A Guide to Special Services in Connecticut

# Bringing Knowledge to the Table

How to be an effective advocate for your child

SPED NET Wilton
www.spednetwilton.org

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This reference guide has been designed to support parents in becoming full partners in the education of their children. We hope its information will benefit those new to the special services process and serve as a touchstone for all parents and staff to better understand the overall mission of the laws and the school system.

## CONTENTS


1 Introduction

2 State Overview
- 2 - CT Board of Ed Position Statement
- 3 - CT's Best Practices

4 Special Education Process
- 4 - Recognizing the Need
- 5 - The Pre-referral Process
- 8 - The Referral Process

9 A Plan For Action
- 9 - The Planning and Placement Team (PPT) Meeting
- 9 - A Team Process
- 10 - Seclusion and Restraint
- 11 - Team Members
- 13 - The Evaluation Process
- 13 - Identifing the Student's Strengths and Needs
- 14 - Independent Educational Evaluations
- 16 - Eligibility for Special Education Services
- 19 - Content Areas of the Individualized Education Program (IEP)
- 19 - Annual Goals
- 19 - Transition Planning
- 20 - Related Services
- 21 - Extended School Year
- 22 - Modifications and Accommodations
- 22 - Placement
- 24 - Reviewing and Revising the IEP
- 25 - Least Restrictive Environment
- 26 - Evaluation Timelines
- 27 - IEP Timelines

32 Procedural Safeguards
- 32 - Mediation
- 33 - Due Process, Resolution Meeting, Advisory Opinion and Complaints

34 An Overview of the Process

35 Federal Overview
- 35 - IDEA, Individuals with Disabilities Education Act, 2004
- 37 - Section 504, Rehabilitation Act
- 40 - ADA, Americans with Disabilities Act
- 41 - FERPA, The Family Education Rights and Privacy Act, 1984

43 Final Note


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# ALWAYS KEEP IN MIND

## IT ALL BEGINS WITH FAPE

### A Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)

Students are entitled to Special Education and Related Services if they:

- Have a qualifying disability;
- The disability impacts their progress in the general curriculum;

AND

- They are in need of special education and related services in order to access and progress in the general curriculum.

SPECIAL EDUCATION means specially designed instruction that is:

- Individualized to meet the student's unique needs;
- Adapts content, methodology or delivery of instruction; and
- Ensures access to the general education curriculum, so the student can meet the educational standards that apply to all students.

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# Introduction

This reference guide presents in clear, readable form, information to lead parents and staff through federal and state special education laws, regulations and services, along with helpful "tips for parents." It is not intended to offer substantive legal advice, which may be provided only by an attorney.

Special education includes a broad spectrum of services. Special services for children range from consultations by special education personnel to full-time out-of-district placements in special education schools. Providers of special services include special education instructors, speech-language pathologists, social workers, psychologists, occupational and physical therapists, adaptive physical education instructors, educational consultants and others. Parents, however, are the only ones who, over time, continue to be a constant source of information and support for their children. This guide outlines how parents can begin and sustain a collaborative partnership with staff within the school system, whereby everyone works together for the benefit of the children.

**Tips for parents**

✓ You, as parents, know your child best. You are the ones who can speak most effectively on your child's behalf in order to secure his or her educational rights under the law. Your knowledge of the school system's procedures and state and federal laws and related regulations is essential to becoming effective advocates.

The fundamental purpose of our public school system is to set the highest standards of educational excellence and, within this context, to empower each student to achieve his or her personal best, demonstrate good character and values, function responsibly within our system of self-government, develop intellectual curiosity, exhibit proficient skills and, thereby, build a foundation for life-long learning.

The school district's mission for children with disabilities is to increase the academic and functional growth and achievement of all children, as indicated in their Individualized Education Programs (IEPs), while educating them in the least restrictive environment (LRE) to the maximum extent appropriate: children are placed in general education classes in their neighborhood schools and in extracurricular activities with their non-disabled peers, with appropriate supplementary aids and services. Inclusive settings may not be appropriate for all children at all times, however, and the full range of placement options must be kept in mind and discussed.

As with all children, competence in the basic subject areas is essential for success. State syllabi and district curricula are utilized in all areas. If necessary and appropriate, courses may be modified and specifically designed for children receiving special services, with the subject matter closely following that of the general education curricula.

This guide is intended to make the special services process more understandable and less intimidating. The pre-referral, referral, and evaluation processes, questions of eligibility, the planning and placement team (PPT) meeting, and the development of an IEP are presented as the basic steps toward making sure that students with special needs achieve the "highest standards of educational excellence."

Throughout this document, we have input links to websites that will help the reader gain more in-depth knowledge about the topics at hand. Click on the green or orange text or web sites to access additional information or the forms being discussed. Our web resources have been compiled from a number of reliable sources. Our primary information base, www.spednetwilton.org, is updated frequently. Please select it as one of your favorites and familiarize yourself with it, so you can more easily access special education- and disability-related topics, research, upcoming events and advocacy groups.

# STATE OVERVIEW

## Connecticut State Board of Education Position Statement on the Education of Students with Disabilities

Adopted January 3, 2001

The Connecticut State Board of Education believes that all students are unique and are influenced by cultural, linguistic, intellectual, psychological, medical, social, and economic factors. These factors create a need for a varied educational environment that provides for and accommodates each child's strengths and areas of needed improvement. The Board also believes that a unified and coordinated continuum of educational opportunities and supports, designed to address individual needs, serves and benefits all students. The Board encourages the implementation of educational models that promote multiple instructional strategies, which encourage and accommodate students in the general environment to the maximum extent appropriate. It is the responsibility and obligation of educators to design and provide teaching strategies, methods, and materials that are suitable for each individual learner. As appropriate, a continuum of these strategies should be implemented before a child is referred to special education.

The Connecticut State Board of Education supports the principle that Connecticut's Common Core of Learning defines common goals for all students, including those with disabilities. Connecticut's public education system has the duty to provide opportunities for all students to achieve the statewide student goals (motivation to learn, mastery of the basic skills, acquisition of knowledge, and competence in life skills and in understanding society's values). The demonstrated performance of these skills, knowledge and attributes must become a greater focus and the acknowledged responsibility of all professionals in the education community. The Board presumes that these goals are best achieved in the child's local school, although it recognizes that some children who present significant and/or unique needs require placement in alternate settings to achieve those goals. Furthermore, the Board believes in the continuous monitoring of students' growth and achievement.

# Connecticut's "Best Practices"

The State Department of Education believes that implementation of these practices will encourage all students to value themselves as capable individuals who make successful transitions to further education and employment. As a result, students will become self-sufficient, productive and contributing members of society, and will be able to make informed personal choices and function successfully as family members, workers, learners, citizens, friends and consumers.

**1.** Deliver support services, based on early diagnoses of learning problems, and early intervention strategies accommodating different learning styles in the general classroom, which result in fewer students unnecessarily being identified as requiring special education services;

**2.** Align special education programs and services with all state, federal and local reform efforts, to ensure involvement in all school improvement activities;

**3.** Support full participation of all students in state- and district-wide assessment activities designed to assess the degree to which basic skills are mastered;

**4.** Use current medical, educational and psychological research to inform best practices in teaching strategies;

**5.** Identify and support activities that will enhance and promote a school climate conducive to positive development for all children, including children with disabilities;

**6.** Provide training to all educators that prepares them to teach children with varying abilities, interests and learning styles, and that enables them to, with the use of supplementary aids and services, modify curriculum, deliver individually designed instruction and implement effective instructional practices in the least restrictive environment;

**7.** Identify and support actions necessary to promote the appropriate and positive involvement of students with disabilities in the total school program, including extracurricular activities;

**8.** Provide sufficient allocation and efficient use of resources to enable quality instruction, which results in improved student outcomes and focuses on activities with clear educational benefit;

**9.** Involve parents of students with disabilities in planning and assessing all aspects of the student's educational program;

**10.** Develop a collaborative approach to service delivery, which includes parental involvement, use of community-based resources, school- and community-based learning experiences and pupil services and supports (such as psychology, guidance, counseling, social work, speech/language and health services);

**11.** Provide a continuum of teaching and learning options and settings that fosters high expectations, continuing improvement and challenging curriculum for all students and that prepares students for eventual entry into higher education and the workplace; and

**12.** Identify student needs and the implementation of student and teacher accountability measures to assess growth and the impact of services.

# THE SPECIAL EDUCATION PROCESS

## RECOGNIZING THE NEED
### An Overview

The first step in the process is to recognize that a child has a persistent and significant learning and/or behavioral difficulty. This recognition may come from the parents or the child's teacher. The child's difficulties are initially addressed with strategies to assist him or her in the general education classroom and at home.

Common Warning Signs; A Parent's Guide to Special Education in Connecticut.

If the child has not yet started school, a written request should be submitted to the Director of Special Services to refer the child for an evaluation. For assistance, call Child Find at 800-445-2722.

If the child is receiving Birth to Three Services, the child's program service coordinator is responsible for assembling a conference to plan for the child's transition into the district. This transition planning conference, which must include the parents, the child's birth-to-three service coordinator and a representative from the school district, should occur between 90 days and six months before the child turns three and may occur during the summer.

If the child is already in school, the first step is for the classroom teacher to develop both classroom and at-home strategies to assist him or her in becoming more successful in the general school program. At school, strategies may range from changing where the child sits to providing structured study guides to assist in independent reading assignments. At home, strategies may range from simple activities, such as having the parent sign all completed homework assignments, to more complicated tasks, such as transcribing a child's tape-recorded assignments into written form. Whatever the strategies, they must be individualized.

If, after a reasonable period of time, the strategies in the classroom and at home are not successful, the teacher or parent should ask for assistance from the Child Study Team. Together, the teacher and the special education staff member(s) will recommend other general education strategies that may be utilized in the general education setting.

If the child's difficulties persist after the strategies in general education have been implemented, a referral to special education, which will accelerate the process, is in order. Referrals for special education services may come from a variety of sources, including the child's teachers, parents, pediatricians, mental health care professionals, day care providers, nursery school teachers or community agencies. Referrals coming from a source other than the child's teachers or parents require the consent of the parent.

