

Parents as Partners

A Family Guide to Special Education Supports and Services

Greenwich Public Schools



Table of Contents

<u>INTRODUCTION</u>	2
<u>YOUR FIRST PLANNING AND PLACEMENT TEAM (PPT) MEETING:</u>	
<u>THE INITIAL REFERRAL</u>	3
PRIOR TO THE PPT MEETING	3
THE PPT MEETING	6
AFTER THE PPT MEETING	9
<u>THE MULTIDISCIPLINARY EVALUATION</u>	11
PLANNING THE EVALUATION	11
ADMINISTERING THE EVALUATION	11
DESCRIPTION OF THE MULTIDISCIPLINARY EVALUATION	12
REPORTING EVALUATION RESULTS	15
<u>DETERMINING ELIGIBILITY FOR SPECIAL EDUCATION</u>	16
<u>SPECIAL EDUCATION IN GREENWICH PUBLIC SCHOOLS</u>	18
<u>YOUR FIRST ANNUAL REVIEW TEAM MEETING</u>	19
PRIOR TO THE ANNUAL REVIEW MEETING	19
THE ANNUAL REVIEW MEETING	20
AFTER THE ANNUAL REVIEW MEETING	20
<u>SUMMARY OF THE PROCESS</u>	21
<u>ADDITIONAL INFORMATION</u>	22
<u>RESOLVING CONFLICTS</u>	23
<u>DOCUMENTS AND FORMS</u>	26
<u>RESOURCES</u>	73

INTRODUCTION

The stated mission of the Greenwich Public Schools is to educate all students to their highest level of academic potential and to teach them the skills and knowledge to become capable, creative and responsible members of society. This mission applies to all students, including those students receiving special education supports and services.

In keeping with both the “letter and spirit” of the Individuals with Disabilities Education Act (IDEA) and the P.J. et al settlement agreement, the district is committed to educating students with disabilities in their neighborhood schools in general education settings with the services and supports needed for a successful educational experience.

Parents/guardians are critical members of the educational team that determines the supports and services described in the Individual Educational Plan (IEP). They bring a unique perspective on the strengths and challenges of their child, including the important longitudinal view of the student’s growth and development.

Parents of children receiving special education services, and the staff of the Greenwich Public Schools have prepared this handbook. It has been developed to guide parents through the educational process and assist parents in forming collaborative parent-professional relationships in the best interest of their children.

Parts of this handbook were adapted from the following sources:

A Parent’s Guide to Special Education- A Joint Publication of The Federation for Children with Special Needs and The Massachusetts Department of Education

The Council of Administrators of Special Education (CASE)

Department of Education, Prince Edward Island, Canada

Connecticut Parents’ Guide to Special Education

A Parent’s Guide – The Educational Rights of Students with Disabilities
Illinois State Board of Education

YOUR FIRST PLANNING AND PLACEMENT TEAM (PPT) MEETING

(Initial Referral)

PRIOR TO THE PPT MEETING

What is a PPT?

A PPT is a Planning and Placement Team Meeting that will generally take place in the student's school during the regular school day. A Planning and Placement Team reviews referral to Special Education, determines if the student needs to be evaluated, decides which evaluations will be given to the student, and determines whether the student is eligible for special education services. *You are a valued member of the team.*

Why are we having a PPT?

The PPT may determine that the existing data provides enough information to determine that the student is eligible for special education or it may decide that the existing data does not support eligibility and may refer the student for additional general education services. If the PPT decides that additional data are needed in order for it to determine whether the student is a student with a disability, you will work with educators and, as appropriate, specialists to design the evaluation procedures for the student.

When, where and how long will the meeting be?

The PPT will generally be held in the student's school. In order to minimize the disruption to teaching and learning, most schools have established a regular meeting day (for example, every Tuesday). If you are not able to attend during that time, the school staff will work with you to schedule the meeting at a mutually convenient time or explore other meeting options (e.g., conference telephone call). Generally, the meeting will last about an hour.

