

PUBLIC INSTRUCTION

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2. As a contracted public school employe, these personnel shall function on behalf of children with suspected EEN and be recognized as representatives of the contracting district. In this contractual capacity, they shall not represent the agency or private facility where they are otherwise employed.

(4) M-TEAM PROCESS. Written parental approval shall be obtained before any action is taken by the M-team. The parent shall be involved and consulted throughout the entire M-team process (appendix A).

(a) The first step of the M-team process shall be to examine all available pertinent data concerning children identified through screening or those referred by individual reports as having a suspected EEN. This process shall be conducted by various district professional employes but shall in every case include one professional staff member with certification to teach in the suspected area of exceptionalty. This process shall include information from parents concerning the needs of the child.

(b) Action following the first step shall include:

1. A recommendation for further evaluation of a child's suspected EEN.

2. A determination that the child has an EEN as determined by available data.

3. A determination that the child has other than EEN. Such determination shall be coupled with the following recommendations for alternative service/placement considerations:

a. Consultative services apart from special education to be offered in association with new or continuing regular educational placement.

b. Referral to other departments/individuals within the district responsible for alternative programs, e.g., Special Education Needs (SEN), ESEA Title I, etc.

c. Referral to an appropriate community agency or service to further examine conditions which influence learning, e.g., ophthalmology, otology, family services, etc.

(c) The parent shall be informed of findings and recommendations concerning the child following the examination of records.

(5) M-TEAM ASSESSMENT. When an M-team has determined that a child has a disability, handicapping condition(s) and an EEN which requires special education, the M-team shall:

(a) Specify in writing and be able to supply the substantiating data concerning the nature and extent of the child's EEN and non-EEN.

(b) Formulate written recommendations for regular and special educational program(s) or service(s), or both, based upon individual needs.

(6) TIMELINE. No more than 90 days shall elapse between the initial date of receipt of the referral form by the district for EEN and the receipt by the parent of the notice of placement decision pursuant to section 115.81 (2) (b), Wis. Stats.

(a) Special cases may require deviation from the 90-day policy. If it appears that the assessment cannot be completed in 90 days, the school district shall inform the parent of the reasons for the additional required time and shall obtain written approval for extension.

(b) In those cases in which parental approval is not given in writing for the extension beyond 90 days, the district shall request approval for the extension from the division.

(c) The receiving district shall examine records of transfer students enrolled in special education programs who were evaluated within the last 3 years. An examination of the student's records by 2 professional district-employed personnel may be sufficient to appropriately place or continue the student in a special education program or service.

(7) **PARENTAL CONSULTATION.** Upon completion of the M-team's evaluation, a conference shall be scheduled with the parent to communicate the findings and possible special education program or service alternatives, or both. It is not the function of this team to make a formal placement recommendation; this responsibility shall reside with the district's director or the program designee. Parents may have a child advocate accompany them during any phase of the M-team process.

(8) **WRITTEN REPORT.** The M-team shall submit a written report including findings, an individual educational plan and recommendations to the director or the assigned administrator responsible for the special education program/placement process.

(9) **PARENTAL PERMISSION.** Written parental permission shall be obtained prior to placement of the child in a special education program (s) or service (s), or both.

(10) **PARENT NOTIFICATION.** The parent shall be notified in writing of the M-team's recommendations and a brief statement of the reasons for the recommendations (section 115.81 (2) (a), Wis. Stats.).

(11) **PARENT NOTIFICATION.** The parent shall be notified in writing of the district placement decisions (section 115.81 (2) (b), Wis. Stats.).

(12) **REFERRALS OF MINORITY CHILDREN.** When utilizing standardized tests, or interpreting the findings, care shall be taken to assure that ethnic or minority groups are not discriminated against due to culturally-weighted items.

(a) For every referral concerning a minority child, a member of that minority shall be allowed input into the M-team's decision-making process.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.04 Placement process.** (1) If an M-team determines that a child has EEN and recommends that the child be provided special education services, the board through the director or program designee shall place the child in an appropriate special education program according to the following procedures:

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(a) Pursuant to section 115.85 (2), Wis. Stats., the board shall not place the child in a special education program until it has consulted with the M-team and secured the consent of the child's parent.

(b) Pursuant to section 115.85 (2) (a), Wis. Stats., if the district, the county in which the child resides or the CESA for the district in which the child resides operates an appropriate special education program or can establish such a program within 30 days of the parent's consent to the board's notice of placement decision, the board shall place the child in that program.

