special education and related services.

Additional procedures for identifying children with specific learning disabilities include the following:

Specific Learning Disabilities: Member districts may use a process based on the child's response to



scientific, research-based interventions (RTI/MTSS), or a process to determine a severe discrepancy between intellectual ability and achievement, to determine eligibility for special education services under the category of a specific learning disability (SLD) in basic reading, reading comprehension, reading fluency, written expression, math problems solving, and/or math calculation in grades K-12. MAEC and its member districts do not require the use of severe discrepancy between intellectual ability and achievement for determination. The use of an RTI/MTSS process will not unnecessarily delay or deny the identification, referral, or evaluation of a child with a suspected disability.

Additional Group Members

In addition to the child's parent/guardian, the evaluation team will include a regular classroom teacher, a district administrator or designee, and at least one person qualified to conduct individual diagnostic assessments (school psychologist, speech-language pathologist, remedial reading teacher, for example).

Determining the Existence of a Specific Learning Disability

The child may be identified as having a specific learning disability if, when provided learning experiences appropriate to the child's age or grade-level based on state approved K-12 content standards, the child does not make sufficient progress to meet age or grade-level expectations based on state approved K-12 content standards in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematics calculation, or mathematics problem solving. The child may not be identified as having a specific learning disability if the child's significantly low rate of progress in meeting age or grade-level based on state approved K-12 content standards is primarily the result of a visual, hearing, or motor impairment; cognitive delay; emotional disturbance; environmental or economic disadvantage; cultural factors; or a lack of appropriate instruction. ARM 10.16.3019

Observations

Staff from MAEC or each member district will ensure the child is observed in their learning environment to document the child's academic performance and behaviors in the areas of difficulty.

Specific Documentation for Eligibility Determination

The Evaluation team first determines and documents whether or not the child meets the criteria of one or more of the disability categories. The Evaluation team then determines and documents that the child needs specialized instruction because of the identified disability(ies) and in what services areas the child will receive services.



**Individualized Education Programs and Development of IEP CFR 300.320-328
ARM 10.16.3340 ARM 37.98.1225**

Definition of individualized education program:

As used in this part, the term individualized education program or IEP means a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with 34 CFR 300.320-300.324 and ARM 10.16.3340 and 37.98.1225 and 37.98.1225

In the space provided, input a detailed description of local implementation. Include the following areas:

- IEP team 34 CFR 300.321
 - Parent participation 34 CFR 300.322
 - When IEPs must be in effect 34 CFR 300.323
 - Development, review and revision of IEP 34 CFR 300.324
 - Private school placement by public agencies 34 CFR 300.325
 - Education placements 34 CFR 300.327
 - Alternative means of meeting participation 34 CFR 300.328
-

IEP Team

MAEC and its member districts include the following as members of the IEP team:

- The parent/guardian(s) of the student, or the adult student
- Not less than one general education teacher of the child, if the child is, or may be, participating in the general education environment. This must be a teacher who is or may be working with the child to ensure success in the general curriculum and implement portions of the IEP
- Not less than one special education teacher of the child or, where appropriate, not less than one special education provider of the child
- An administrator or designee who:
 - Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
 - Knows the general education curriculum
 - Knows about the availability of resources of the school district
- An individual who can interpret the instructional implications of the evaluation results, who may be one of the team noted previously
- At the discretion of the parents or the school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate
- The student, whenever appropriate
- To the extent appropriate, with consent of the parents or a student who has reached 18, a



representative of any participating agency likely to be responsible for providing or paying for transition services.

Parent Participation

MAEC and its member districts take steps to ensure that one or both of the parents of a child with a disability are present at each IEP team meeting or are afforded the opportunity to participate. Notification procedures are outlined in this document.

IEP Effective Cycle

MAEC and its member districts adhere to the state requirements such as:

- For initial IEPs, the IEP team meets within 30 days of the Evaluation team meeting during which a determination was made that a student needs special education and related services.
- The IEP is implemented upon the parent providing written consent of the approval of the IEP.
- At the beginning of each school year the member district has an IEP in effect for each student identified under IDEA within its jurisdiction.
- The IEP team meets at least annually to review the student's IEP. An IEP may have a duration of not more than 12 months.
- If the IEP team does not meet to review and revise the annual IEP, the district will not have a current IEP for that student. The student will continue to receive special education and related services. The student's last agreed-upon IEP will continue to be implemented until the IEP team meeting takes place and written parental consent is obtained.

Development, Review and Revision of IEP

MAEC and its member districts ensure that the IEP team reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved and revises the IEP, as appropriate, to address the following:

- Any lack of expected progress toward the annual goals and in the general education curriculum
- The results of any re-evaluation
- Information about the child provided to, or by, the parents as part of an evaluation or re-evaluation
- The child's anticipated needs; or
- Other matters that may be identified or of concern



Private School Placement by Public Agencies

Prior to placing or referring a child in need of special education to a private school, facility, or a contracting district, the member district shall initiate and conduct an IEP team meeting to develop an IEP for the child in accordance with district procedures.