Who attends a PPT?

- The parents/guardians of the child
- At least one general education teacher
- At least one special education teacher of the student, or if appropriate, at least one special education teacher in the school (if the student is not currently receiving services)
- A representative of the school district who is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities and is knowledgeable about the general curriculum and about the availability of resources of the school district
- A Pupil Personnel Services member (for example, a school psychologist, school social worker or guidance counselor)
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team member other than the parent)

- If appropriate, the student

At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the student, including related services personnel.

You and the school district may agree in writing that the attendance of a required member of the PPT is not necessary, and excuse that PPT member from attending the meeting. You do not have to enter into such an agreement; if you don't agree to excuse the team member, the team member will be expected to attend the meeting.

How should I prepare?

- Prior to PPT (at least 1 week) provide school personnel with any relevant documentation.
 - Medical reports
 - Prior evaluations
 - Previous school report
 - Before the meeting, write a list of concerns or issues that you feel are important to discuss.
 - Talk to other parents who have attended PPT meetings. You may ask a building administrator for the name of your school's PTA/SES representative for additional information.
 - Ask to see the child's school folder and any reports concerning your child prior to the PPT meeting.

What should I bring to the meeting?

- Your copies of documentation
- Materials for taking notes (See Checklist)
- Contact information for private providers/outside contracts

Whom do I contact if I have questions?

- Your school administrator or the student's guidance counselor.

**Initial Referral
Planning and Placement Meeting**

Prior to the Meeting Checklist

Purpose of the meeting: To review referral and, if warranted, plan evaluation to determine if the student is eligible for special education and related services.

_____ *Gather any information you have that describes the concerns you are having regarding your son's/daughter's performance at school.*

While the school may have most of the materials, it is helpful to bring your own set of materials that led you to the conclusion that your child is experiencing difficulty and may be a child with a disability. The materials could include:

- Prior evaluations done by the Greenwich Public Schools
- Evaluations completed at other schools your child attended
- Evaluations you had completed privately
- Medical information you think may be pertinent (ear infections, hospitalizations, etc.)
- Report cards
- Homework assignments, tests, projects

_____ *If you would like, you can identify a friend or family member (other than your spouse or partner), who can attend the meeting with you to take notes and/or provide another "set of ears" to listen to the discussion.*

_____ *Date you received the "Notice of Planning and Placement Team Meeting" from the school.*

- Notice should include a copy of your "Procedural Safeguards" (in either English, Spanish or both languages). Please review your rights carefully and highlight or note any questions you may have about these rights. You may ask your questions and/or ask for clarification during your pre-meeting phone call or at the beginning of the meeting.
- Notice should include a section of the "Parent Handbook" that describes the PPT process.

_____ *Date you received a phone call or email that described the proposed agenda for the meeting and asked for your input on agenda items. During this pre-meeting phone call, be sure to let the staff know if someone will be attending the meeting with you and if you will be bringing any new/additional information (private evaluation that the school doesn't have).*

THE PPT MEETING

What will happen at the meeting?

At the start of the meeting, all participants are introduced. You will be offered another copy of the “Procedural Safeguards in Special Education” and a survey that you can complete to let the district know how you felt about the PPT process. The person leading the meeting will clarify the purpose of the meeting as stated on the invitation. During the meeting, the following activities should occur:

- Review Procedural Safeguards
- Review concerns leading to referral (At this time all educational information should be shared. This must include clear documentation of all strategies tried and the data related to improvement or lack of improvement in the area of concern) including:
 - Parent/student input
 - Student performance data
 - All information regarding district or state assessments, curriculum based assessments, classroom performance
 - If applicable, positive behavior support and/or academic intervention plans, including data
 - Teacher reports
 - If applicable, private evaluation and reports

At the end of the meeting, the actions/decisions will be verbally summarized. The summary will state the recommended actions, the actions considered but not recommended by the team and any actions refused by the district. The recommended actions will be implemented 10 days from the meeting unless:

- You request additional time to consider the actions or
- You formally refuse (see “Complaint Procedures”)

What is the role of the school at the meeting?