(c) Pursuant to section 115.85 (2) (b), Wis. Stats., if an LEA cannot provide an appropriate program as described in PI 11.04 (1) (b), the board through the director or program designee shall consult with the division to determine whether an appropriate program operated by a public school agency or another public agency (as modified in PI 11.04 (1) (d)) is available in Wisconsin. If such a program can be provided within 30 days of the parent's consent to the placement offer of the board, the board shall place the child in that program. If more than one such program exists, the board shall place the child in a program as near as possible to the place where the child resides.

(d) Pursuant to section 115.85 (2) (c) and (d), Wis. Stats., if it is determined that no public school or public agency in Wisconsin can provide an appropriate program in terms of the definition of local accessibility in appendix H, as described in section 115.85 (2) (a) and (b), Wis. Stats., the board shall consult with the division to determine whether an appropriate program is offered by any private in-state non-sectarian facility as described in section 115.85 (2) (d), Wis. Stats. or by any public or private non-sectarian program in another state as described in section 115.85 (2) (c), Wis. Stats. or authorized in recent court decisions. The child's total EEN and place of residence shall be considered in the board's decision. The board shall place the child in such a private or public educational program in-state or out-of-state only after securing the approval of the superintendent. The private special education service shall be requested to provide evidence, pursuant to section 115.85 (2) (d), Wis. Stats. that its governing board, faculty, student body and teachings are not chosen or determined by any religious organization or for any sectarian purpose.

(e) Pursuant to section 115.85 (2) (e), Wis. Stats., "The school board may place a child with exceptional educational needs in a special education program at the home, residence or other location of the child only if there is a physician's statement in writing that the child is unable to attend school, as required under s. 115.80 (3) (e)."

(f) When the child's needs include extenuating circumstances relating to factors other than the provision of an appropriate special education program, the district shall seek close collaboration with appropriate social agencies, including the Wisconsin department of health and social services, to facilitate meeting the child's total needs.

(g) The superintendent may approve a request for placement of a child with EEN pursuant to section 115.85 (2) (c) and (d), Wis. Stats. in a public special education program operated outside of Wisconsin or in a private in-state or out-of-state special education service with the following provisions:

1. The board shall have followed the placement procedures pursuant to PI 11.04. ↓

2. The superintendent finds, upon a report submitted by the district, that the private program or the out-of-state public program meets standards in the following areas:

a. Instructional and supportive staff certified or certifiable by the department.

b. Program approval criteria, e.g., criteria utilized by the department in approving comparable public school programs.

c. Any other data the superintendent requires to make a valid judgment.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.05 Exceptional education children records.** (1) **INTENT.** The department shall collect, maintain and disseminate student records as required by the Family Educational Rights and Privacy Act of 1974. Section II (i) of such policy states: "The Division for Handicapped Children of the Department of Public Instruction will adopt rules and regulations to be followed by local multidisciplinary teams to ensure parental authorizations for release of relevant pupil records required by the Division for Handicapped Children to fulfill its mandated roles/functions under Chapter 89. Where parental authorization is not received, student data on enrollment and transportation reports shall be submitted accompanied by an identification number meaningful only to the Local Education Agency for student identification purposes."

(2) **COLLECTION, MAINTENANCE AND DISSEMINATION OF STUDENT RECORDS.** The division, in order to carry out its responsibilities as mandated in subchapter IV, chapter 115, Wis. Stats., shall receive exceptional education pupil records pursuant to the following conditions:

(a) *Parental consent.* The district in its M-team placement and service processes shall indicate to the parent of a child with EEN that the services of the division may be or are needed for immediate or long range consultative, program planning and service purposes as outlined in PI 11.05 (2) (f). ↓ The parent shall be encouraged and afforded the opportunity of giving written consent for the district to make their child's records available to the division. The parent shall be given such opportunity under the circumstances enumerated in PI 11.05 (2) (c), ↓ (d) and (f). ↓ A suggested parental consent form is available from the department for duplication or modification by the district if desired.

(b) *Identification numbers.* If the parent fails to give consent for release of pupil records with the child's name, districts shall supply the requested records deleting the child's name but identifying such records with an appropriate identification number. The district shall utilize the identification number system provided by the division for assigning individual identification numbers (appendix B).

(c) *Enrollment reports.* LEAs operating special education instructional units for children with EEN shall report selected information on the individual pupils enrolled in such units by name or

identification number. The same information shall be reported to the division on children enrolled after the due date of such enrollment reports.

(d) *Transportation reports.* LEAs requesting approval and reimbursement for the transportation of students with EEN receiving special service shall report the individual pupils by name or identification number.

