

Chapter 74: Special Education

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

1. Procedures

- a. When there is an organized program in a local school district for students with a particular exceptionality, then the university-based program will not enroll a student with that exceptionality from that district in the university-based program except in the following two situations:
 - i. the student is enrolled on a private tuition basis
 - OR**
 - ii.
 - a) if the local district initiates a placement because an IEP committee in that district has determined that the organized program in that district is not appropriate for that student,
 - b) that university-based program is an appropriate placement for that student, and
 - c) the IEP committee places that student in the university-based program.

Yearly placement decisions relative to whether a handicapped student is to be placed in a university-based program by a local district continue to be the responsibility of that local district.
- b. No later than April 15 each year, the State Department of Education (SDE) staff will notify the university-based program staff relative to which local school districts in the area served by the university-based program have organized programs for the exceptionalities currently being served in that university-based program. If a parent requests a university-based program to serve an exceptional child from a local school district that has an organized program, the university-based program staff will notify the parent that they are prohibited by state law from duplicating the program available in the local school district and will inform the local district of that child's need for educational service.
- c. When the university-based program staff is requested by a parent to serve an exceptional child from a local school district that does not have an organized program for that exceptionality, the child may be enrolled in that university-based program following SDE guidelines that apply to other state agencies. In that case, the university-based program is totally responsible for the education of that child including development of the IEP. It is suggested that local school district special education staff be kept abreast of the progress of this child and it is permissible for university-based program staff to invite district staff to IEP meetings.

- d. In the event there is a question as to whether the local district has an organized program for a particular exceptionality, the university- based program staff may contact the SDE staff responsible for the university-based program for a decision.
- e. An organized program is a program approved by the SDE serving a particular age range and exceptionality or exceptionalities. When the local school district has such a program and a child in that age range and with that exceptionality is identified, an IEP committee in that district makes the decision as to whether that organized program is appropriate for that child. No other entity can make that decision.

2. Application Steps

- a. Identify a teacher for this class(es) certified in accord with State Department of Education regulations.
- b. Identify a classroom facility in which to locate the class. It should be approximately the same size as a regular classroom in a public school district.
- c. Submit a proposal to the Bureau of Special Services describing the program according to regulations.

3. Upon receipt of this proposal, Bureau of Special Services personnel will review it and either approve it or work with university/college personnel to get it in an approvable form. The Bureau Director will write a letter indicating approval of acceptable proposals and indicating that university/college personnel may proceed with implementation. In the event that teacher certification and number of eligible children is not available when the proposal is submitted, tentative approval will be given until such time as this information is received.

During the implementation of a program, following proposal approval, it will be necessary for the university/college to submit a Class Data Sheet. This submission will occur each year. Any time the program changes, the proposal must be amended.

4. The Outline for the proposal which is to be submitted to the Bureau of Special Services is as follows:

- a. Title of the Program
- b. General Information
 - i. Number, age and exceptionality of students
 - ii. Length of School Day (must be full day program to receive full funding)
 - iii. Number of teachers requested, teacher's name (if available) and certification (if available)
 - iv. Location and description of the classroom(s)
- c. A list of program objectives
- d. An outline of program evaluation criteria
- e. A copy of the university/college approved policies and procedures as required

- f. An assurance that the university/college will comply with all applicable State Department of Education regulations relating to programs for handicapped children (it is the responsibility of personnel who operate this program to be familiar with all regulations).

Source: *Miss. Code Ann. § 37-1-3 (Revised 8/1991)*