MAEC and the member district shall ensure that a representative of the private school or facility attends the IEP team meeting. If the representative of the private school or facility cannot attend the IEP team meeting in person, the member district shall use other methods to ensure participation, including telephone calls or virtual meeting options.

After a child in need of special education enters a private school or facility, meetings to review and revise the child's IEP may be initiated by the private school or facility at the discretion of the IEP team.

If the private school or facility initiates and conducts these meetings, the member district shall ensure that the parents and a district representative are involved in any decision about the child's IEP and agree to any proposed changes in the program before those changes are implemented.

Even if a private school or facility implements a child's IEP, responsibility for compliance with this section remains with member district.



SECTION V: Procedural Safeguards, Due Process, Procedures for Parents and Children

Procedural Safeguards

The district/cooperative and all member schools/districts will ensure that all children with disabilities and their parents are afforded procedural safeguards required by 34 CFR 300.500 through 300.536, and consistent with Montana Administrative Rule 10.16.3501

Authorizing statute(s): 20-7-402

MCA Implementing statute(s): 20-7-403

34 CFR 300.121

34 CFR 300.500-536

A copy of the procedural safeguards must be made available to the parents of a child with a disability and must be given to the parents:

- At least one time per year.
- Upon initial referral or parental request for evaluation.
- Upon request by a parent.
- Upon the first occurrence of the filing of a complaint with the OPI.
- Upon disciplining a child and the decision is made to change the student's placement because of the student's violation of school code.

Due Process

Included in the Procedural Safeguards are the following:

- Opportunity to examine records; parent participation in meetings; 300.501(a)(b)(c)
- Independent educational evaluations; 34 CFR 300.502
- Prior written notice; content of notice; 34 CFR 300.503
- Procedural safeguards notice; 34 CFR 300.504
- Use of electronic mail; 34 CFR 300.505
- Availability of mediation; 34 CFR 300.506
- Filing of due process complaints; 34 CFR 300.507; 300.508; 300.509
- Resolution process; 34 CFR 300.510
- Impartial due process hearing; 34 CFR 300.511
- Hearing rights; 34 CFR 300.512
- Hearing decisions; 34 CFR 300.513; 300.514; 300.515; 300.516; 300.517
- Status of child during due process proceedings; 34 CFR 300.518;
- Surrogate parents; children who are wards of the state; homeless youth; 34 CFR 300.519
- Transfer of rights at age of majority; 34 CFR 300.520
- Discipline procedures and manifestation determination; 34 CFR 300.530
- Determination of setting; 34 CFR 300.531
- Right of appeal of the determination of setting; 34 CFR 300.532



- Placement during appeals; [34 CFR 300.533](#)
- Protections for children not determined eligible for special education and related services; [34 CFR 300.534](#)
- Referral to action by law enforcement and judicial authorities; [34 CFR 300.535](#)

Change of placement due to disciplinary removals; [34 CFR 300.536](#). Additional information on Dispute Resolution can be found here: [Dispute Resolution](#)

In the space provided, insert a detailed description of local implementation. A link to each regulation has been provided for your access and review.

Opportunity to Examine Records; Parent Participation in Meetings

MAEC and each member district shall afford the parents of a child with a disability, in accordance with the confidentiality of information requirements, an opportunity to inspect and review all education records concerning the identification, evaluation, and educational placement for the child and the provisions of FAPE to the child.

The parents of a child with a disability must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the child and the provision of FAPE to the child. If a parent cannot participate in a meeting in which a decision is to be made relating to the educational placement of their child, MAEC and the member district shall use other methods to ensure their participation (for example, phone call, video conferencing).

A placement decision may be made by a group without parental involvement, if the district is unable to obtain the parent's participation in the decision. The member district will have a record of its attempts to ensure parental involvement. A meeting does not include informal or unscheduled conversations involving school district personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of services provision. In addition, a meeting does not include preparatory activities that school district personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

Independent Educational Evaluations

A parent has the right to an independent educational evaluation (IEE) at public expense if the parent disagrees with an evaluation by MAEC and the member district. If a parent requests an IEE, the member district must either file due process to show that the district evaluation was appropriate or ensure that the IEE is provided in collaboration with MAEC. MAEC and/or its member district will provide the parent with a list of qualified examiners who are not employed by the member district or MAEC that the parent can choose from to conduct the IEE. MAEC and/or the member district will also promptly provide parents with its criteria for IEEs at public expense. The member district may ask for



the parent's reason why he or she objects to the school evaluation, but it will not require the parent to provide a reason if that could unreasonably delay the evaluation. A parent is entitled to only one IEE at public expense each time the school conducts an evaluation with which the parent disagrees.

Parents may also choose to seek out independent evaluations at their own expense. If parents provide results of outside evaluations, the results of those evaluations will be considered by the district evaluation team in making decisions about FAPE.

Prior Written Notice; Content of Notice

MAEC and/or its member districts will give the parent a Prior Written Notice (PWN) whenever the member district proposes or refuses to begin or change the identification, evaluation, or educational placement of their student or the provision of FAPE to their student.

MAEC and its member districts will provide the notice in language understandable to parents.

The purpose of PWN is to notify and ensure parents understanding of the district's proposal or refusal to take action. PWN gives the parent a reasonable time to consider the change(s).