The goal is to determine if the child has a disability that is impacting his or her education. A Planning and Placement Team (PPT) meeting will be held to decide on the need for appropriate evaluations. These evaluations, along with teacher reports and parental input, are used to determine the child's present level of functioning and to help determine whether or not the child is eligible for special services. Comprehensive diagnostic assessments and evaluation procedures are provided at no additional cost to the parent, when recommended by the PPT

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team. Parents may always opt to have an independent evaluation conducted at their own expense.

If the team agrees that the child is eligible to receive special education and related services, it will begin the process of developing an Individualized Education Program (IEP) designed to meet the child's specific needs. The development of the IEP gives parents the opportunity to work as equal partners with educators. The team will identify the child's strengths and needs, and discuss and determine what will be provided to teach to the strengths and meet the needs. It will further discuss what the anticipated goals and outcomes may be.

The process of collaborative goal setting allows both parents and educators to combine their separate areas of expertise to plan for the individual needs of the child.

The IEP is a written document—a description of the individualized program developed for the child. The IEP document will be written at the PPT meeting. A proposed IEP, labeled DRAFT, may be presented at the meeting, but changes can and should be made as the team works together to develop the program further. Additional PPT meetings may take place in order to request new evaluations, update the IEP, continue with the existing program, or determine that special services are no longer required.

If a child is found not to be eligible to receive special services, the child may be eligible for a Section 504 plan. This possibility, as well as any other options for appropriate programming and interventions, should be discussed at the meeting.

**For a visual representation of the entire process, please refer to page 34.**

# THE PRE-REFERRAL PROCESS Beginning the Partnership

The purpose of the site-based intervention/teacher assistance teams known as the Pupil Study Team (PST) is to support general education teachers who have concerns regarding an individual student's learning. These teams are a general education initiative to ensure that the student has access to appropriate general education interventions and programs before a referral to special education is considered. Typically, this is an internal staff process. The school team should primarily be comprised of general education teachers, but a special education teacher may be part of this team, if needed. Parents are made aware of the process before it is initiated. This intervention process is a framework for general education teachers to collaborate, in a cooperative atmosphere, and brainstorm ideas that might address a student's learning concerns.

## Tips for parents to consider

✓ Talk to your child: find out how he or she feels about school, as well as his or her likes and dislikes.

✓ Speak with your child's teachers: find out if your child is having difficulty with homework, is unable to complete work independently, begins but can't complete assignments, or has difficulty recalling the related instruction during the school day.

✓ Observe and listen to your child at home: does he or she complain about physical illnesses or invent excuses in order to stay home from school?

✓ Does your child have friends and maintain friendships?

✓ Does your child talk about or know the names of classmates?

✓ Does your child only use negative comments when talking about school?

✓ Develop a profile of your child to share with the school staff.

## Interventions that assistance teams (PSTs) should consider

- **Parental Involvement**
- **Curriculum modifications/alternative materials**
- **Alternative intervention programs**
- **Alternative assessment strategies**
- **Extended time allowances for specific assignments**
- **Variation in instruction to match learning styles**
- **Study skills materials and curricula to support access to general education**
- **Behavior management programs**
- **Environmental/classroom accommodations**
- **Cooperative learning**
- **Team teaching**
- **Peer interaction support**
- **Remedial teaching programs, such as access to school-based reading specialists**
- **Special services consultation**

After alternative strategies have been used, the school team evaluates the child's performance and determines whether or not the intervention strategies have been successful and should continue. Many problems are often resolved at this level.

During the pre-referral process, "best practices" should be used to ensure the development and implementation of an effective intervention program.

**"Best Practices" include, but are not limited to:**

- **A comprehensive review of the student's attendance, academic history, school history, health records, experiential background, cultural issues and language proficiency;**
- **Observations in a variety of settings;**
- **Development of a comprehensive plan of action that includes clearly stated goals, a reasonable timeline and specific assignment of responsibilities. (A reasonable time frame would generally be in the range of 6-8 weeks);**
- **Curriculum based assessments;**
- **Ongoing assessments to document growth and provide a basis for instructional decisions; and**
- **Provisions for modifying and/or redesigning the intervention process, as appropriate.**

# THE REFERRAL PROCESS

Children bring unique abilities, strengths and styles of learning to the educational setting. When a child has difficulty in school, it may be noticed by the teacher, other school personnel, the parents or the child. The purpose of the referral process is to follow through, if either the school or parents believe the child is still not progressing as he or she should be or suspect the child may have a disability.

### What happens after pre-referral, if concerns continue?

If, after a series of pre-referral interventions, the pre-referral team members and/or the parents believe a full evaluation may be necessary, team members or parents may request a Planning and Placement Team (PPT) meeting to discuss the need for an evaluation. This is a formal process that must follow state and federal guidelines. If parents agree to this evaluation and sign a consent to evaluate, then the formal process begins.

However, instead of proceeding with an evaluation as the initial step, the team may recommend **Response-to-Intervention (RTI)** services when a learning disability is suspected. RTI, one of the provisions of IDEA 2004, is a research-based process designed to encourage school districts to provide additional support for struggling students, as early as possible, within the general education environment. It is a multi-tier model that provides services and interventions at increasing levels of intensity. At each stage of intervention, the student's progress is monitored closely and the results are used to make decisions about the need for further research-based instruction and intervention in general education, special education or both.

Referral to Determine Eligibility for Special Education and Related Services; Parent Notice of Referral to Determine Eligibility; RTI; (See page 17).

If the decision is to proceed with an evaluation, special education law requires the school to meet strict time deadlines in evaluating a child and formulating an appropriate Individualized Education Program (IEP). After the initial referral, the school must complete its evaluation and, if it finds the child eligible, must formulate and implement an IEP, within 45 school days (excluding weekends, holidays, school vacations and the time required to obtain written parental consent) or 60 school days for an out-of-district placement. A parent may also initiate a referral that will "start the clock running." The initial referral that begins this 45-day period may take place at any time during the school year. Special exceptions may be made to expedite the time-frame, based upon the urgency of the child's needs.

### What happens when a parent has concerns throughout the year?

Parents may also make a request for a special education evaluation at any time by writing a letter to the school their child attends. It is wise for parents to date the request and keep a copy for their records. Parents may also verbally request a referral ("I am requesting special education services for my child."); however, a letter provides proof that a request for a referral was made. Upon receipt of the request for evaluation, the team will meet to consider the request. A request for evaluation does not automatically trigger an evaluation. The team will discuss the reasons for the request and determine if an evaluation is warranted. If the team decides to refer the child for evaluation, the process outlined above would be followed, including the pre-referral process. If the parents disagree with the team's decision not to evaluate their child, they may have the child evaluated independently or exercise their due process rights.

Procedural Safeguards.

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# A PLAN FOR ACTION

## THE PLANNING AND PLACEMENT TEAM (PPT) MEETING

### A Team Process at Work

The purpose of the Planning and Placement Team (PPT) meeting, also referred to as an IEP meeting, is to determine eligibility (initial or continued) for special education services, initiate and discuss recent evaluations, and review or revise the child's program and services. At this meeting, parents and staff will develop an Individualized Education Program (IEP) for the child and determine appropriate placement.

Parents must receive written notice of a PPT meeting at least five school days prior to the meeting. Notice of Planning and Placement Team Meeting. A PPT meeting must include a representative of the local education agency (LEA) (i.e., district administrator or designee), a special education teacher, one of the child's general education teachers and a member of the support services staff (such as speech therapist, guidance counselor, psychologist, social worker or nurse). Other individuals who are knowledgeable about the child may also be invited. Parents are equal partners in the PPT decision making process.

Every attempt will be made to schedule the PPT meeting at a convenient time for the parents and school personnel. However, the PPT meeting may take place without the parents attending, as long as the district documents multiple attempts to contact the parents. Documentation of Attempts to Seek Parent/ Guardian Participation. A child 16 years of age or older should be included whenever possible or appropriate, especially during transition planning. See Transition Planning section on pages 19-20.

The parents may, at their own expense, bring persons of their choosing to the PPT meeting for additional support, including private specialists, advocates, consultants, family members or friends. If parents want the school to pay for a consultant or specialist, a confirmatory discussion must be held in advance. An interpreter proficient in the parent's native language will be supplied, if needed.

At the start of the meeting, all participants should be introduced and the purpose of the meeting, as stated on the written notice, should be clarified. The district must give the parents a copy of the *Procedural Safeguards in Special Education* document once a year, as well as the *Parental Notification of the Laws Relating to Seclusion and Restraint in the Public Schools* document. See page 10. Parents should also be given a copy of the CT State Department's brochure *Helpful CT Resources for Families.* It is critical that parents familiarize themselves with the information in these documents.

Public school staff may physically restrain or seclude a child, on an emergency basis, in order to prevent immediate or imminent injury to the child or to others. Such involuntary physical restraint or seclusion may not be used to discipline a child because it's convenient or as a substitute for a less restrictive alternative. In the event that a child is physically restrained or secluded on an emergency basis, the school staff must attempt to notify the child's parent within 24 hours of the incident.

At the first Planning and Placement Team (PPT) meeting that a child's school district holds to discuss the child, district staff must inform the child's parents about the laws, as well as the rights of the parents, regarding physical restraint and seclusion.

Involuntary seclusion may be included as a behavior intervention in a child's IEP, if other less restrictive positive behavior interventions appropriate to the behavior exhibited by the child have been tried and were not effective. If seclusion is included in the IEP, the IEP must detail when and how the parent will be notified of each incident of seclusion.

**Seclusion and Restraint**

A parent may be proactive by requesting that the PPT develop positive behavioral interventions and supports in order to avoid the use of seclusion or physical restraint. Also, although there is no legal option for a parent to simply "opt out" of the use of seclusion or physical restraint, a parent may submit a letter that details, for the record, how the parent feels about the use of seclusion or physical restraint. A link to a "sample letter" is included.

No Restraint Sample Letter.

If a parent disagrees with the decision to include seclusion in the IEP, the parent has the right to object by utilizing the due process procedures.

Information on Seclusion and Restraint from various organizations:

Wrightslaw re: *Abuse & Restraints in School;*
Families Against Restraint and Seclusion;
OSEP Center on Positive Behavioral Intervention & Supports;
National Disability Rights Network.