To review information collected by the school through informal and formal observations, schoolwork, standardized tests and other school records and information from the student’s teachers. Also, to ensure that the parent understands the proceedings of the meeting and to consider information from the parents when making a decision concerning the child’s program.

What is my role at the meeting?

- To share with the school team members all the important information you have about the student’s skills, abilities, and needs. Also to share the results of evaluations you may have concerning the student and to, if recommended, assist the team in the design of the evaluation procedures.
- To ask for clarification or additional information as needed throughout the meeting.

What decisions are made at the meeting?

At the meeting, the team gathers to determine if they suspects that this student may be a student with a disability.

If the team does not suspect that the student may be a student with a disability - It is important to note that not all students who are referred to a PPT are evaluated. This decision not to evaluate could be made for a number of reasons including:

- The student's classroom performance, standardized tests and benchmark assessments do not show that his/her achievement has been impacted
- Although there is educational impact, there is no suspicion of a disability at this time
- Although there is educational impact, the student is currently receiving interventions and is responding and making measurable progress
- Parents have presented the team with an independent evaluation but the information contained in the report is not characteristic of the student's school performance
- The student's physical condition would make the results of an evaluation at this time less than valid and would not necessarily be a true indication of the student's current level of functioning

If the team suspects that the student may have a disability:

- Clarify and define referral questions. Using the data from the early intervention process discuss the questions that remain unanswered. Discuss additional information required to determine whether student is eligible as a student with a disability.
- Plan a comprehensive multidisciplinary evaluation. Include both standardized and curriculum based measures, formal classroom observation, consider speech and language, etc.
- Obtain parent/guardian of student (if student is over 18 years old) signature on the "Request for Consent to Evaluate" form. If you need additional time to consider the evaluation, you can take the "Request for Consent to Evaluate" form home. If you do not return the consent within 10 days of the meeting, it is considered a refusal of the evaluation. A follow-up meeting should be scheduled.
- Explain timeline for evaluation to parents (Please note – the evaluation must be completed within 45 school days or 60 calendar days of the date on the "Request to Consent to Evaluate" form). Refer to the *Multidisciplinary Evaluation Section*.

What if I disagree with a decision?

Other decisions can be made:

- Recommendations for additional general education behavior and/or academic supports.

- Gather additional information and reconvene to consider
 - Obtain permission to speak with outside providers
 - Refer to ***Resolving Conflicts*** Section of this handbook.
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**Initial Referral
Planning and Placement Meeting**

During the Meeting Checklist

Meeting Procedures:

- The person leading the meeting (referred to as the Local Education Agency Representative/LEA Rep) should begin the meeting with introductions of the people participating in the meeting. Each person should tell you his or her name, position, and relationship to your child (“I am Mary’s 2nd grade teacher.”). The names of all these individuals must be included on the first page of the “Written Prior Notice” you will receive after the meeting.
- The LEA Rep should then offer you another set of “Procedural Safeguards” and ask if you have any questions about your rights. You do not have to take the second set of Safeguards (you received the first set in the mail with the meeting invitation. If your child is 18 years of age, he/she must be in attendance and the LEA Rep should review these rights with the student).
- The LEA Rep should then review the agenda for the meeting – the agenda should include the items discussed with you during the pre-meeting phone call and include items you asked to be discussed. If the agenda does not include your concerns, the LEA Rep may place your items in a “parking lot” to be discussed at the end of this meeting or schedule another meeting to address those items (usually due to time constraints on the meeting schedule).
- The LEA Rep should also review the meeting guidelines. In many schools these guidelines are posted in the meeting room. They are designed to remind all participants that the focus of the meeting needs to be on the student and that a group of adults can be most productive when they are collaborative. While there may be disagreements during the meeting, there is an expectation that all members are respectful and follow the meeting guidelines.
- The LEA Rep will then proceed through the agenda items. Remember that you are expected to be an active participant in the meeting. You can ask the LEA Rep to repeat items, slow down the pace of the meeting or provide more detailed explanations. If at any point during the meeting you (or members of the school team) need to take a break, the LEA Rep can call for a brief break and then reconvene. Since most meetings take place during the school day, it is important to be mindful of the time.
- The meeting should end with the LEA Rep recapping all of the actions the team has recommended, actions the team considered but did not recommend and any actions that were refused by the school members of the team and the reasons for each of the recommendations. These recommendations will be detailed on the second page of the “Written Prior Notice” that will be mailed to you within five days of the meeting.

