

HOUSE BILL No. 5942

September 22, 2016, Introduced by Reps. Chang, Schor, Hoadley, Liberati, Pagan, Neeley, Garrett, Smiley, Talabi, Love, Brunner, Guerra, Brinks, Wittenberg, Zemke, Greig and Gay-Dagnogo and referred to the Committee on Education.

A bill to amend 1976 PA 451, entitled
"The revised school code,"
(MCL 380.1 to 380.1852) by adding section 1706.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 1706. (1) THE OFFICE OF THE IEP OMBUDSMAN IS CREATED IN**
2 **THE DEPARTMENT WITHIN THE OFFICE OF SPECIAL EDUCATION.**

3 **(2) THE STATE BOARD SHALL DESIGNATE AN INDIVIDUAL AS THE IEP**
4 **OMBUDSMAN, WHO SHALL SERVE AS THE PRINCIPAL EXECUTIVE OFFICER OF**
5 **THE OFFICE OF THE IEP OMBUDSMAN. THE DEPARTMENT MAY APPOINT**
6 **EMPLOYEES AND OTHER AGENTS OF THE OFFICE OF THE IEP OMBUDSMAN AND**
7 **PRESCRIBE THEIR DUTIES, CONSISTENT WITH THIS SECTION.**

8 **(3) THE IEP OMBUDSMAN SHALL ENSURE THAT THE GOALS OF**
9 **INDIVIDUALIZED EDUCATION PROGRAMS ARE FURTHERED BY DOING OR**

1 COORDINATING ALL OF THE FOLLOWING:

2 (A) ASSISTING PUPILS AND PARENTS OR GUARDIANS IN UNDERSTANDING
3 THEIR RIGHTS AND RESPONSIBILITIES CONCERNING AN INDIVIDUALIZED
4 EDUCATION PROGRAM.

5 (B) RECEIVING, REVIEWING, AND ATTEMPTING TO RESOLVE ANY
6 QUESTIONS REGARDING A PUPIL'S PROSPECTIVE, ONGOING, OR PRIOR
7 PARTICIPATION IN AN INDIVIDUALIZED EDUCATION PROGRAM.

8 (C) ANALYZING AND MONITORING THE DEVELOPMENT AND
9 IMPLEMENTATION OF LAW AND POLICIES THAT MAY IMPACT INDIVIDUALIZED
10 EDUCATION PROGRAMS AND, AS THE IEP OMBUDSMAN CONSIDERS APPROPRIATE,
11 COMMUNICATE THE IEP OMBUDSMAN'S CONCERNS AND RECOMMENDATIONS
12 REGARDING ANY LAW OR POLICY RELATING TO INDIVIDUALIZED EDUCATION
13 PROGRAMS TO THE PUBLIC, AGENCIES, LEGISLATORS, PUBLIC SCHOOLS,
14 PUBLIC SCHOOL ACADEMIES, SCHOOL BOARDS, AND SCHOOL DISTRICTS.

15 (D) PERFORMING OTHER ACTIONS NECESSARY TO FULFILL THE DUTIES
16 OF THE IEP OMBUDSMAN, CONSISTENT WITH OTHER PROVISIONS OF LAW AND
17 POLICY.

18 (4) THE DEPARTMENT SHALL MAKE AVAILABLE TO ALL SCHOOL
19 DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, PUBLIC SCHOOL ACADEMIES,
20 AND APPROPRIATE SPECIAL EDUCATION PERSONNEL INFORMATION REGARDING
21 THE OFFICE OF THE IEP OMBUDSMAN, INCLUDING, BUT NOT LIMITED TO,
22 CONTACT INFORMATION AND A DESCRIPTION OF SERVICES OFFERED. SCHOOL
23 DISTRICTS, INTERMEDIATE SCHOOL DISTRICTS, PUBLIC SCHOOL ACADEMIES,
24 AND SPECIAL EDUCATION PERSONNEL ARE ENCOURAGED TO DISSEMINATE THAT
25 INFORMATION TO PUPILS AND PARENTS OR GUARDIANS, AS CONSIDERED
26 APPROPRIATE.

27 (5) AS USED IN THIS SECTION, "INDIVIDUALIZED EDUCATION

1 PROGRAM" MEANS THAT TERM AS DEFINED IN SECTION 1414 OF THE
2 INDIVIDUALS WITH DISABILITIES EDUCATION ACT, 20 USC 1414.

3 Enacting section 1. This amendatory act takes effect 90 days
4 after the date it is enacted into law.