Each team member brings important information to the PPT meeting. Members share their information and work together to write the child's Individualized Education Program. The student's strengths, needs and concerns are determined and documented on pages 4 and 5 of the IEP form. Each team member's information adds to the team's understanding of the child and to a determination of what services he or she needs. Parents may ask for the qualifications of the team members working with their child.

The PPT team determines if the child meets eligibility requirements for special education services and for specific related services. If so, an IEP will be developed to include appropriate goals and objectives, levels of service and placement for the child.

### Excusal from IEP Meetings

A member of the IEP team may be excused from attending a PPT meeting, in whole or in part, if the parent and the school agree, due to the fact that the member's area of the curriculum or related services is not being modified or discussed. If the member's area of expertise is being discussed, in order to be excused, the member must submit in writing to the parents and the team, prior to the meeting, his or her input into the development of the IEP. In both instances, parents must consent in writing.
Planning and Placement Team Attendance form.

## Team Members

**Parents** are key members of the PPT team. Parents know their child best, can describe their child's strengths and needs and can present their own ideas for enhancing their child's educational success. Parents can offer insights into how their child learns, what his or her interests are and other aspects of the child only a parent can know. Parents can listen to what other team members think their child needs to focus on at school and share their suggestions. They can also report on whether or not the skills their child is learning at school are being carried over at home.

**Teachers** are vital participants in the PPT meeting as well. At least one of the child's general education teachers must be on the PPT team, if the child is (or may be) participating in the general education environment. The general education teacher has a great deal to share with the team:

- the curriculum in the general education classroom;
- aids, services, or changes to the educational program that would help the child learn and achieve; and
- strategies to help the child with behavior, if behavior is an issue.

The general education teacher may also discuss supports needed for school staff to empower the child to:

- advance toward his or her annual goals;
- be involved and progress in the general curriculum;
- participate in extracurricular and non-academic activities; and
- be educated with other children, with and without disabilities.

Supports for school staff may include professional development, which is important for teachers, administrators, bus drivers, paraprofessionals, cafeteria workers and everyone who provides services for children with disabilities.

The child's special education teacher contributes important information and experience about how to educate children with disabilities:

- how to modify the general curriculum to help the child learn;
- the supplementary aids and services that the child may need to be successful in the general classroom and elsewhere;
- how to modify testing so that the child can show what he or she has learned; and
- other aspects of individualizing instruction to meet the child's unique needs.

Beyond helping to write the IEP and working with the child to carry out the IEP, he or she may:

- team teach with the general education teacher;
- work with the child in the general classroom, in a resource room or in a support services class devoted to children receiving special education services; and/or
- work with other school staff, particularly the general education teacher, to provide expertise about addressing the child's unique needs.

IDEA 2004 added a new definition, incorporated from NCLB, for "highly qualified" special education teachers who teach core academic subjects. Every Student Succeeds Act (ESSA).

### Additional Team Members

Another important member of the PPT team is an individual who can interpret a child's evaluation results and discuss the results in terms of designing appropriate instruction. The evaluation results are useful in determining how the child is progressing in school and his or her areas of need. This PPT team member must be able to talk about the instructional implications of the results to help the team plan appropriate instruction.

The individual representing the school system is also a valuable team member. This person knows about special education services and educating children with disabilities. He or she can talk about necessary school resources. It is important for this individual to have the authority to commit resources and ensure that whatever services are in the IEP will actually be provided.

The PPT team may also include additional individuals with knowledge or special expertise about the child. The parent or the school system may invite these individuals to participate on the team. For example, parents may invite an advocate, a professional with special expertise about the child and his or her disability or a vocational educator who has been working with the child and can speak about his or her strengths and challenges. Payment for experts invited by parents should be discussed in advance.

The school system may invite one or more individuals who can offer special expertise or knowledge about the student, such as a paraprofessional or related services professional. Because an important part of developing an IEP is considering a child's need for related services, related service professionals are often involved as PPT team members or participants. Related service professionals share their special expertise about the child's needs and how their own services may address those needs. Depending on the child's individual needs, related service professionals might include occupational or physical therapists, adaptive physical education providers, psychologists or speech-language pathologists. See List of Related Services on pages 20-21; Related Services.

When an IEP is being developed for a child of transition age (16 years old), representatives from transition service agencies may be important participants. Whenever the purpose of a meeting is to consider needed transition services, the school must invite a representative of any other agency that may be responsible for providing or paying for transition services, such as Dept of Disability Services or Dept of Children and Families. This person may help the team plan any needed transition services and can also commit the resources of the agency to pay for or provide the needed services. If he or she does not attend the meeting, the school must take alternative steps to obtain the agency's participation in the planning of the student's transition services. See transition services on page 20.

The child may also be a member of the PPT team. If transition service needs or transition services are going to be discussed at the meeting, the child must be invited to attend. More and more children are participating in and even leading their own PPT meetings. This allows them to have a strong voice in their own education and can teach them a great deal about self-advocacy and self-determination.

# THE EVALUATION PROCESS

## Identifying the Student's Strengths and Needs

The purpose of the evaluation/recommendation process is to identify the child's specific learning strengths, needs and concerns and to make recommendations. This is a problem-solving process that involves many ways of collecting information, such as informal and formal observations, a review of the child's background, schoolwork and records, discussions with parents and teachers, standardized and specialized testing, and checklists. The initial evaluations are conducted to determine if the child is eligible for special education and related services, and the specifics of his or her learning needs. This process also helps identify the child's strengths and abilities, which are equally important in planning future services. Subsequent evaluations will be needed, as the child develops.

Possible Components of Evaluation;
Timelines for Initial Evaluation.

Evaluations are conducted for different reasons:

**Screening:**
to identify children who may be experiencing learning difficulties.

**Eligibility:**
to determine if the child is eligible for special education and related services. Subsequently, each child receiving special education and related services will be re-evaluated at least once every three years (triennial review) to determine continued eligibility.

**IEP development and placement:**
to develop a plan of action and make recommendations and decisions about the child's program and placement.

**Instructional planning:**
to plan instruction appropriate to the child's specific strengths and challenges and to monitor its effectiveness.

The following are specific requirements that all schools must meet when evaluating the child's initial eligibility for special education services:

- The evaluation must be conducted by a multi-disciplinary team: a group of professionals with expertise in different areas, including at least one teacher or other specialist with knowledge in the area of the child's suspected disability;

- More than one evaluation instrument or procedure must be used as the basis for services. Evaluations may be all inclusive or limited to the area of the child's suspected disability;

- Tests must be non-discriminatory and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not possible to do so; and

- The team must collect information from a variety of sources, which may include observations, parent interviews and reviews of pertinent medical history.

Once the formal evaluation of a child has been completed, the Planning and Placement Team (PPT), including the child's parents, will discuss the results and will determine whether the child is eligible for special education and related services.

Prior to the PPT meeting during which the evaluation results will be discussed for the first time, the parents may request the results of the assessments and evaluations. If that request is made, the district must provide the evaluation results at least three days before the PPT meeting. Also, prior to that PPT meeting, the parents may meet with a member of the PPT to discuss the PPT process and any concerns that the parents have regarding the child. Parents should fully understand the results and conclusions drawn from the evaluation, so that they may work confidently with professionals in planning services for the child.

If parents disagree with an evaluation performed by school personnel or the recommendations, they may request an Independent Educational Evaluation (IEE) — a second opinion — at the district's expense, or they may choose to have another evaluation done at their own expense. Parents may, at any time, whether or not they disagree with the district's evaluation or recommendations, opt to have an IEE performed at their own expense.

Guidance for In-School Observation;
Disability Identification Process (State Dept Chart);
IEE Frequently Asked Questions;
IEE Advisory Memo and Guidance;
Procedural Safeguards.

## Independent Educational Evaluations

An Independent Educational Evaluation (IEE) is an evaluation conducted by a qualified examiner who is not employed by the school district.

- Parents have the right to request an IEE, at the district's expense, if they disagree with a district's evaluation or recommendations.
- If parents request an IEE at the district's expense, the district must, without unnecessary delay, either initiate a due process hearing to prove that its original evaluation is appropriate or ensure that an IEE is provided at the district's expense.
- Parents may obtain an IEE at their own expense at any time.
- When making decisions regarding a child's educational program, the district must consider the results of any IEE, including one paid for by the parents.
- The IEE must meet the standards for evaluation used by the school district.
- However, the parent also has the right to demonstrate unique circumstances to justify the use of an independent evaluator who does not meet those standards.

## Tips for Parents to Consider Concerning the Evaluation/Recommendations Process

✓ What is the purpose of each evaluation? Why is it being given?

✓ What areas will be evaluated? What information will be gained?

✓ What specific tests or portions of tests will be used and why?

✓ Whether you, as parents, or the district initiates an evaluation, be familiar with the qualifications of the evaluator. Get recommendations from people you respect before deciding whom to use.

✓ Does the evaluation need to be modified/adapted to compensate for your child's suspected disability?

✓ Are these evaluations administered in a language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally?

✓ When reviewing an evaluation, ask yourself, "Does this sound like my child?" "How does this compare with other evaluations?" "What is getting in the way of my child being able to learn?" "How does this impact my child's ability to be successful in school?"

✓ To ensure your understanding, get a copy of the evaluations and recommendations and discuss them with evaluators prior to the PPT meeting. It is helpful if the evaluator attends the PPT meeting and discusses and advocates for his or her own report with the team.

✓ If the district pays for the evaluation, it becomes the property of the district. If you pay for it, it is your property, and the results need not be shared with the school-based team. If you share the evaluation with the team, the team must "consider" the results and recommendations, and it becomes part of your child's educational records.

✓ If new to a school system, consider informing your child's school of past evaluations, services and supports, for example, therapies, counseling, medications or existing medical conditions.

✓ Prior to the PPT meeting, consider providing the school with copies of existing evaluations.

✓ Inform school personnel of any services your child receives independently, outside of school. Ask that providers collaborate so everyone is "on the same page."

✓ Understand that the end result of this process is a team decision regarding eligibility. You are a key member of the team and your input is valuable and essential.