AFTER THE PPT MEETING

What information will I receive after the meeting?

- Within five (5) days of the meeting, the school will mail you a summary of the meeting, found on pages 1 & 2 of the IEP, which will describe the actions recommended, the actions, if any, refused.
- A description of any other options considered and why those options were rejected
- A description of each evaluation procedure, test, observation, record or reports the team used as a basis for the decision.
- A statement that you have protections under the procedural safeguards
- Copies of any consent forms signed at the meeting.

What can I do to follow-up after the meeting?

Contact your building administrator to check on the status of the actions proposed.

**Initial Referral
Planning and Placement Meeting**

After the Meeting Checklist

_____ Date you received the "Written Prior Notice" (this is the two page summary of the meeting). Please make sure the information is correct:

- All demographic information (address, birth date, telephone numbers, etc.)
- Reason for the meeting
- Names of the participants
- "Actions Recommended"
- "Actions Considered but not Recommended"
- "Actions Refused"

If the information is not correct, contact the LEA Rep immediately by telephone, in writing or by email to note the inaccuracy. If you speak with the person directly or by telephone follow up with a written statement (paper or email).

IF THE TEAM RECOMMENDED AN EVALUATION

- The team members should have discussed the components of the proposed evaluation (for example, speech and language, psychological) and the names of specific tests or areas to be evaluated (for example: decoding, comprehension, classroom behaviors).
- Since the evaluation must be completed within 45 school days or 60 calendar days, the team should have set a date to reconvene (within the timeframe) to review the results. You should receive a draft of the evaluation report at least five days before the meeting for your review.
- If possible, the evaluation team will discuss some possible dates for the evaluation to take place.

IF THE TEAM DID NOT RECOMMEND AN EVALUATION

- The team may describe additional supports that will be made available to your child to address the areas of concern and set a date for the team to get together (not a PPT) to review the intervention results and determine if the team needs to reconvene as a PPT, continue with the interventions or continue without the interventions but monitoring by the classroom teacher.

THE MULTIDISCIPLINARY EVALUATION

STEP 1: PLANNING THE EVALUATION

What will the evaluation include?

There are certain requirements that all schools must meet when determining if the student is eligible for special education services including:

- A multi-disciplinary team must conduct the evaluation. A team is a group of professionals with expertise in different areas including one teacher or other specialist with knowledge in the area of the student's suspected disability.
- More than one evaluation instrument or procedure must be used. An evaluation need not always include an assessment of intellectual ability.
- Tests must be non-discriminatory and administered in the student's native language and primary means of communication.
- The team must collect information from a variety of sources, which may include observations, parent interview, and review of pertinent medical history.

What is the timeline for an evaluation?

The timeline for an evaluation is 45 school days or 60 calendar days from the date consent is given.

Do I need to give my permission for an evaluation to be conducted?

Yes. The evaluation team must have a signed "Request for Consent to Evaluate" form prior to conducting an evaluation. If you do not return the "Request for Consent to Evaluate" form signed within 10 days of the meeting, it is considered a refusal of the evaluation.

Can a parent refuse to have an evaluation conducted?