(e) *District responsibility and concomitant accountability for individual's records.* In addition to any required student records, districts shall maintain as part of the EEN child's record the following:

1. Parental consent for district action pursuant to subchapter IV, chapter 115, Wis. Stats.

2. Any data utilized by the M-team to reach decisions, e.g., evaluations, reports, pupil records.

3. The findings and recommendations of the M-team.

4. The placement decision of the board, director or program designee.

5. The individual educational plans prescribed for the child with EEN.

6. All records called for in subchapter IV, chapter 115, Wis. Stats. and by any rules or regulations promulgated by the department to implement its role and function under this chapter.

7. Medical prescriptions required to substantiate any health treatment services provided under section 115.80 (3) (e), Wis. Stats.

8. Medical verifications required to provide homebound instructional services and special programs for school-age pregnant girls and mothers as stipulated in section 115.80 (3) (e), Wis. Stats.

9. Medical evaluations, if used to substantiate determination of disability. The division strongly recommends the continuing involvement of medical personnel in the evaluation of children with EEN, since commonly accepted professional practices require the utilization of qualified medical personnel to determine sensory, mental and physical disabilities.

(f) *Individual pupil records.* When students' educational programs fall within the following situations, their records shall be immediately forwarded to the division pursuant to conditions described in PI 11.05 (2) (a) and (b):

1. Students who are being considered for enrollment in special education services outside the district of residence. In those cases where the districts have made cooperative arrangements with a CESA or are included in a CHCEB or have entered into a 66.30 cooperative agreement, the children so enrolled shall be considered as resident students.

2. Students being considered for enrollment in the Wisconsin school for the visually handicapped and the Wisconsin school for the deaf, or

those facilities operated or supported by the department of health and social services.

3. Students for whom the superintendent has received a formal parental appeal request under the provisions of section 115.81, Wis. Stats. Information submitted to the department shall include the local hearing records.

4. Students with EEN who are either being considered for placement in state or county institutions or residents of such institutions being returned to LEA services.

5. Students for whom a request is made for state tuition support under section 121.79 (1) (c), Wis. Stats.

6. Students for whom districts are requesting the superintendent's approval to place in an appropriate program in another state pursuant to section 115.85 (2) (c), Wis. Stats. or to contract with a private school for the child's education under the provisions of section 115.85 (2) (d), Wis. Stats. When the request for complete pupil records emanates from the division pursuant to PI 11.05 (2) (f) 7. and 8., such records shall be forwarded to the division within 10 days following receipt of a request from the division. The records shall include data as called for in PI 11.05 (2) (e).

7. Students upon whom an official inquiry request, e.g., from a district of residence, parent, guardian, child advocate, legislator or state agency, for state consultation or state legal action has been received.

8. Any child for whom the division requires case data to carry out its functions as called for in section 115.84, Wis. Stats.

(g) *Records.* The division shall not require the submission of complete individual pupil records on resident children enrolled in programs operated individually or cooperatively by the district of residence, except as indicated in PI 11.05 (2) (f).

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.06 Hearings and appeals.** (1) **INTENT.** The purpose of this section is to ensure that all hearings before the board or its hearing officer and all appeals to the superintendent afford the parties fundamental fairness guaranteed by law. PI 11.06 is intended to implement section 115.81 Wis. Stats. which requires that boards provide parents with a fair hearing before the board or its hearing officer and before the superintendent when conflicts arise over a decision relating to special education for a child.

(2) **PARENTAL REQUEST FOR A HEARING.** A parent shall file a written request for a hearing with the district clerk of the district in which the parent resides within the time period and for the reasons specified in section 115.81 (1), Wis. Stats.

(3) **DISTRICT RESPONSIBILITY UPON REQUEST FOR A HEARING.** (a) Upon the filing of the request for a hearing, the board or its designee shall set a mutually acceptable time and place for the hearing. The hearing shall be held within 60 days of the filing of the request for the hearing.

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(2) **ELIGIBILITY.** Eligibility for a program support teacher shall be based on current full-time LEA administered/supervised teaching positions in the specific program area. To qualify for this position, the following program criteria shall be met:

(a) To be eligible for a program support teacher, the LEA operating the special education program shall have employed/contracted for the services of a level A director when the total number of programs reaches the requirements established by the division (Table 1, following PI 11.11). ✓

(b) Only approved full-time program units shall be included in the count. The program unit count shall not include diagnostic, ancillary, support or itinerant personnel.

(c) Program units. See PI 11.13 (2) (f). ✓

(d) Half-time and full-time program support teachers shall be required to provide direct services to children with EEN as part of their overall role and function. This assistance shall be documented (PI 11.15 (3) (a) 4. and 5.). ✓

(e) When there are 15 or more units in the program area, no more than one program support teacher for that program area shall be reimbursed unless a level A or level B program supervisor is employed for that program area.