# ELIGIBILTY FOR SPECIAL EDUCATION SERVICES

After the evaluation, the PPT team will meet to determine the eligibility of the child for special education and related services. Parents have the right to participate fully in this important meeting. The following definitions describe the areas of special needs/disabilities through which a child may qualify for special education services under IDEA. The results and conclusions of the child's evaluation will be compared with these definitions. If the results indicate that the child's condition meets the definition of one or more of the specific "eligibility categories" and that the child, due to that condition requires special education and related services, the PPT will determine that the child is eligible for those services and will develop an Individualized Education Program (IEP) of services that are appropriate for the child.

School personnel are prohibited from requiring a child to obtain a prescription for a controlled substance (e.g., Ritalin, Adderall) to attend school, receive an evaluation or receive special education services.

Definitions of federal eligibility categories for special education services:

**Developmental Disability**
A child (ages 3-6) who is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the following areas: physical, cognitive, communication, social, emotional or adaptive development, and who needs special education and related services.

**Autism**
A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three, that adversely affects a child's educational performance.

**Deaf-Blindness**
Co-existing hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children who are deaf or children who are blind.

**Deafness**
A hearing impairment that is so severe that it impairs the child's ability to process linguistic information through hearing, with or without amplification, and adversely affects a child's educational performance.

**Hearing Impairment**
A measurable hearing impairment which, with or without amplification, impairs linguistic processing and adversely affects educational performance.

**Emotional Disturbance**
A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree, which adversely affects educational performance:
a) an inability to learn, which cannot be explained by intellectual, sensory or health factors;
b) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
c) inappropriate types of behavior or feelings under normal circumstances;
d) a general pervasive mood of unhappiness or depression; or
e) a tendency to develop physical symptoms or fears associated with personal or school problems.

**Intellectual Disability**
Significant below-average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a child's educational performance.

**Multiple Disabilities**
A number of identifiable disabilities, the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the disabilities; this does not include children who are deaf-blind.

**Orthopedic Impairment**
A severe orthopedic impairment that adversely affects the child's educational performance. The term includes impairments caused by congenital anomalies, impairments caused by disease and impairments from other causes, but does not include a temporary condition that is anticipated to be of fewer than three weeks' duration. (For short-term impairments, see Section 504)

**Other Health Impairment (OHI)**
Limited strength, vitality or alertness, including a heightened alertness to environmental stimuli that results in limited alertness with respect to the educational environment, which is due to chronic or acute health-problems, including but not limited to **ADD/ADHD**, Tourette Syndrome, diabetes, epilepsy, neurological impairment and heart conditions and are expected to last more than three weeks. (For short-term impairments, see Section 504).

**Specific Learning Disability**
A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or do mathematical calculations. The term shall not include children who have learning problems that are primarily the result of hearing.

**Identifying Children with Specific Learning Disabilities**
Because children with learning disabilities now account for over one-half of all children receiving special services, many experts believe that the majority of identified children are victims of poor teaching. IDEA 2004 changed the manner of identifying children with such learning disabilities from a discrepancy ("wait-to-fail") model to a Response to Intervention (RTI) model. Schools shall, therefore, no longer be required to take into consideration whether or not a child has a severe discrepancy between achievement and intellectual ability (whether it be in oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, mathematical calculation or mathematical reasoning). Instead, schools are strongly urged to use a process that determines if the child responds to scientific, research-based intervention.

If a child does not respond to instruction that is effective for the vast majority of children — does not show responsiveness to a series of interventions — there is

something different about the child that is causing the non-responsiveness. Under the RTI model, that child is considered to have a learning disability and to be in need of special instruction. (See Page 8); State Dept RTI Executive Summary; Wrightslaw Special Education Advocate on RTI; Wrightslaw Parent Guide.

**SLD/Dyslexia**
A condition within the **Specific Learning Disability** eligibility category that is listed separately on the IEP form. Dyslexia impacts reading, specifically decoding and accurate and/or fluent word recognition, and spelling.

**Speech and/or Language Impairment**
A communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, which adversely affects a child's educational performance.

**Traumatic Brain Injury (TBI)** An acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, which adversely affects a child's educational performance.

**Visual Impairment**
A measurable visual impairment that, even after correction, continues to adversely affect the child's educational performance. The term shall include both partially sighted and blind children.

See Publications Related to Special Education:
Identification and Education of Children and Youth with Autism;
Identifying and Educating Students with Emotional Disturbance;
Identifying Children with Intellectual Disability;
Identifying Children with Learning Disabilities;
Report on Attention Deficit Hyperactivity Disorder (ADHD); SLD/ Dyslexia Assessment Resource Guide;
Disability Identification Process (State Dept Chart).

**Tips for parents**

✓ Get organized!

✓ Start a home file to include an accurate journal of meetings, phone calls, letters, etc.

✓ Put every request, concern and objection in writing to all involved.

✓ Compile a binder with tabs for evaluations, IEPs, samples of current performance (such as writing samples, classroom tests, projects, activities and homework) and written communications. Include a chart listing all evaluations by date, evaluator, test given, major areas of concern and recommendations.

✓ Make two copies of all evaluations/reports, one to keep as an original and one to use as a working copy.

✓ Be sure to bring this file with you to all meetings regarding your child.

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### The IEP: A process and a document

The development of the IEP gives parents the opportunity to work with educators as equal partners to identify their child's needs, what will be provided to meet those needs and what the anticipated outcomes may be. The process of collaborative goal setting allows both educators and parents to combine their separate areas of expertise to plan for the specific needs of a child.

The IEP is also a legal document, a written description of the program developed for the child. It is a written statement of the resources the school agrees to provide. The IEP document will be written at the PPT team meeting. A proposed IEP, labeled DRAFT, may be presented at or prior to the meeting, but changes should be made as the team works together to develop the student's program.

Parents should familiarize themselves with each page of the IEP form and how to fill it out properly.

# CONTENT AREAS OF THE IEP

IDEA 2004 requires that the IEP include certain information about the child and the educational program designed to meet his or her unique needs. Read through State Dept IEP Manual and Forms, page by page.

### Present levels of performance

The IEP must include a statement of the child's present levels of academic achievment and functional performance, based on objective data from assessments. This information may come from evaluation results (such as classroom tests and assignments), tests given to determine eligibility for services, reevaluations and observations made by parents, teachers, related service providers, school staff or experts. The statement also includes a reference to how the child's disability directly affects his or her involvement and progress in the general curriculum. Parental input is essential.

### Annual goals

These are goals that the student can reasonably accomplish in a year. The goals are broken down into short-term objectives or benchmarks. Goals may be academic, functional, focus on social or behavioral needs, relate to physical needs or activities of daily living or address other educational, non-academic or extracurricular needs. The goals must be measurable, meaning that it must be possible to measure whether or not the child has achieved the goals. A good acronym to keep in mind when writing goals and objectives is SMART: Goals should be **S**pecific, **M**easurable, **A**ctive, **R**elevant & **R**ealistic, and **T**ime-limited. See pages of State Dept IEP Manual; Measurable Goals.

### Measuring educational progress

The IEP must state how the child's progress toward meeting his or her annual goals and objectives will be measured and how and when parents will be informed of that progress. In order to help parents monitor their child's progress, they will receive an IEP update on a quarterly basis, along with the child's report card.

### Transition planning

Beginning when the child is age 15 (or younger, if appropriate), the IEP must address transition planning. It must include appropriate, measurable post-secondary goals, based upon age-appropriate transition assessments, related to training, education, employment, independent living skills, where

appropriate, and the transition services needed to assist the child in reaching these goals. For example, it must help the child plan the courses of study that he or she needs to take, such as advanced placement or vocational education, so that the classes taken will help the child reach his or her post-secondary goals. A statement of transition services must also be included in each of the child's subsequent IEPs.

### Needed transition services

This is a results-oriented process that improves the academic and functional achievement of a child with a disability and facilitates his or her transition from school to employment and further education. Beginning when the child is age 16 (or younger, if appropriate) or age 14 if the child has autism spectrum disorder, the IEP must state what transition services are needed to help the child prepare for leaving school. This involves providing the child with a coordinated set of services to help him or her move from school to adult life. Services focus upon the child's strengths, challenges or interests in such areas as higher education, vocational training, employment, adult services, independent living or community participation.

### The Summary of Performance (SOP)

During the final year of a student's high school education, the school shall provide The Summary of Performance (SOP) to a student whose eligibility to receive special education services ends due to: (1) graduation from secondary school with a regular diploma; or (2) exceeding the age of eligibility. The document must include a summary of the student's academic achievement and functional performance and recommendations on how to assist the student in meeting his or her post-secondary goals. The SOP is critical as a student transitions from high school to higher education, training and/or employment. It is also necessary, under Section 504 and the Americans with Disabilities Act, to establish a student's eligibility for reasonable accommodations and supports in post-secondary settings, and for the Bureau of Rehabilitation Services, the Dept of Disability Services or any agency requiring documentation to provide services and/or reasonable accommodations for a student. SOP and Instructions.

### Dates and places

The IEP must state when services will begin, how often they will be provided, where they will be provided and how long they will last.

### Age of majority

Beginning at least one year before the child reaches the age of majority, age 18, the IEP must include a statement that the child has been told of any rights that will transfer to him or her at the age of majority.

### Special education and related services

The IEP must include a statement of the special education and related services, which are based on peer-reviewed research to the extent practicable, that will be provided to the child, as well as the supplementary aids, services and supports that will be provided to enable the child to benefit from special education and to participate with non-disabled peers in extra-curricular and non-academic settings. It should also include a statement of the program modifications (changes) and supports for school personnel, such as training and professional development, which will be provided to assist the child. It is important for parents to know who will be providing the services to the child and the staff and what the provider's qualifications are.

If a child needs a particular related service in order to benefit from special education, the related service professional should be involved in developing the IEP.

The related service professional may be invited by the school or parent to join the PPT team as a person "with knowledge or special expertise about the child." A child may require any of the following related services in order to benefit from special education. Related services, as listed under IDEA, include, but are not limited to:

- Audiology services
- Physical therapy
- Counseling services
- Psychological services
- Early identification and assessment of disabilities in children
- Recreation
- Rehabilitation counseling services
- Medical services
- School nurse and health services
- Occupational therapy
- Social work services in schools
- Orientation and mobility services
- Speech-language pathology
- Parent counseling and training
- Transportation

Supplementary Aids and Services.