Yes, a parent can refuse to have an evaluation conducted. You have the right not to give your consent. You also have the right to revoke your consent at any time.

How long can I expect the evaluation to take?

Each evaluation lasts about 3-4 hours per evaluator. Sessions may be longer or shorter based on the student's needs. Usually the evaluation will take place in the student's school. All efforts will be made to minimize the impact on the student's school day.

Who will notify me about the testing schedule?

An administrator or member of the evaluation team will contact you regarding the proposed schedule.

What is my role in planning the evaluation?

- In order to provide the most accurate and valid information, do not schedule any independent evaluation during the school evaluation process.
- Maintain communication with the school about any outside factors that may impact the evaluation (illness, death in the family, etc.).
- If you have any concerns about the student's evaluation process, you may contact the school mental health provider or your private provider.

THE MULTIDISCIPLINARY EVALUATION

A multidisciplinary evaluation is the first step in the process of determining if your child should receive special education services. The multidisciplinary evaluation should examine all areas of suspected disability and provide a detailed description of your child's educational needs. The evaluation should answer these questions:

1. Does this student have a disability? What is the disability category (using the state criteria)?
2. Does the disability cause this student to be unable to progress effectively in general education?
3. Does this student require specially designed instruction to make progress and/or does the student require individual supports and/or services in order to access the general curriculum?

Special education law requires the school to meet strict timelines when evaluating a child and formulating an appropriate IEP. After the initial referral, the school must complete its evaluation and formulate an IEP, if appropriate, within 45 school days (excluding weekends, holidays, school vacations and the time required to obtain written parental consent) –or- 60 calendar days from the date of the signed parental consent.

The purpose of the evaluation process is to identify your child's specific learning strengths, needs and concerns. This is a problem-solving process that involves many ways of collecting information. Information may be gathered through informal and formal observations, reviewing schoolwork and records, talking with the teachers, administering standardized assessments and checklists. The evaluation is done to determine if your child is eligible for special education services. This process also helps identify your child's strengths and abilities that are equally important in planning future services.

There are certain requirements that all schools must meet when evaluating your child's need for special education services. These requirements include:

- 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 your child's suspected disability.
- More than one evaluation instrument or procedure will be used as the basis for services. An evaluation need not always include an assessment of intellectual ability.
- Tests must be non-discriminatory and administered in your child's native language and primary means of communication.
- The team must collect information from a variety of sources, which may include observations, parent interview, and review of pertinent medical history.

You must give your consent in writing before any initial evaluation can be performed.

Once the formal evaluation of your child has been completed, the results will be shared with you. You may wish to discuss the results at an informal meeting prior to the next meeting. Make sure you fully understand the results and conclusions drawn from the evaluation so you may work confidently with professionals in planning services for your child. If you disagree with the results, you may request an independent evaluation at the school's expense.

EVALUATION DESCRIPTIONS

The following areas of assessments and evaluation instruments may be administered as part of your child's evaluation. Assessments may be added or deleted if results obtained during the evaluation process indicate changes are necessary. If there is a substantial change in the instruments that will be used, you will be notified by the staff member who will be administering the instrument.

EDUCATIONAL: To measure academic achievement usually in areas such as Reading, Written Expression, Math, and General Knowledge; to determine learning style and to assess academic strengths and weaknesses. This evaluation may include administration of relevant educational assessment devices such as standardized tests, test assessments, analysis of work samples, curriculum-based assessment and observation.

DEVELOPMENTAL: To measure functioning in such areas as sensory-motor, play, activities of daily living, pre-language skills and adaptive behavior, to determine learning style and to assess strengths and weaknesses. This evaluation may include administration of relevant developmental assessment devices such as norm and criterion referenced tests, task analyses, parent interviews, review of records/reports, observation, and measures of adaptive behavior.

PSYCHOLOGICAL: To assess intellectual ability, academic achievement, learning strengths and weaknesses, and social/emotional factors that may impact school functioning. This evaluation may include standardized tests, review of prior evaluations/reports, observations, developmental checklists, behavior checklists and clinical interviews.