(f) A minimum of 5 program units for half-time and 10 program units for full-time within a specific program area shall be required for each additional program support teacher. ✓

(3) **REIMBURSEMENT.** See PI 11.11 (3). ✓

(a) A written plan for this position shall be annually submitted by the LEA to the division review committee and program area supervisor for item review. The program plan shall include the following elements:

1. Program rationale.
2. Clearly articulated need.
3. Number of program units.
4. Teacher role and function.
5. Case load.
6. Work schedule.
7. Position evaluation.
8. Any other information requested by the division.

(b) Reimbursement for this position shall be contingent upon prior approval of the division and shall begin on the date of supervisory and review committee approval.

(4) **PROGRAM SUPPORT TEACHER REQUIREMENTS.** The program support teacher shall meet all of the following requirements:

(a) A 3-year license in one or more areas of specialization, one area of which is specific to that program to be supported.

(b) A minimum of 3 years of successful teaching experience, as evaluated by the employing agency, after the issuance of the 3-year license in the area of specialization.

(c) Evidence of competencies in classroom management, individual and group management, diagnosis and evaluation, parent training, curriculum development, instructional materials development, program evaluation and relationships with other teachers.

(d) Advanced course work in educational diagnosis and evaluation, classroom management techniques, curriculum development, learning theory and remedial/developmental techniques.

(e) Candidate role and function shall be negotiated by the LEA director, the division review committee and program area supervisor.

(5) **ROLE OF THE PROGRAM SUPPORT TEACHER.** The role of the program support teacher shall be to provide for implementation of direct services to children with EEN as contrasted to administrative decision-making or supervision of teaching personnel. The purpose of this position is to assist the special education administrative/instructional personnel in the development, implementation and evaluation of programs and services in the program area. Pursuant to section 115.83 (1) (b) Wis. Stats., the program support teacher shall also provide consulting services to the regular education teacher for those children with EEN enrolled in regular education classrooms. The program support teacher(s) shall be responsible to the director or program supervisor, or both.

(a) *General responsibilities.* The primary responsibility shall focus upon services to children with EEN and to special education and regular education teachers in the areas of diagnosis and intervention procedures, classroom management, curriculum development, instructional methods, educational diagnosis and instructional materials and equipment.

(b) *Specific responsibilities.* Specific responsibilities shall include the following:

1. Assist in educational evaluations as part of the M-team.
2. Review, with the special education or regular education teachers, or both, the M-team recommendations.
3. Assist the special education or regular education teachers, or both, in providing quality and comprehensive instruction for the children assigned to the program area.
4. Serve as a liaison between special or regular education teachers, or both, and supervisors in the special education administrative structure.
5. Participate in parent conferences and training.
6. Provide inservice training for regular and special education personnel, other district personnel, parents and community personnel.
7. Serve as a liaison with other agencies involved in programming for individual children with EEN.



8. Any duties considered appropriate for the program support teacher shall be negotiated with and approved by the division.

9. Provide services to children with EEN who are returned full or part-time to regular classes.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.18 Educational services for school-age pregnant girls and mothers.** (1) **LEGISLATIVE INTENT.** Section 115.76 (3) (h), Wis. Stats. denotes pregnancy, including up to 2 months after the birth of the child or other termination of pregnancy, as a condition which may require special educational services to supplement or replace regular education.

(2) **DISTRICT RESPONSIBILITY.** (a) The provisions of section 115.82, Wis. Stats., relating to compulsory school attendance shall apply during the school term to students with EEN and may be satisfied by attendance at special education programs operated by an LEA, state or county residential educational facility or private special education service.

(b) Each district shall develop a systematic plan for providing educational services to school-age pregnant girls and mothers. This plan shall be submitted to the division and shall include:

1. Goals.
2. Processes.
3. Procedures.
4. Evaluation design.

(3) **M-TEAM(s).** The formation and functioning of the M-team for school-age pregnant girls and mothers shall be organized and function in the same manner as for all other disability groups per PI 11.03. ✓

(a) Suggested M-team membership considerations.

1. Teacher(s) of school-age mothers or regular classroom teachers or both.
2. Guidance counselor.
3. Principal.
4. Director.
5. School psychologist.
6. Social worker.
7. School nurse.

(b) Educational plan considerations for the M-team.

1. Medical diagnosis and recommendations.
2. Alternative educational plans shall be offered to the pregnant girl or mother.

(4) **PROPOSED EDUCATIONAL PLAN.** The LEA's written proposed educational program shall have the written consent of both the

school-age pregnant girl or mother and her parent before she may be enrolled for special education services. If the girl has reached the age of majority (18), parental consent shall not be required.