See State Department Publications Related to Special Education: Guidelines for Occupational Therapy in Connecticut Schools; Guidelines for Physical Therapy in Connecticut Schools; Guidelines for Speech and Language Programs.

### Participation with non-disabled peers

The IEP must explain the extent, if any, to which the child will not participate with non-disabled peers in the general education class and other school activities.

### Participation in state- and district-wide tests

Most states and districts give achievement tests to children in certain grades or age groups. The IEP must state what appropriate accommodations or modifications in the administration of these tests the student will need to measure his or her academic achievment or functional performance. If an assessment is not appropriate for the student, the IEP must state why it is not appropriate and the particular alternate assessment that is appropriate, i.e., how the student will be tested instead.

### Extended school year

ESY is for children who need continuous services in order to maintain the skills they have learned, which are identified in their IEPs. ESY commonly refers to programs that take place in the summer or during school vacation for eligible children receiving special education services.

Every year, at a PPT meeting, eligibility for ESY is determined by examining a number of regression and recoupment factors, as well as any non-regression factors, such as: the nature and severity of the disabling condition, the child's progress in areas of learning critical to attaining the child's goals of self-sufficiency and independence from caregivers, the child's interfering behaviors that prevent him or her from receiving some special educational benefit from the school-year program, the child's emerging skills and other special circumstances. Parents should make sure their child's ESY needs are addressed at a PPT meeting early enough in the year so that an appropriate ESY program will be in place when needed.

State Dept ESY Topic Brief.

### Assistive technology plan

One of the related services under IDEA 2004, assistive technology includes any item, piece of equipment or system used to increase, maintain or improve the developmental capabilities of the child with special needs. An assistive technology evaluation by a trained professional may be needed to determine what equipment is appropriate.

Guidelines for Assistive Technology.

■ **Modifications and accommodations,** including those for non-academic and extracurricular activities, must occur, if necessary, in the general education environment. The list of examples is extensive. Ask to see the State Department list at your PPT meeting.
Frequently Used Modifications and Accommodations (Page 22 of the April 2017 State Department IEP Manual and Forms);
IEP Adaptation and Modification Checklist;
PEATC Accommodations;
Difference Between Modifications and Accommodations.

■ **Functional behavioral assessment** (if needed)
IDEA 2004 mandates a behavioral intervention plan (BIP) to address the child's behavior, if it impedes his or her learning or that of others. If necessary, the team may request that a functional behavioral assessment (FBA) be performed by a qualified expert and, subsequently, that a plan be developed and implemented.

Functional Behavioral Assessments; FBA template; Behavioral Intervention Plans.

■ **Placement**
The child's placement (where the IEP will be carried out) must be decided. The placement decision is made by a team, which includes the parents and others who understand the child's profile, what the evaluation results mean, and what type of placements are appropriate. Placement decisions must be made according to IDEA's least restrictive environment requirements, commonly known as LRE. These requirements state that, to the maximum extent appropriate, children with disabilities must be educated with children who do not have disabilities.
See page 25 (Continuum of Services Chart); Consent for Provision of Special Education; LRE Procedural Checklist.

Parents should familiarize themselves with the use of an IEP Matrix, which presents a child's objectives, supports, staff and daily activities and settings in an easy-to-read visual format. If possible, the team should complete a matrix for a fuller understanding of the child.

All recommendations made at the meeting will be summarized on page 2 of the IEP document. The actions recommended by the team, the actions considered but not recommended by the team and any actions refused by the district or parents should be clearly stated on the "Written Prior Notice" page, page 3. If parents need additional time to consider the recommendations, they may request an adjournment. Unless they formally disagree, the IEP will be implemented five days after the mailing of the IEP containing the prior written notice information. No signature is required on the IEP document itself.

The parents have the right to request an additional PPT meeting to review, revise or disagree with the decisions outlined in the IEP document.

**Parental signature** is required only under these conditions:

■ Consent to conduct an initial evaluation or reevaluation of the child.
Notice and Consent to Conduct an Initial Evaluation; Notice and Consent to Conduct Reevaluation.

■ Consent for initial provision of special education services.
Consent for Initial Provision of Special Education Services.

■ Consent for private out-of-district placement is only needed if that placement is the initial provision of special education services.

**Private school placement by parents**
When parents enroll their child in a private school, the child may be eligible to receive some special education and related services

from the school district that serves the town where the private school is located. The services that the child will receive are described in a "service plan."

However, "parent placed" children are not automatically entitled to receive any or all of the IEP services that they would have received if they were enrolled in public school. What services these children receive is entirely dependent on the school district's decisions regarding the way that they will spend the portion of their special education funding that legally must be used for services to children in local private schools.

More information regarding this complicated subject is available in a booklet at the U.S. Department of Education website.

### Unilateral private school placement by parents

If parents are enrolling their child in a private school because they believe that the child's school district has not offered appropriate services for the child, the parents may be entitled to receive full or partial reimbursement for this "unilateral placement," if they show, through due process procedures, that:

- The district had not made an appropriate program available to the child in a timely manner; and
- The private school is able to meet the child's educational needs.

Further information is available on pages 40-41 of the Procedural Safeguards ("Requirements for Unilateral Placement by Parents of Children in Private Schools ").

### Federal Guidelines Regarding Placement

- Schools must provide education as close to the child's home as possible and must allow the child to participate in extracurricular and non-academic activities with non-disabled children to the maximum extent appropriate.
- Schools must provide a continuum of placement options (e.g., general education classes, general education classes with minimal support, general edu-cation classes with one-to-one assistance, special education classes) and supplementary and related services (e.g., adaptive physical education, speech services).
See page 25.
- Special classes, separate schooling or otherwise removing the child from the general education environment should occur only when the nature or severity of the child's disability is such that education in general education classes cannot be achieved satisfactorily, even with the use of supplementary aids and services.
- If the child is removed from a general education classroom, the school must work to return the child to the general education classroom as soon as possible.

# Reviewing and Revising the IEP

The PPT team must review the child's IEP at least once a year. One purpose of this review is to see whether or not the child is achieving his or her annual goals. The PPT team must revise the child's IEP, if necessary, to address:

- the child's progress or lack of expected progress toward the annual goals and in the general curriculum;
- the results of any reevaluation of the child, or the need for future evaluations;
- information provided by the parents;
- information about the child that the school shares, for example, insights from teachers based on observations of the child or the child's classwork;
- any anticipated needs;
- the appropriateness of the child's program;
- the need to contract with another agency to provide an appropriate program; or
- the need to utilize some other mechanism or arrangement that is consistent with IDEA 2004 for providing or paying for an appropriate program for the child.

The IEP may be revised without convening a PPT meeting, if the parent and school agree in writing. The PPT team must write a document describing any changes or modifications to the IEP and note that, by agreement of the parties, a PPT meeting was not held. If changes are made to the IEP without a PPT meeting, the child's complete PPT team must be informed of the changes.

### Agreement to Change an Individualized Education Program Without Convening a Planning and Placement Team Meeting.

Another IDEA 2004 addition is that school meetings do not have to be face-to-face. PPT and placement meetings, mediation meetings and due process resolution sessions may be convened by conference calls or video-conferences.

# Triennial Evaluation

The student must be re-evaluated at least once every three years. This evaluation is often called a "triennial." Its purpose is to find out if the student continues to be a "child with a disability," as defined by IDEA 2004, and what the student's educational needs are. However, the student must be re-evaluated more often if conditions warrant or if the student's parents or teachers request a reevaluation.

# LEAST RESTRICTIVE ENVIRONMENT (LRE)

## Placement Options on the Continuum of Services

LEAST RESTRICTIVE

**General education class with monitor status.**

**General education class with or without consultation or specialized materials provided by special education staff.**

**General education class with instruction/services by classroom teacher and remediation/support by paraprofessional aide, special education staff and/or related service providers. This is often referred to as collaboration, consultant/teacher or "push-in" model.**

**Direct instruction in resource room, provided by special educator and/or related services staff for a portion of the child's day.**

**Placement in an intensive special education program support center/self-contained class for a portion of the child's day, within the child's neighborhood school.**

**Placement in a support center or self-contained class for a full-day program.**

**Special day schools (public or private) for children whose needs cannot be met in a neighborhood school.**

**Tutoring at home or at a community location.**

**Special residential, therapeutic facility, which includes an academic program; hospital or hospital-related setting with instruction.**

MOST RESTRICTIVE

See pages 22-23 regarding Placement;
LRE Procedural Checklist.

# EVALUATION TIMELINES

Connecticut and Federal regulations have somewhat different evaluation timeline requirements regarding the first evaluation of whether a child needs special education services. ***Connecticut***: the child must be evaluated and have the first IEP implemented no later than 45 school days from the date of the referral for special education. ***Federal***: the PPT must complete the child's initial evaluation regarding eligibility within 60 calendar days from the date of the referral for special education.

**SDE has indicated that the child's evaluation must meet the Connecticut timeline requirements.**

Neither of these timeframes includes whatever time it takes to obtain parental consent for evaluation and parental consent for providing special education.

If requested, the school district must provide the parents with the results of the assessments and evaluations, which will be used to determine eligibility for special education, at least three school days before the PPT meeting.

When using the "45 school days" timeframe: If the referral has been made during a summer school vacation, the effective date of the referral is the first school day of the next school year.

SDE encourages school districts to complete evaluations during the summer so that the child, if eligible for special education services, will have an IEP in place at the beginning of the school year.

The child must be reevaluated at least every three years, unless the parents and school district agree that a reevaluation is not necessary.

The child may be reevaluated not more than once per year, unless the parents and school district agree otherwise.

Except for the first evaluation regarding eligibility for special education, there is no specific timeline for the completion of an evaluation.

SDE Guidance regarding Timelines for Initial Evaluation.

# IEP TIMELINES

## IEP services must be provided as soon as possible after the PPT develops the IEP

The written IEP must be sent to the parents within five school days of the PPT meeting at which the IEP was developed.