SOCIAL WORK: To assess the pattern of overall social and emotional functioning and to obtain relevant family and significant developmental data that might impact on functioning in school. This evaluation may include interviews, observations, review of records, and with parental consent, consultation with outside resources.

SPEECH AND LANGUAGE: To assess language (receptive and expressive) which may include vocabulary, grammar, syntax, comprehension and language processing, and/or to assess speech skills that may include articulation, fluency and vocal quality. The evaluation may include standardized tests, observations, a language sample, review of prior evaluations/reports, interviews, other evaluative measures and/or hearing screening.

VOCATIONAL: To assess interests, preferences and abilities in vocational/career areas. This evaluation may include administration of interest and ability inventories, analysis of work samples, and observation. This evaluation may include standardized evaluation tools, review of prior evaluations/reports, observations, developmental checklists and interviews.

OCCUPATIONAL THERAPY: To assess sensory motor abilities, development of self-care activities and capacity for independence, physical capacity for vocational and work tasks, play and leisure performance, and appraisal of living areas.

PHYSICAL THERAPY: To assess neuromuscular development (including range of motion of joints, muscle strength, muscle tone, endurance, coordination and sensation) and the presence and effect of reflex behavior on posture, movement, and perceptual motor skills.

PSYCHIATRIC EVALUATION: To assess the social/emotional status of a student. This assessment is conducted by a consulting psychiatrist and may include a classroom observation, an interview with the student, and/or discussion with family members and staff.

STEP 3: REPORTING EVALUATION RESULTS

How will I be informed of the results of the evaluation?

- A PPT meeting will be held within the required timeline.
 - Once the evaluation has been completed, a member of the evaluation team will meet to discuss the evaluation results.
 - You will receive a copy of the evaluation report prior to the PPT meeting.
-

DETERMINING ELIGIBILITY FOR SPECIAL EDUCATION

How is eligibility decided?

After the evaluations are completed, a PPT meeting will be scheduled to formally review the evaluation results and to determine if the student meets the eligibility criteria. To be eligible for special education and related services under Individuals with Disabilities Education Improvement Act (IDEA, 2004):

- The student must be between 3 and 21 years of age
- The student must have one or more of the following disabilities, determined by the federal Individuals with Disabilities Education Improvement Act (IDEA 2004):
 - Autism
 - Deaf-blindness
 - Deafness
 - Developmental delay (for 3 to 5 year olds, inclusive)
 - Emotional Disturbance
 - Hearing Impairment
 - Intellectual Disability
 - Multiple disabilities
 - Orthopedic impairment
 - Other Health Impairment (limited strength, vitality or alertness due to chronic or acute health problems such as lead poisoning, asthma, attention deficit disorder, diabetes, a heart condition, hemophilia, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome)
 - Physical impairment
 - Learning disability
 - Speech or language impairment
 - Traumatic brain injury
 - Visual impairment including blindness
- And the disability **must adversely affect the student's educational performance;** and as a result, the student requires a specifically designed instructional program to address his or her unique educational needs

What happens if my child is eligible for special education?

If the student is determined to be eligible for special education services, and you have signed the *Consent for Special Education Placement Form*, you will begin the team process of developing a written plan to meet the specific needs of the student. This plan is an Individual Education Plan (IEP). The IEP is a written plan that describes in detail the student's special education program. Some key elements of a child's IEP include the following:

- Present Levels of Academic Achievement and Functional Performance (PLEP), including Parent/Student Concerns
- Measurable educational goals linked to present levels of education performance for the coming year and short-term instructional objectives derived from those goals
- Evaluation procedures and performance criteria for each objective

- An explanation of the extent, if any, to which the student will not participate in the general education class, the general education curriculum.
- Modifications and accommodations the student needs to participate in the general education curriculum including nonacademic and extracurricular activities
- Special education and related services required by the student
- Recommended instructional settings and service providers who will work with the student to implement the IEP
- The date service will begin and end, and the frequency of the identified services
- Eligibility for Extended School Year (ESY)
- Statement of accommodations and modifications needed to facilitate CMT/CAPT, or district-wide testing
- Recommendation for participation in alternate assessments (if needed)
- Transition service needs

The school will mail you a copy of the student's IEP, along with any consent forms signed at the meeting, within five school days after the PPT meeting held to develop or revise the student's IEP.