(5) **ADMINISTRATION/SUPERVISION.** The director or the program designee shall be administratively responsible for the development and implementation of the program or services or both.

(6) **DIVISION RESPONSIBILITY.** (a) The division shall provide consultative assistance to the LEAs in the development of educational programs for the school-age pregnant girl and mother.

(b) The division shall formally approve the LEA's plans of services.

1. The LEA shall receive 70% reimbursement for the salaries and fringe benefits of qualified personnel, transportation costs and specially approved instructional materials and equipment.

**Note:** A maximum of \$210 per unit is reimbursed on a local expenditure of \$300 per program unit at this time. Any exceptions to this limitation shall be negotiated in advance with the division program area supervisor.

(7) **PROGRAM CONSIDERATIONS.** (a) *Student eligibility.* All girls up to the age of 21, unless they have graduated from high school, are eligible to receive special education programming during a pregnancy, including up to 2 months after the birth of the child or other termination of the pregnancy.

(b) *Personnel.* All teachers shall hold licensure to teach in Wisconsin. All ancillary personnel shall hold licensure in their respective areas of expertise. Teachers shall be certified at the appropriate level or in specific subject areas or both. All teachers involved in the special programs specifically designed to meet the needs of the affected student shall complete an additional 9 hours of training. The teachers shall pursue coursework in the content areas of:

1. Nature and needs of school-age pregnant girl and mother.
2. Education for the exceptional child.
3. Child or adolescent development.
4. Maternal health and child care.
5. Adolescent psychology.
6. Family relationships.

(c) *Programming.* Alternative educational plans shall be offered to the affected students. These may include:

1. Continuation in the regular school program with some supportive services provided by special education personnel.

2. Attendance at a specialized educational program designed specifically to meet the needs of the school-age pregnant girl and mother.

3. Homebound instruction in lieu of attending regular classes or to supplement classroom instruction if the girl attends school on a part-time basis.

4. Hospital instruction during periods when the student might be hospitalized both prior to and following delivery.

5. Provision of social service counseling to facilitate accessibility to needed resources.

6. Pilot approaches utilizing infant day care services and parenting skills programs.

(d) *Evaluation.* Evaluation of the program shall be based upon the following:

1. Maintenance of the student's grade level functioning.

2. Promotion of the students from one grade level to another with their class if it is appropriate to do so.

3. Student's demonstration of a basic knowledge of maternal health practices and the acquisition of child care techniques when the educational focus has been in these content areas.

(e) *Instructional materials and equipment.* Proposed expenditures for instructional materials and equipment shall require advance approval on the annual plan of services by the division.

(8) **STUDENT SPECIAL TRANSPORTATION.** (a) Pursuant to sections 121.54 (3) and 115.88 (2), Wis. Stats., the LEA shall provide transportation for school-age pregnant girls and mothers and the means for financial reimbursement concerning attendance in either regular school or special service programs.

(b) Boarding home placements shall be made infrequently in lieu of transportation (section 121.58 (3), Wis. Stats.). Transportation costs from the boarding home to the school housing the special education services shall be a reimbursable item.

**Note:** Weekend costs of transporting a student between that student's residence and the boarding home shall be the responsibility of the parent.

(c) Transportation, when required, to supportive services related to established educational programs shall meet the test of such special or additional transportation.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.19 Supportive services: physical and occupational therapy.** (1) **LEGISLATIVE INTENT.** Subchapter IV, chapter 115, Wis. Stats. gives an LEA the authority to establish physical therapy and occupational therapy services outside of orthopedic school centers. The authority contained in section 115.83 (1) (a), Wis. Stats. is limited to approving special physical or occupational therapy services for children with EEN who are enrolled in the special education programs offered by the LEAs.

(2) **LEA RESPONSIBILITY.** Prior approval from the division shall be obtained before a physical therapist or occupational therapist or both is employed. Each district shall develop a systematic plan for providing physical therapy or occupational therapy or both when required, as supportive service to the established special education programs. This plan shall be submitted to the division and shall include:

- (a) Goals.
- (b) Processes.
- (c) Procedures.
- (d) Evaluation design.

(3) M-TEAM (s). The formation and functioning of the M-team for children who appear to require physical therapy or occupational therapy or both shall be organized and function in the same manner as for all other disability groups pursuant to PI 11.03. A physical therapist or an occupational therapist or both shall be included on the M-team when it is suspected that the child's educational program will require physical therapy or occupational therapy or both supportive services.

(a) Suggested M-team membership and consultative considerations.