IEP services must be provided as soon as possible after the PPT develops the IEP. SDE advises that a reasonable time for school districts to begin to provide IEP services is 10 school days after the parents have received a written copy of the IEP.

Connecticut and Federal regulations have somewhat different IEP timeline requirements. ***Connecticut:*** the child's first IEP must be implemented no later than 45 school days from the date of the referral for special education or 60 school days for an out-of-district or private placement. ***Federal:*** the PPT must complete the child's initial evaluation regarding eligibility within 60 calendar days from the date of the referral for special education AND must meet to develop the first IEP within 30 calendar days after determining that the child needs special education services. Neither of these timeframes includes whatever time it takes to obtain parental consent for evaluation and parental consent for providing special education.

**SDE has indicated that the child's IEP development and implementation must meet the Connecticut timeline requirements.**

When using the "45 school days" timeframe: If the referral has been made during a summer school vacation, the effective date of the referral is the first school day of the next school year.

Parents must have 10 school days to review the written IEP before PPT decisions take effect. However, the parents and school district can agree to an earlier start date for the services.

Except for the first IEP, there is no specific timeline for the implementation of an IEP other than the "as soon as possible" mandate.

SDE Chart regarding Timelines for Initial Evaluation and IEP Implementation.

**Prepare,**

**prepare, prepare.**

**Knowledge of**

**your child, the**

**school system**

**and federal and**

**state laws and**

**regulations will**

**empower you to**

**become a more**

**effective advocate.**

**Tips for parents to consider:**
**Before the PPT Meeting**

✓ Write a list of concerns or issues that you feel are important to discuss. Try to resolve any questions or concerns you have prior to the PPT meeting, so your meeting time can be used productively to formally agree on a plan. With prior discussion, there should be no surprises at this meeting.

✓ Prepare your own questions and items to address. Ask for a blank copy of the IEP form showing the components, and prepare questions you would like to discuss at the meeting. Bring the list with you.

✓ In order to be an informed participant in the process, request that the school provide you with the evaluations and proposed goals, objectives and placement recommendations in advance of the PPT meeting.

✓ The written notice of the PPT meeting will include a list of attendees. Review the list to make sure it includes all necessary school and outside personnel. Notify the school if you intend to bring someone from outside the school (for example, a friend, relative, advocate or outside evaluator). It may be someone who has knowledge of your child and his/her specific needs or someone just to take notes for you while you listen. Knowledge of special education services is helpful, but not necessary.

✓ Talk to other parents who have attended PPT meetings to learn from their experiences. Attend local support groups, conferences, informational meetings, and seminars. Upcoming Events.

✓ Know your child: Prepare a sample parent vision statement that describes your child; provide a list of your child's strengths, challenges, preferences and learning styles. Bring samples of your child's work and any helpful recent evaluations done outside of school. Consider bringing your child, if appropriate.

**Always keep in mind that special education is not a place but a set of services and supports most appropriate to assist your child and meet his or her needs.**

## Tips for parents to consider: During the PPT Meeting

✓ Take notes or have someone take notes for you. Consider tape recording the meeting to share with your partner or review what was discussed. If you decide to record the meeting, notify the school ahead of time, because they may also want to record.

✓ Make sure all required team members are present. Only *consider* consenting to the excusal of a team member if his or her input has been submitted in writing and the member's area of service is not being modified or discussed.

✓ Be a good listener. Listen to the staff's professional opinions about your child. School personnel may be good advocates for your child, too.

✓ Remember, you are an expert in your child's development. Be prepared to share your observations of your child's functioning in areas such as: activities of daily living, movement, communication, social relationships, behavior, independence, preferences and problem solving.

✓ Consider presenting your opinions to the team members in a prepared written statement that you have developed prior to the meeting.

✓ Be prepared to share your observations about the way your child learns best. He or she may learn best by: touching, moving, holding, drawing or writing (kinesthetic learner); seeing, looking or watching (visual learner); working in groups with other children; working alone or with one friend; listening, hearing, repeating or talking about new things (auditory learner); or singing.

✓ Be prepared to share your educational expectations for your child and what outcomes you would like to see him or her accomplish during the year. It is helpful to share your vision for your child's future with the team: your child's strengths and challenges, types of supports that may be beneficial and pre-vocational and vocational needs. It is important that everyone is heading towards the same goal. Be sure to include the extent of progress you would like to see your child make during the year.

✓ Be sure to consider all supports and services to help your child succeed, such as assistive technology, supplementary aids and services, related services, adapted or modified curriculum, special equipment or an educational consultant.

**The Congress finds the following: Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society ...**

## Tips for parents to consider: During the PPT Meeting continued

✓ Request a copy of the Frequently Used Accommodations and Modifications list from the school. See page 22.

✓ Consider a variety of different ways and times for integrating services into your child's program.

✓ Consider the potential benefits and risks of services that take your child away from the regular education classroom. More is not always better.

✓ Who will provide the services and what are his or her qualifications?

✓ What will the services entail?

✓ How will the therapists and teachers communicate with each other and how often?

✓ How will you receive information concerning your child's services and his or her progress: daily reports, phone calls, a weekly journal, monthly meetings, e-mails?

✓ Will the service be delivered individually or in a group?

✓ Will the service be provided in the general classroom?

✓ If you do not understand something, ask that it be re-stated.

✓ Familiarize yourself with the IEP form. Make sure everything in the IEP document is clear, specific and accurate.

✓ Make sure your input is included in the *Parent and Student Input and Concerns* section on page 4 of the IEP document: Present Levels of Academic Achievement and Functional Performance.

✓ If you make requests that are refused, make sure they are included under the *Actions Refused* section on page 3 of the IEP document: Prior Written Notice.

✓ When differences of opinion arise, talk them out.

✓ Use an IEP Matrix to present objectives, supports, staff and activities in a visual, easy-to-access format.

✓ If you feel pressured or overwhelmed, it is okay to take a break. Leave the room, take a walk and reconvene. If you don't feel you can continue without time out to think about what you have heard, you may ask that the meeting be continued at a later date. In addition, if you believe that the meeting and/or IEP goals are incomplete, you may adjourn the meeting and reconvene at a later date.

✓ No signatures are required on the IEP document itself.

✓ The IEP will be implemented five days after you receive it, unless you formally disagree at the PPT meeting. So, if in doubt, speak up.

## Tips for parents to consider: After the PPT Meeting

✓ Within five school days, you should receive a copy of the IEP.

✓ Read the entire IEP: make sure you understand it completely and that it accurately reflects all decisions made at the meeting. It is often helpful to compare it to previous IEPs and to the tape recording.

✓ If changes or additions need to be made, be sure to send a copy of them in a written addendum to your case manager. Remember, you may always request another PPT meeting.

✓ Discuss your child's IEP with your child's teachers (including "specials") and related service providers, and understand how the goals will be implemented across curricula -- in every classroom, cafeteria, gym, etc.

✓ Meet with your child's case manager to understand his or her role in coordinating your child's services.

✓ Take the time to explain any special equipment your child uses at home, and make sure you understand any special equipment he or she uses in school and may bring home.

✓ Inform teachers of activities and significant events that may influence your child's performance.

✓ Ask that samples of your child's work be shared with you. If you have questions, make an appointment with the teacher(s) or therapist(s) to discuss new strategies to meet your child's goals.

✓ Be an active volunteer presence in your child's classroom and school.

✓ While in the classroom, observe how your child participates and interacts with others, both peers and adults.

✓ Speak with your child about what's going on in school. If there are concerns, speak with another member of the PPT team.

✓ Does your child seem to be making progress toward his or her IEP goals? If not, and you see it first, take the initiative to contact the school and talk about it.

✓ Let the school know that you would like to be called for your input, when needed.

✓ Informal conferences may be convened at any time with any or all team members. Together, you and the school personnel may then address your child's needs as they become evident.

✓ Review the Procedural Safeguards, IEP Manual and Forms, and IEP Accommodations, Adaptations and Modifications checklists. Procedural Safeguards; State Dept IEP Manual and Forms; Adaptation and Modification Checklist; PEATC Accommodations.

✓ Remember that you are the one constant in your child's life and educational program. Step up to the challenge.

# PROCEDURAL SAFEGUARDS

## If Parents Don't Agree with the IEP

There are times when parents may not agree with the school's recommendations about their child's education. Under the law, parents have the right to challenge decisions about their child's eligibility, evaluations, placement and the services he or she receives. If a parent is not satisfied with any aspect of a child's special education program, there are alternatives, referred to as due process rights, that may be pursued.

A parent may request either mediation or a due process hearing on those matters that are in dispute. While due process is pursued, the child may remain in his or her present educational placement ("stay put"), unless the parent and public school district agree otherwise.

Procedural Safeguards;
Complaint Process Information;
Complaint Form;
Mediation Request Form;
Due Process Request Form.

**Try to Reach an Agreement**

Parents should talk with school officials about their concerns and try to reach an agreement. Sometimes the agreement may be temporary. For example, the parents and school may agree to try a plan of instruction or a placement for a certain period of time and see how the child does. This is referred to as a "diagnostic placement" and requires that specific legal guidelines be followed.

**Ask for Mediation**

Mediation is a voluntary process that may be used to resolve disputes between school districts and parents of a child with a disability. The law requires the mediation process to meet certain specific conditions.

• Mediation must be voluntary on the part of both parties: the parents and the school district. In other words, both parties must agree to take part.

• Mediation may not be used by the school district to deny or delay a child's right to a hearing or to deny any other hearing or to deny any other rights under IDEA 2004.

• Mediation must be conducted by a qualified and impartial mediator trained in effective mediation techniques.

• Each session in the mediation process must be scheduled in a timely manner and held at a location convenient to the parties in the dispute.

• If a solution to the presenting problem is reached by the parties involved, it must be set forth in a written mediation agreement.

• Discussions that occur during the mediation process are confidential; they may not be used as evidence in future due process hearings or civil proceedings.

**Assignment of Mediators**

The State Dept of Education contracts with qualified individuals to serve as mediators and, upon receipt of a mediation request, assigns a mediator to assist the parents and school district to reach an agreement. These mediators are neither current nor former State Dept of Education employees.

