



Clarification on Minnesota Statutes section 125A.023 and 125A.027 Coordinated Interagency Services System

Purpose

Clarify general supervision responsibilities for:

- 1) The Minnesota Department of Education (MDE) and state agencies in Minnesota Statutes section 125A.023.
- 2) School and county boards in Minnesota Statutes section 125A.027 in the development and implementation of a statewide, coordinated, interagency intervention service system for children with educational disabilities, ages 3 – 21.

Minnesota Statutes section 125A.023 establishes that seven state agencies in Minnesota (Commerce, Corrections, Education, Employment and Economic Development, Health, Human Rights and Human Services), along with the Association of Minnesota Counties, Minnesota School Boards Association, Minnesota Administrators of Special Education and the School Nurse Association of Minnesota shall:

- 1) Identify and assist in removing state and local barriers to local coordination of services provided to children with disabilities.
- 2) Identify adequate, equitable and flexible funding sources to streamline services.
- 3) Develop guidelines for implementing policies that ensure a comprehensive and coordinated system of state and local services.
- 4) Develop a standardized written plan, consistent with federal law, for providing services to a child with disabilities.
- 5) Identify how current dispute resolution systems can be coordinated and develop guidelines.
- 6) Develop an evaluation process to measure the success of interagency efforts in improving the quality and coordination of services.
- 7) Develop guidelines to assist the governing boards of Interagency Early Intervention Committees (IEICs; school and county boards) in carrying out the duties assigned in Minnesota Statutes section 125A.027.
- 8) Carry out other duties needed to develop and implement this system.

Minnesota Statutes section 125A.023 is the state policy used to ensure compliance with the federal statutory interagency requirements in the Individuals with Disabilities Education Act (IDEA) Sections 611(e)(1)(c) and 612(a)(12)(A). These sections require states to have interagency agreements or other arrangements in place for establishing responsibilities for services to eligible children and youth with disabilities. These federal requirements apply to the state educational agency and any other state agency responsible for educational programs for children with disabilities. Therefore, Minnesota Statutes section 125A.023 is necessary in order for Minnesota to be in compliance with this important federal requirement. In addition, Minnesota Rules 3525.1100 requires MDE to review each district's total special education system (TSES) for compliance with federal and state

requirements. Two components required in the TSES plan are a) operating procedures of interagency committees, and b) interagency agreements the district has entered [Subp. 2 (D) and (E)]. MDE has established procedures for this review. Special education compliance monitors will request to see a written version of the interagency agreement during monitoring visits. If no agreement exists, the monitors will direct the district to guidance materials on the MDE Website. At the end of each monitoring cycle, a list of districts without agreements will be sent to the supervisor of interagency services in the special education policy division at the MDE. Minnesota System of Interagency Coordination (MnSIC) state staff will then provide technical assistance to the district and county in the development of an agreement.

Minnesota Statutes section 125A.027 establishes that local school boards and county boards in Minnesota are responsible to implement a local interagency intervention services system for children with disabilities, ages 3 to 21. School boards and county boards are also to develop interagency policies and procedures to coordinate services at the local level for children with disabilities, ages 3 to 21, as required in Minnesota Statutes section 125A.027, Subd. 1(b). These procedures include:

- 1) Use of multidisciplinary assessment.
- 2) Use of a standardized written plan/Individual Interagency Intervention Plan (IIIP).
- 3) Coordination of the various dispute resolution procedures by cooperating agencies.
- 4) Evaluation to measure the success of their effort in improving the quality and coordination of services.
- 5) Coordination of services and facilitation of payment for these services.
- 6) Sharing of needed data.

The statute further requires that school boards and county boards organize as a joint powers board or enter into an interagency agreement that establishes a governance structure so that services are coordinated for eligible children. It is the responsibility of school boards and county boards to have an agreement that establishes a governance structure, with a recommended reference to needed procedures and policies. MDE does not maintain copies of local interagency agreements.

MDE, in cooperation with the other six state agencies, meets the general supervision responsibilities for Minnesota Statutes section 125A.023 and IDEA 2004, by the establishment of 1) a state interagency agreement, 2) guidelines for various statutory duties and 3) procedures for monitoring of the required local interagency agreements.

The general supervision and monitoring responsibility for the establishment and maintenance of a local governance structure, via an interagency agreement/joint powers agreement, with recommended policies and procedures for system components as outlined in Minnesota Statutes section 125A.027, is the responsibility of local school and county boards in Minnesota.

*This document was approved by the State Interagency Committee of the Minnesota System of Interagency Coordination (MnSIC) initiative on 9/8/06.
This document was also approved by the seven state agencies of MnSIC at the Interagency Management Team meeting on 10/6/06.*