- 1. School personnel.
  - a. School psychologist.
  - b. Speech pathologist (s).
  - c. School social worker.
  - d. Principal.
  - e. Teacher (s).
  - f. School nurse.
  - g. Director.
  - h. Physical therapist.
  - i. Occupational therapist.
- 2. Consultants—nonpublic school personnel.
  - a. Orthopedist, physiatrist or pediatrician.
  - b. Physical therapist.
  - c. Occupational therapist.
  - d. Public health nurse.

(b) Treatment plan considerations for the M-team.

- 1. Medical diagnosis.
- 2. Medical recommendations—prognosis.
- 3. Child's age.
- 4. Local/regional resources.
  - a. School—physical facilities and personnel.
  - b. Community—hospital, clinics, 51.42/51.437 day care services, individual practitioners, e.g., physicians, physical therapists, occupational therapists.

(4) **ADMINISTRATION/SUPERVISION.** The director or the program designee shall be administratively responsible for the development and implementation of the program or services or both.

(5) **DIVISION RESPONSIBILITIES.** (a) The division shall provide consultative assistance to LEAs in the development of the physical therapy and occupational therapy service plan.

(b) The division shall formally approve the LEA's plan of services.

(c) The supervisory and consultative services shall be the joint responsibility of the bureau for exceptional children and the bureau for crippled children within the division.

(d) The LEA shall receive 70% reimbursement for the salaries and fringe benefits of qualified personnel, transportation of children and youth and specially approved therapy materials and equipment.

**Note:** A maximum of \$1,000 per new physical therapy/occupational therapy unit for non-fixed equipment shall be allowed. Any exceptions to this limitation shall be negotiated in advance with the division program area supervisor.

(6) **SERVICE CONSIDERATIONS.** (a) Any child who has been determined by the M-team to have EEN shall be eligible to receive physical therapy or occupational therapy or both services upon medical recommendation as stipulated in PI 11.05 (2) (e) 7. Any child who has a congenital or acquired disease or condition of such severity that achievement of normal growth and development may be hindered shall be eligible to receive physical therapy or occupational therapy or both services upon medical recommendation as stipulated in PI 11.05 (2) (e) 7.

(b) The physical facilities shall be commensurate with the role and function service to be performed. Each district shall identify the facilities wherein the treatment is to take place. The industrial commission codes shall be adhered to regarding the physical space required to perform the activities. The facilities shall be determined to be appropriate for the delivery of health treatment services. This determination shall be made by the department.

(7) **PHYSICAL THERAPISTS' QUALIFICATIONS AND PROGRAMMING.** (a) **Licensure.** A physical therapist shall be a graduate of an accredited school.

**Note:** After July 1, 1977, full-time and half-time employed physical therapists shall hold department licensure as a physical therapist.

(b) **Programming.** 1. The type of disability and requirements for physical therapy shall be considered in determining the therapist caseload. Twelve children shall be a minimal daily caseload for a full-time physical therapist. Pro-rata reimbursement of part-time personnel is permissible. Enrollment variations shall be subject to negotiation with the program area supervisor.

2. The physical therapist shall be an M-team member if the child is being evaluated for possible physical therapy supportive services.

3. A large number of children with neurological dysfunction are served in special education classes. Therefore, it is strongly recommended that therapists working in such programs need specific training and experience in neurodevelopmental techniques.

4. The physical therapist shall have medical prescription and adequate medical information from an orthopedist, physiatrist or pediatrician before a child is enrolled in the program. There shall be a reciprocal exchange of medical and social information between the division and local professional personnel who are concerned with the child's school placement and total health needs. The district shall obtain an updated medical prescription and information yearly or more often if there is a change in the child's physical condition, e.g., surgery, casting, etc.

5. Each child receiving treatment shall have a complete and current treatment record. In order to have a descriptive profile of the child, an initial assessment of the physical condition shall be made by the physical therapist soon after enrollment into a program or at the beginning of treatment. This information, including established treatment goals, shall be incorporated into the child's permanent behavioral record. Instructions given to the parent for a home program shall also be recorded.

(8) OCCUPATIONAL THERAPISTS' QUALIFICATIONS AND PROGRAMMING.  
(a) *Licensure.* The occupational therapist shall be currently registered with the American occupational therapy association.

*Note:* After July 1, 1977, full-time and half-time employed occupational therapists shall hold department licensure as an occupational therapist.

(b) *Programming.* 1. The type of disability and requirements for occupational therapy shall be considered in determining the therapist caseload. Twelve children shall be a minimal daily caseload for a full-time occupational therapist. Pro-rata reimbursement of part-time personnel is permissible. Enrollment variations shall be subject to negotiation with the program area supervisors.