**File for Due Process**

Unlike mediation, a due process hearing is a formal, legal procedure. Like mediation, a due process hearing may be initiated concerning any matter related to the child's identification, evaluation, educational placement or aspect of his or her special education services.

If the parents and district disagree on an issue and the parents want to request a due process hearing, they must do so within two years. It is best, however, to do so as soon as possible. As part of its ongoing responsibilities under IDEA 2004, the school district is required to give parents notice of the two-year deadline.

When either party requests a due process hearing, the requesting party must provide the other party with a Due Process Complaint Notice (which is to remain confidential). The Notice must include identifying information about the child, nature of the problem, facts and a proposed resolution. No hearing may occur until Notice is served.

Within 15 days of receiving the parent's Due Process Complaint Notice, the school district is required to convene a **resolution meeting,** the purpose of which is to provide the parties with an opportunity to resolve their complaint before a due process hearing. It is not a PPT meeting or a mediation. The district must send relevant members of the PPT team who have knowledge of the facts in the complaint and a district representative who has decision-making authority, i.e., settlement authority. The district may not include its attorney unless parents bring their attorney.

The resolution meeting may be waived by the district and parents in writing or if both parties agree to use the mediation process instead.

A due process hearing involves a hearing officer (impartial third party) who hears the evidence presented by the parents and the district (including the testimony of witnesses) and who subsequently issues a decision based upon the evidence and the requirements of IDEA 2004.

Hearing officers must be knowledgeable about the law, federal and state regulations and case law. They must have the knowledge and ability to conduct hearings and write decisions in accordance with appropriate standard legal practice.

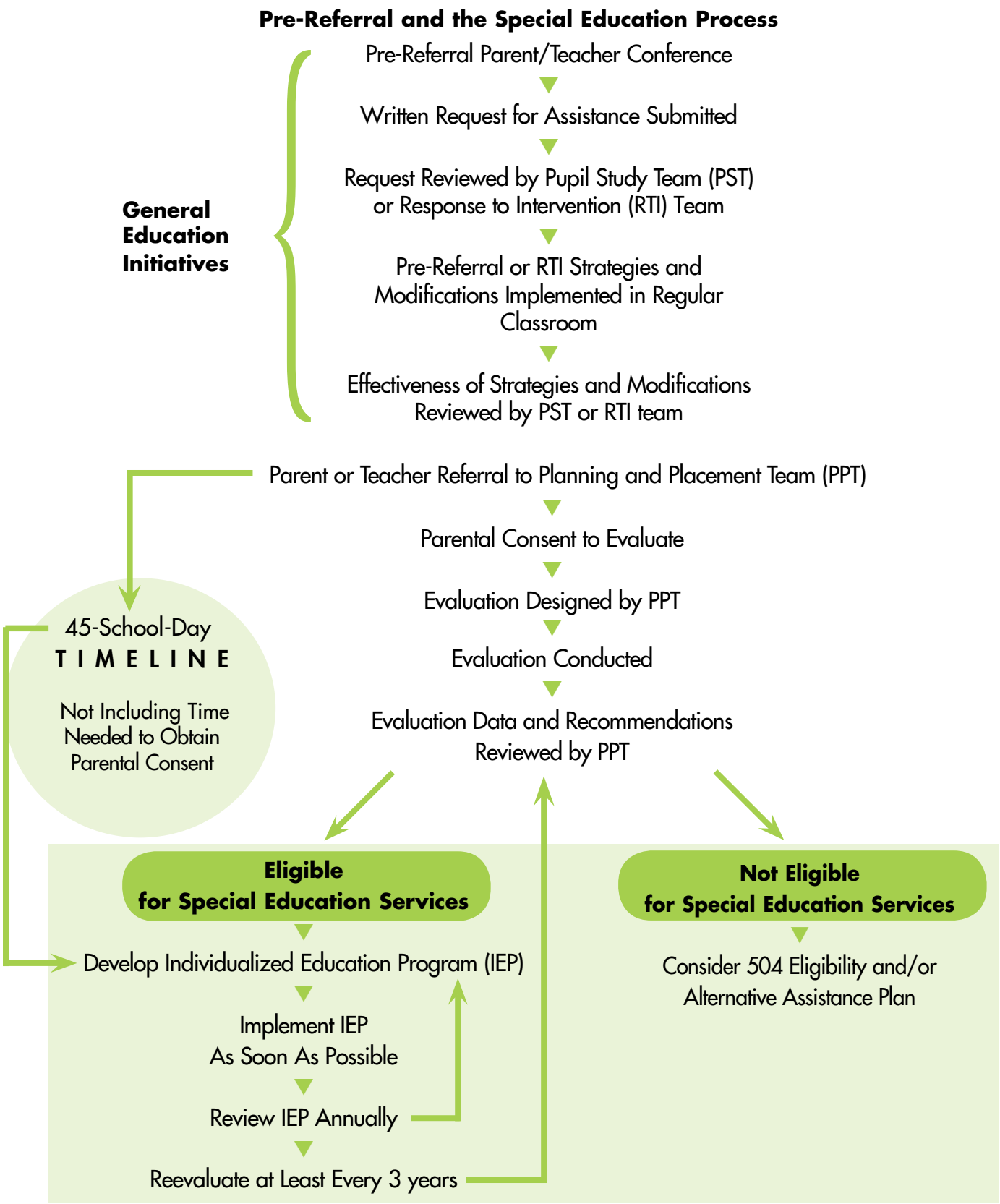
**Ask for an Advisory Opinion**

Connecticut also offers an Advisory Opinion Process, a streamlined hearing, during which the parties offer basic evidence and the testimony of witnesses. The hearing officer renders an oral opinion based upon the information. An advisory opinion is non-binding. If the parents or the school district disagree with the hearing officer's opinion, either party may pursue other forms of resolution, such as mediation or a due process hearing.

**File a Complaint with the State Education Agency**

This process is for complaints alleging that the public school district has violated a substantive requirement of federal or state law regarding special education. It is separate from mediation and a due process hearing. If parents wish to file a complaint, they must do so by writing directly to the Complaint Resolution Officer, CT State Dept of Ed, Bureau of Special Education, P.O. Box 2219 – Room 364, Hartford, CT 06145-2219. If your complaint is similar in facts and scope to other complaints within your district (i.e., is systemic), you may ask the State Dept to conduct a district-wide review. Complaint Form.

# Overview of the Process



# FEDERAL OVERVIEW

## Individuals With Disabilities Education Improvement Act (IDEA 2004)

P.L. 108-466 December 3, 2004.

Every child age 3 through 21 (or younger, if they have already graduated with a high school diploma), who has been determined by appropriate evaluations to be a child with an identified disability and who, for that reason, needs specialized instruction, has the right to a free appropriate public education (FAPE) in the least restrictive environment (LRE). To be eligibile for services, a child must fit into a federal category, as explained in detail on pages 16-18. This right is guaranteed by federal and state laws.

In 1975, The Education for All Handicapped Children Act, an entitlement statute, was signed into law to insure that the educational rights of children with special needs were protected and that school districts provided these children with an education that met their needs. In 1990, this act was amended and renamed the Individuals With Disabilities Education Act, or IDEA, and in 1997, it was reauthorized. In 2004, IDEA was again reauthorized and renamed the Individuals with Disabilities Education Improvement Act (IDEIA or IDEA 2004). It emphasizes the importance of three core concepts:

1. the involvement and progress of each student with a disability in the general curriculum and extracurricular activities, and the need to address each student's academic achievement and functional performance and the unique challenges that arise from the student's disability;

2. the involvement of parents and students, together with general and special education personnel, in making individual decisions to support each student's educational success; and

3. the preparation of students with disabilities for further post-secondary education, employment and independent living.

By reauthorizing IDEA in 2004, Congress confirmed that research and practice in special education and related disciplines over the past 20 years had demonstrated that an effective educational system:

- must provide early intervention services that are based on proven methods of teaching and learning and replicable, peer-reviewed scientific research, when possible;

- must maintain high academic standards and clear performance goals for students with disabilities, consistent with the standards and expectations for all students;

- must provide appropriate and effective strategies and methods to ensure that students with disabilities have maximum opportunities to achieve those standards and goals;

- must use effective, research-based reading remediation programs, so all children are reading at grade level by the end of third grade; and

- should include **Universal Design for Learning**: a philosophy of initially designing and delivering products and services, such as curricula, instruction and evaluations, in multiple, flexible methods of presentation. For example, materials may be presented orally, visually, as videos or DVDs, in song, as books on tape, or as hands-on activities.

The object of extending Universal Design, an architectural concept, into the school and classroom was:

- to benefit as many potential users as possible;
- to reach out to students with diverse abilities;
- to accommodate students who speak various languages;
- to prevent students with different learning needs from feeling stigmatized; and
- to "get it right" the first time and not have to "retro-fit" educational services or products.

Another underlying focus of IDEA 2004 was the desire to reduce paperwork and staff time spent in meetings. For example, under certain circumstances: (1) staff may be excused from PPT meetings; (2) there are alternate ways to participate in PPT meetings; and (3) specified states are piloting multi-year IEPs. Connecticut is not one of the pilot states.

Information on IDEA from various organizations:
The IDEA Improvement Act of 2004;
Wrightslaw on IDEA 2004 Statute and Regulations;
IDEA Partnership;
LD Online;
Center for Parent Information and Resources.

# Rehabilitation Act Section 504

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that prohibits discrimination on the basis of an individual's disability. The purpose of Section 504 is "to empower individuals with disabilities to maximize employment, economic self-sufficiency, independence, and inclusion and integration into society."

Students who do not meet IDEA 2004 eligibility requirements, as discussed on pages 32–33, but who need assistance to access school programs and prevent discrimination, may benefit from Section 504 and a 504 Plan for reasonable accommodations and/or modifications. All students eligible under IDEA 2004 are also protected under Section 504.

Section 504 applies to students, employees and the parents of students who attend public schools or any program operated by a recipient of federal funds. Section 504 states that no otherwise qualified individual with a disability in the United States shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The key regulations concern access to programs and reasonable accommodations.

