



FAPE in County Jails

Purpose and Procedures

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All eligible students with a disability in Michigan, between birth and 26, are entitled to special education programs and services consistent with the mandate of the federal entitlement in the IDEA (20 USC 1400, et seq) and MARSE (R 340.1702). Utilizing a unique set of procedural and substantive requirements, the IDEA provides a foundation of policies, practices, and procedures which ensures the right of every student with a disability to equitable education in public schools, hospitals, juvenile justice facilities, county jails, and other educational settings alongside their nondisabled peers to the maximum extent appropriate.

The procedures outlined below are provided for the purpose of:

- Identifying, locating and evaluating youth with IEPs, under the age of 26, who are held in the county jail;
- Identifying individuals at the jail, under the age of 26, who may be eligible for special education services;
- Determining the unique educational needs of each eligible individual and the services necessary to ensure a FAPE, and convene an IEP as appropriate; and
- Documenting and providing services according to an IEP.

Procedures

- ☐ At least once yearly, representatives from the county jail and the district of residence in which the jail is located will meet to review the County Jail Child Find Memorandum of Agreement ([Memorandum of Agreement IRESA/TAWAS/Iosco Sheriff](#))
- ☐ Each district of residence will identify one person who on a regular basis (not less than weekly), will check the jail roster of individuals at the jail, under the age of 26, against a roster of eligible students.
- ☐ Each district of residence will ensure qualified personnel are available to provide services to individuals with IEPs, under the age of 26, who are held in the county jail.
 - ☐ *If the student is currently enrolled in a district within Iosco RESA, services will be provided by personnel from the student's district of enrollment.
- ☐ Upon learning of an individual held in the county jail who is in need of special education services, the district representative will notify appropriate school or ISD personnel to initiate review of the individual's school records.
- ☐ After reviewing the individual's relevant school records, the school team will determine the unique educational needs of the student and convene an IEP, as appropriate.



Memorandum of Agreement

Iosco Regional Educational Service Agency (IRESA), Tawas Area Schools, and the Iosco County Sheriff's Office (ICSO) agree to the following tenets of Child Find and the provision of a Free and Appropriate Public Education (FAPE) under the Individuals with Disabilities Education Act (IDEA).

Intake Procedures:

1. Upon incarceration, ICSO staff will screen inmates through 28 years of age with the following questions:
 - a. Have you received a high school diploma or equivalent? If no, ask question below:
 - b. Are you currently eligible for special education programs and/or services under an Individualized Education Program (IEP)?
2. If the inmate indicates that they are eligible, the ICSO staff will notify the IRESA Special Education Secretary or Director of Special Education to initiate the provision of programs and/or services.
3. IRESA, in collaboration with Tawas Area Schools, will coordinate the required special education programs and educational services so that the eligible student with a disability receives an appropriate public education. IRESA and Tawas Area Schools will follow all reasonable steps established by the ICSO so that their staff members or agents who are providing services under this agreement may obtain clearance to provide virtual programs and services to incarcerated youth in the Iosco County Jail.
4. The ICSO will make an effort to inform IRESA and Tawas Area Schools when an eligible student is released from the County Jail.
5. IRESA, Tawas Area Schools and ICSO will review this agreement annually to ensure the educational rights of incarcerated students with disabilities are addressed.

Hannah Wanks
Iosco RESA Representative

5/19/21
Date

Robert Colby
Hale Area Schools Representative

5/21/21
Date

Tami Pichia/Mike Buchinger
Oscoda Area Schools Representative

5/19/21
Date

Dick Lapeer
Tawas Area Schools Representative

5/19/21
Date

Chelsea Morris
Whittemore-Prescott Area Schools Representative

5/19/21
Date

Stephanie Davis
Iosco Alternative Academy

5/19/2021
Date

Sheriff Scott Frank
Iosco County Sheriff's Office Representative

06/01/2021
Date

Contact Information:

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Hale Area Schools:	Robert Colby	(989) 728-3551
Oscoda Area Schools:	Tami Pichia/Mike Buchinger	(989) 739-9121
Tawas Area Schools:	Dick Lapeer	(989) 984-2197
Whittemore-Prescott Area Schools:	Chelsea Morris	(989) 756-8013
Iosco Alternative Academy:	Stephanie Davis	(989) 362-2575 ext. 1210
ICSO:	Sheriff Scott Frank	(989) 362-8164