2. The occupational therapist shall be an M-team member if the child is being evaluated for possible occupational therapy supportive services. In addition to providing a treatment program for the child, the occupational therapist may work in conjunction with the physical therapy and educational personnel in the school setting to provide an overall developmental program. The occupational therapist shall have medical prescription and medical information from an orthopedist or physiatrist or pediatrician before a child is enrolled in the program. The prescription shall be renewed annually.

3. A large number of children with neurological dysfunction are served in special education classes. Therefore, it is strongly recommended that therapists working in such programs need specific training and experience in neurodevelopmental techniques.

4. There shall be a reciprocal exchange of medical and social information between the division and local professional personnel concerned with the child's school placement and total health needs. The district shall obtain an updated medical prescription and information yearly or more often if there is a change in the child's physical condition. PI 11.05 (2) (e) 7. requires medical prescriptions to substantiate any health treatment service pursuant to subchapter IV, chapter 115, Wis. Stats.

5. Each child receiving treatment shall have a complete and current record. An initial assessment of the child's abilities and the identification of treatment goals shall be completed after enrollment

or prior to the beginning of treatment. Instruction given to parents for a home program shall also be recorded. This information shall be included in the child's permanent behavioral record.

(9) RE-EVALUATIONS. (a) Physical therapy. A yearly re-evaluation of the child shall be made. Such re-evaluations shall include:

1. General physical condition — general behavior.
2. Physical development pattern — head control, independent sitting, use of extremities.
3. Functional self-care— independent feeding, able to hold pencil, dressing — independent, assisted, to what extent, toilet trained — assistance needed.
4. Effective speech — how are wants made known, response to verbal directions.
5. Ambulation — crutches, canes, special equipment, wheelchair.
6. Progress toward independence — measure of independent skill the child has achieved since the previous evaluation, as well as changes in behavior.

(b) The yearly re-evaluation shall be incorporated into the child's permanent behavioral record and shared with the physician and the division.

(c) Occupational therapy. A yearly re-evaluation of the child shall be made. Such re-evaluation shall include:

1. General physical condition — general behavior.
2. Physical development pattern — head control, independent sitting, use of arms and hands.
3. Functional self-care — eating, dressing, toileting, transfers, school-related skills and homemaking.
4. Effective communication — ability to understand directions and ability to make needs known.
5. Progress toward independence in self-care — communication and hand skills.

(d) The yearly re-evaluation shall be incorporated into the child's permanent behavioral record and shared with the physician and the division.

(10) TREATMENT EQUIPMENT AND MATERIALS (a) Proposed expenditures for treatment equipment and materials shall require advance approval of the division. Examples of equipment considerations may include:

1. Treatment tables.
2. Adjustable parallel bars.
3. Standing table.
4. Wheelchair.

(b) Material considerations may include:

1. Paper sheets.
2. Turkish towels.
3. Disposable diapers.
4. Cleansing agents.

(11) **STUDENT SPECIAL TRANSPORTATION.** (a) Educational and medical treatment program. Sections 121.54 (3) and 115.88 (2), Wis. Stats. specify the responsibility of the LEA to provide transportation for children with EEN and the means for financial reimbursement, concerning attendance in either regular school or special school programs. A district may elect to enroll qualified youngsters in the regular school program which houses the medical treatment unit so as to enhance the availability of such service.

(b) Boarding home placements. Refer to PI 11.18 (8) (b).

(c) Transportation. Refer to PI 11.18(8) (c).

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76; am. (7) (b) 1 and (8) (b) 1, Register, February, 1976, No. 242, eff. 3-1-76.

**PI 11.20 Diagnostic teacher.** (1) **POLICY.** To assist LEAs, the division shall, under certain circumstances, approve the employment of a diagnostic teacher. Utilization of a diagnostic teacher shall be contingent upon prior employment or contract with a director in the LEA operating special education programs. A diagnostic teacher may be employed through a variety of administrative structures (PI. 11.11 (1) (a) through (e)).

(2) **ELIGIBILITY.** In order to qualify for reimbursement of the position, the LEA shall meet the following requirements:

(a) To be eligible for a diagnostic teacher, the LEA operating the special education program shall have employed/contracted for the services of a level A director when the total number of programs reaches the requirements established by the division (Table 1, following PI 11.11).

(b) The position shall be reimbursed on a half-time or full-time basis in an LEA.

(c) Teachers employed in this position shall spend 100% of their time with children with suspected and identified EEN in appropriate program areas.

(d) The district shall submit data to the division regarding the backlog of M-team referrals in specific program areas.

(e) This position shall not be used in lieu of the development of other special education program types.