The parent then may decide to ask questions or suggest alternatives based upon the information given in the PWN. If the parent disagrees with the proposal or refusal to take action, the PWN will notify the parents of the protections afforded to them in the procedural safeguards, including available dispute resolution procedures.

Procedural Safeguards Notice

A copy of the procedural safeguards will be made available to parents at least one time per year, except that a copy must also be given to parents:

- Upon initial referral or request for evaluation
- Upon an initial evaluation or parent request for evaluation
- Upon receipt of the first State complaint or the first due process complaint in a school year
- In accordance with the discipline procedures
- Upon request by the parent

Use of Electronic Mail

A parent of a child with a disability may elect to receive notices by electronic mail communication.

Availability of Mediation

OPI provides IEP facilitation and mediation to parents and school districts upon request. These options



are available to both parties prior to filing a due process complaint. The procedures are voluntary and must be agreed upon by both parties.

More information can be found on the OPI website under [Dispute Resolution](#).

Filing of Due Process Complaints

A parent or a member district may file a due process complaint on any matters relating to the identification, evaluation or educational placement of a child with a disability, or the provision of FAPE to the child.

A due process complaint shall allege a violation that occurred not more than two years before the date the parent or district knew or should have known about the alleged action that forms the basis of the due process complaint.

Exceptions: The timeline described in this section does not apply to a parent if the parent was prevented from filing a due process complaint due to the following:

- Specific misrepresentations by the district that it had resolved the problem forming the basis of the due process complaint.
- The district's withholding of information from the parent that was required to be provided to the parent.

Transfer of Rights at Age of Majority

Consistent with Montana law, when a student with a disability reaches the age of majority that applies to all children, except for an eligible child who has been determined to be incompetent, the member district shall provide any notice required to both the child and the parents, and all rights accorded to the parents under Part B IDEA transfer to the student.

Discipline Procedures and Manifestation Determination

The member district may remove a student with a disability who violates a code of student conduct from his or her current placement to an appropriate alternative educational setting, another setting, or suspension for not more than ten days within a school year. Any changes of setting beyond 10 days requires the district to provide services to the student in accordance with his or her IEP.

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the member district, the parent, MAEC director or a school psychologist, and other relevant members of the child's IEP team (as determined by the parent and the district) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine whether



the behavior that caused the change in placement was directly caused by or substantially related to the student's disability or if the behavior was the result of the district's failure to implement the IEP.

- If the behavior is determined to be a manifestation of the disability, the member district must conduct a functional behavioral assessment (FBA), unless one was already conducted, and develop a behavior intervention plan. If a behavior intervention plan (BIP) is already in effect, the team should review the plan and modify it as necessary to address the behavior. The student should be returned to the placement from which he or she was removed unless the parent and district have agreed to a change in placement as part of the BIP.
- If the behavior is not determined to be a manifestation of the disability, the member district may apply relevant disciplinary procedures in the same manner and for the same duration as would be applied to children without disabilities. The child must continue to receive educational services as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the IEP. The district must conduct an FBA, unless one was already conducted, and develop a BIP. If a BIP is already in effect, the team should review the plan and modify it as necessary to address the behavior.

Special Circumstances

Member district personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child:

- Carries a weapon to or possesses a weapon at school, on school premises, or at a school function
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.



Assurances

The school has developed, adopted, and implemented policies and procedures that are consistent with all requirements of the Individuals with Disabilities Education Act (IDEA) and the State of Montana policies and procedures including, but not limited to, the following:

- MAEC and its member districts have state-approved policies and procedures.
- Special education and related service staff are in place and appropriately certified/credentialed.
- Special education files are kept confidential, locked, up-to-date, accessible, and organized with appropriate information stored for the required length of time.
- MAEC and its member districts maintain an up-to-date, confidential, and accurate database of students with IEPs.
- All IEPs are compliant.
- All evaluations (initial and reevaluations) have been conducted within appropriate timelines.
- Evaluations for initial eligibility are comprehensive, are conducted by a multidisciplinary team, and contain evidence of classroom-based assessments and observations.
- The RTI process does not delay the evaluation of a student with a suspected disability, and the area(s) of suspected delay/concern are identified in the evaluation plan.
- All active IEPs have documentation of progress monitoring at a minimum of twice per year or as described in the IEP.
- Students receive services in accordance with their IEPs and records of documentation of services are maintained.
- All parents are notified of their Procedural Safeguards in accordance with IDEA.
- Notices and other IDEA-required information are presented to parents in understandable language (written language understandable by the general public and in the native language of the parent or other mode of communication used by the parent).
- MAEC and its member districts adhere to all requirements regarding parentally placed private school children.
- MAEC and each member district maintains an inventory of all equipment, materials, curriculum, etc. purchased with special education funds throughout the life of the equipment.

A handwritten signature in black ink, appearing to read "BPCOL", written over a horizontal line.

Missoula Area Education Cooperative Board Chair

May 28, 2026

Date

A handwritten signature in black ink, appearing to read "Stacia Vaughn", written over a horizontal line.

Missoula Area Education Cooperative Director

May 28, 2026

Date