To be eligible for protections under Section 504, an individual must have a physical or mental impairment that substantially limits one or more major life activity, such as: walking, breathing, speaking, hearing, seeing, learning, reading, writing, performing math calculations, working, performing manual tasks or caring for oneself.

A student with a 504 Plan is not entitled to an IEP designed to meet his or her unique needs and from which he or she may receive educational benefit. Rather, for a student with a 504 Plan, the school must identify the services or other accommodations needed for him or her to access an education. A 504-eligible child is entitled to a free appropriate public education that is defined as "the provision of regular or special education and related aids and services that... are designed to meet individual educational needs of persons with disabilities as adequately as the needs of persons without disabilities are met...." The idea is to level the playing field.

It is important to remember that an adverse effect on educational performance is *not* required for a child to be protected under Section 504. In fact, most children found eligible under Section 504 have disabilities that affect life activities other than learning. Consequently, students with medical needs, especially those that are temporary, are often protected under Section 504. A student's disability may require accommodations unrelated to the instructional program, such as access to classes or buildings. Protections must be extended to both extracurricular and non-academic activities. For example, it is important that field trips take into consideration the needs of students with disabilities.

Your Rights under Section 504 from the Office for Civil Rights (OCR);
Section 504 Regulations;
OCR on Section 504.

# Section 504 Evaluation Requirements

Paralleling IDEA, Section 504 has specific procedural requirements for the identification, evaluation, placement and safeguards of preschool, elementary and secondary school students. Section 504 also encompasses Child Find, which requires that school systems identify and locate students with disabilities throughout the community of the school system.

If the child is found to have a disability under Section 504, the Child Study Team must identify the kinds of aids, equipment, modifications or other accommodations (changes to the general education program) that will be needed to allow him or her to benefit from the school program. Although this law does not require a written individualized education program (IEP), it does require the district to write and implement a reasonable "accommodation plan."

**Students protected under Section 504 may include:**

- Students with ADD or ADHD who might not be eligible under the IDEA categories of specific learning disabilities, emotional disorders or other health impairments;
- Students with health needs, including insulin dependent diabetes, chronic asthma, severe allergies or temporary disabilities because of an accident;
- Students with learning disabilities who do not meet the more exacting criteria of IDEA, but who do meet the broader criteria for a disability under Section 504;
- Students who have contracted communicable diseases, including those testing positive for HIV infections;
- Students identified as socially maladjusted but not found to have an "emotional disturbance" under IDEA 2004.
- Students who have been exited from receiving special education services because they no longer meet IDEA 2004 criteria; and
- Students with drug and alcohol dependencies, if not currently using illegal drugs or alcohol.

**Types of aids, equipment and accommodations that may be required under Section 504 include, but are not limited to:**

- Use of a word processor for class, homework and/or standardized testing;
- Extra time for assignments and/or tests;
- Observations and recommendations by an occupational therapist;
- Preferential seating, away from distractions;
- Use of adaptive technology, including computers, tape recorders, software, books on tape, highlighters, filters and pencil grips;
- Repeated and simplified instructions (in class, on tests and for homework);
- Modifying tests: this may involve taking tests orally, rather than in writing, or taking tests in a quieter setting.

# THE INTERPLAY OF SECTION 504 AND IDEA

## Different but Complementary Objectives

| SECTION 504 | IDEA |
|---|---|
| **Type:** Civil rights, non-discrimination statute | **Type:** Education entitlement statute |
| **Services:** "level playing field"— eliminates barriers that exclude persons with disabilities. | **Services:** "remedial measures" — often requires the provision of programs and services in addition to those available to persons with disabilities under Section 504. |
| **Service Tool:** Reasonable accomodations in a 504 Plan. | **Service Tool:** Individualized Education Program (IEP). |
| **Funding:** Local; no federal funding | **Funding:** Local, state and federal funding |
| **Responsibility:** State Education Agency (SEA) and Local Education Agency (LEA) receiving federal funds. | **Responsibility:** SEAs and LEAs receiving federal funds, in addition to educational agencies seeking to obtain funds under IDEA. |
| **Coverage:** Much broader. Individuals who have or have had a physical or mental impairment that substantially limits a major life activity or who are regarded by others as having a disability. Need not adversely affect educational performance. All students who are eligible for special education services under IDEA are also eligible for services under Section 504. | **Coverage:** Narrower. All children ages 3 through 21 who fall within one or more specific categories of qualifying conditions, whose disability adversely affects educational performance. |
| **Fiscal considerations:** Financial burden may be a defense to provision of certain accommodations and services. | **Fiscal considerations:** Financial burden is not a justification for failing to provide accommodations and services. |
| **Evaluations:** Draws on information and data from variety of sources. No tri-ennial required, just periodic reevaluations. No IEE available. Requires reevaluation before change in placement. | **Evaluations:** Full and comprehensive initial evaluation by multi-disciplinary team. Independent Education Evaluations available at district's expense, if parents disagree with district's evaluation. Requires reevaluation at least once every three years, or if conditions warrant, or if parents/teachers request. |
| **Decision making:** By knowledgeable individuals, including parents. | **Decision making:** By IEP team, of which parents are full partners. |
| **"Appropriate":** Comparable to the education provided to students who are not disabled. | **"Appropriate":** Designed to provide "educational benefit." |

Least restrictive environment (LRE) requirements applicable to both

# The Americans With Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 provides a clear and comprehensive mandate to ban discrimination against individuals with disabilities. The act has had a powerful impact on schools in that it strengthens "the least restrictive environment" principle and creates greater opportunities for a child's inclusion in schools and the community. See ADA Information.

**42 U.S.C. Section 12132: Discrimination**

Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs or activities of a public entity, or be subjected to discrimination by any such entity.

# Enforcing Rights Under Section 504 and the ADA

**For disagreements over a Section 504 issue or an ADA violation:**

- Make every attempt to resolve any differences within the school building. Follow-up all discussions with a written letter to confirm your understanding of the outcome;
- If concerns continue, contact the Director of Special Services to help mediate the situation.
- File a complaint with the Office for Civil Rights (OCR) of the U.S. Department of Education. Office for Civil Rights Information.
- As a final alternative, seek enforcement of Section 504 and ADA through court action. This should be the last option.

# The Family Education Rights and Privacy Act (FERPA)

## The Right to Review Records

The Family Education Rights and Privacy Act (FERPA), often called the Buckley Amendment, is a federal law enacted in 1984. It gives all parents of students under 18 years of age and all students over 18 years of age the right to see, correct and control access to student records. Any school that receives federal funds from the U.S. Department of Education must follow this law. Schools are required to establish written procedures to carry out this law and to notify parents of their rights annually. Connecticut also has several regulations regarding special education records.

The following is a summary of the parental rights associated with education records, pursuant to state and federal law:

**1.** The right to request a list of the types and locations of education records collected, maintained and used by the school system.

**2.** The right to know who has access to these records, including the names and positions of staff members.

**3.** The right to inspect and review all education records pertaining to their child. If the school district maintains education records that include the names of more than one child, parents have the right to view only information pertinent to their child. Records will be made available within ten school days, or within three school days if information is needed to plan for a due process hearing or a PPT meeting.

**4.** The right to have an explanation and interpretation of their child's records.

**5.** The right to acquire one free copy of their child's special education records. A nominal fee may be charged for additional copies. This request must be honored within five school days. A request for records needed to prepare for a PPT meeting must be copied within three school days.

The school district may not charge a fee to search for or to retrieve information, and any fee charged may not effectively deny parents their rights to inspect and review education records.

**6.** The right to have an authorized representative inspect and review their child's records.

**7.** The right to request an amendment to their child's education records, if the parents consider information to be inaccurate, misleading or in violation of privacy. A request for an amendment must be in writing and will be acted upon within a reasonable period of time.

**8.** The right to a hearing, if the request to amend their child's records is refused.

**9.** The right to place a statement in their child's records, if the hearing officer decides against amending the information as requested. This statement will be maintained as long as their child's record is maintained and will be disclosed whenever the confidential record is disclosed.

**10.** The right to be informed when the information in their child's records is no longer useful, so they may request destruction of the information.

FERPA Statute;
FERPA Regulations;
Example of FERPA Letter (1);
Example of FERPA Letter (2);
FERPA Access.

# Education Records Under FERPA

Educational records are collected and maintained as follows:

| TYPE OF DATA | LOCATION | LENGTH OF MAINTENANCE |
|---|---|---|
| **CATEGORY A - DIRECTORY** Name, Address, Date of birth, Name of parent(s), Address, Telephone number, Academic work and level of achievement (grades and transcripts), Attendance data. | Cumulative file | 50 years after student leaves the school district |
| **CATEGORY B - CONFIDENTIAL** Standardized test scores, such as SAT, OLSAT and CMT, and Individual Diagnostic Reading and Math test results (non-special education). | Cumulative file | 6 years after student leaves the school district |
| **CATEGORY C - CONFIDENTIAL** Health records, Evaluation reports, Referrals, All notice and consent forms, IEPs, Release forms, Diagnostic medical information, PPT/IEP Team meeting minutes, if any. | Health and pupil personnel services files | 6 years after student leaves the school district |

All requests for copies must be put in writing to ensure compliance with the legal guidelines.

# Final Note

SPED*NET, Special Education Network of Wilton, Ltd., a 501(c)(3) not-for-profit educational corporation, encourages all parents of children with special needs to become active participants in the special services partnership.

We value your input. With this web guide, we strive to provide information that is current and accurate. Our field of endeavor is ever-evolving. Laws and regulations are amended, administrations change, new theories are developed. Every child is singular and unique.

Consequently, the reader must appreciate that information and ideas gained from our publication must

be discussed with your own personal care givers, professional sources, experts and, when necessary, specializing attorneys. Reliance must come only from those specialists who have first-hand awareness of each particular history and situation. We will make every effort to correct errors brought to our attention, but nothing in this material is to be considered as the rendering of legal advice.

If you have further questions or need additional information, please visit www.spednetwilton.org or email us at: info@spednetwilton.org.

We would like to acknowledge the special education parents of Greenwich, CT and the Greenwich Public Schools for sharing, in the spirit of cooperation, their original groundbreaking special education handbook. You have been our inspiration.

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DESIGN BY ART PRESSON AND PAM WERTZ