(3) **REIMBURSEMENT.** See PI 11.11 (3).

(a) Written plan. Refer to PI 11.15 (3) (a).

(b) Prior approval. See PI 11.15 (3) (b).

(4) **DIAGNOSTIC TEACHER REQUIREMENTS.** The diagnostic teacher shall meet the requirements stated in PI 11.15 (4) (a) through (e).

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(5) **ROLE OF THE DIAGNOSTIC TEACHER.** The role of the diagnostic teacher shall be to provide for implementation of direct diagnostic/consultative services to children with suspected and identified EEN as contrasted to administrative decision-making or supervision of teaching personnel. The purpose of this position shall be to assist the special education administrative/instructional personnel and regular education teaching staff in the evaluation and instructional planning for children with suspected and identified EEN.

(a) General responsibilities shall focus upon providing diagnostic services to children with suspected and identified EEN. Another responsibility shall be to provide consultative services as stated in PI 11.15 (5) (a).

(b) Specific responsibilities shall include those responsibilities stated in PI 11.15 (5) (b) 1. -8.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.21 Self-contained complete program type.** (1) **DEFINITION.** A self-contained complete program is an educational program type operated by the public school which serves students with EEN in all instructional areas. This program type provides for maximum control of the educational and environmental intervention variables and is designed to serve children with severe EEN.

(a) **Staff.** This program type shall have a minimum of one certified special education teacher within a particular program area assigned to a designated number of students. Teacher aides shall be considered for special approval for this program type. Requests for aides shall receive prior approval from the division. Funding for this position shall be initiated on the date of approval.

(b) **Enrollment.** The enrollment for this program type may vary with a minimum of 5 children. Variation to the minimum enrollment shall require prior consultation with the division. The maximum enrollment variation shall be subject to review or negotiation, or both, between the LEA and the division.

(c) For each year subsequent to publication of these rules, the division shall publish, based on field experience and input, minimum/maximum ranges for each program type and level to be used as a basis for negotiating program approval.

(d) A program plan for this program type shall be submitted to the division for approval prior to the initiation of the program.

(e) **Facility.** The facility shall provide for maximum control of the educational and environmental intervention variables.

1. The facility shall meet all prescribed standards in the school building codes and shall be determined to be appropriate for the regular and exceptional needs of the children to be served and appropriate to implement the curriculum of the program area. This determination shall be made by the department.

(f) Responsibility/accountability. The responsibility and accountability for this program type shall rest with the director or the program designee.

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.22 Self-contained modified program type.** (1) **DEFINITION.** A self-contained modified program is a special education program type located in the regular or special school building which serves students with EEN in all instructional areas, but in which the entire class may go to a different teacher or the teacher may come to the special classroom for instruction in specific curriculum areas. This program type provides for a high degree of control of the educational and environmental intervention variables and is designed to serve children with moderate to severe EEN.

(a) Staff. This program type shall have a minimum of one certified special education teacher within a particular program area assigned to a designated number of students. Subject area specialists serving this program type shall meet the certification standards of their particular subject area and level. If this program type is operated within a special school, subject area specialists shall be duly certified in both special and regular education per standards of the department. Teacher aides shall be considered for special approval for this program type. Requests for aides shall receive prior approval from the division. Funding for this position shall be initiated on the date of approval.

(b) Enrollment. The enrollment for this program type may vary with a minimum of 7 children. Variation to the minimum enrollment shall require prior consultation with the division. The maximum enrollment variation shall be subject to review or negotiation, or both, between the LEA and the division.

(c) Ranges. See PI 11.21 (1) (c). ✓

(d) Program plan. See PI 11.21 (1) (d). ✓

(e) Facility. The facility shall provide for a high degree of control of the educational and environmental intervention variables and shall meet the requirements stated in PI 11.21 (e) 1. ✓

(f) Responsibility/accountability. See PI 11.21 (f). ✓

**History:** Cr. Register, December, 1975, No. 240, eff. 1-1-76.

**PI 11.23 Self-contained integrated program type.** (1) **DEFINITION.** A self-contained integrated program is a special education program type located in a regular or special school which serves students with EEN in the majority of instructional areas, but in which individual pupils are integrated into other regular, or special, or both education programs. The teacher of the self-contained program type provides consulting services (section 115.83 (1) (b), Wis. Stats.) to regular education personnel, or special education personnel, or both. This program type provides for control of the educational and environmental intervention variables based on the individual child's needs. The program operates 5 days a week on a full-time basis.

(a) Staff. This program type shall have a minimum of one certified special education teacher within a particular program area assigned to a designated number of students. Teacher aides shall be considered

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