What happens if my child is not eligible for special education?

The team has the option of considering additional general education support and services.

What if I don't agree with the evaluation?

You have the right to obtain an independent educational evaluation (IEE) conducted by a qualified (licensed and/or certified) examiner who is not employed by the school district. When the school district agrees to pay for the IEE, the criteria under which the IEE is obtained, including the location and the qualifications of the examiner, must be the same as the criteria that the school district would use when it does its own evaluation. The district is not required to agree to a request for an IEE. If the school team believes its evaluation is appropriate, it must initiate a due process hearing. If the school district initiates a due process hearing, a hearing officer will decide whether the school district's evaluation is appropriate. If the hearing officer decides in favor of the school district, you may still obtain an independent evaluation, but you will have to pay the costs associated with the independent evaluation.

If you inform the school district that you are obtaining an IEE because you disagree with the school district evaluation and expect the school district to pay for the evaluation, the school district must, without delay; either agree to pay for the IEE or initiate due process procedures to defend the appropriateness of its evaluation.

Is the school required to accept the results of an independent education evaluation?

The team must **consider** the results of any independent educational evaluation, including the one you pay for, when making decisions regarding the student's educational program. However, the team is not required to agree with or implement any or all of the results or recommendations of the independent educational evaluation.

How do I find a professional or clinic to conduct an independent educational evaluation?

The school district must provide you with a list of qualified independent evaluators when you ask for an independent evaluation. If you choose to use a qualified evaluator not on the district's list, the evaluator **must** meet the contractual requirements of the town of Greenwich.

Greenwich Public Schools Special Education

Special education supports and services within the Greenwich Public Schools are designed to provide challenging educational experiences that will enable all students with disabilities to develop the skills they need to become active, productive members of their communities. These supports and services integrate academics, related services (speech, counseling, occupational and physical therapies) and art/music/physical education/media into individualized educational plans developed by a team that includes staff members, parents and whenever possible, students. All supports and services are provided within the least restrictive environment, allowing students with disabilities to spend as much of their day as is instructionally appropriate in general education environments with typical peers in their neighborhood schools. Special education in Greenwich is not a person or a place but a comprehensive network of supports, accommodations and services that may include adapted materials, specialized instructional methodology, adaptive or assistive technology, specialized learning environments, schedule modifications, support staff, assessment and/or curricular modifications. Each Individualized Education Plan (IEP) is reviewed at least annually, to insure that the program continues to address the student's unique needs and that the student is making progress as demonstrated by the achievement of goals and objectives.

SPECIAL EDUCATION SERVICES

Special education supports and services for students with disabilities are designed to provide a free and appropriate public education (FAPE) in the least restrictive environment (LRE). These supports and services are described in each student's Individual Educational Plan (IEP) following the mandates of the Individuals with Disabilities Act (IDEA). In keeping with the requirements of IDEA, a continuum of supports and services are available in the Greenwich Public Schools.

Special education services within Greenwich include:

- ★ Specially designed instruction provided in the general education class
- ★ Specially designed instruction provided in a separate location within the school
- ★ Specially designed instruction provided in a separate location in a separate school/facility

Special education supports within Greenwich include:

- ★ Supports provided to staff in order to implement the IEP
- ★ Modifications and accommodations within general education
- ★ Assistive technology
- ★ Transportation
- ★ Extended school year
- ★ Specialized and support staff
- ★ Related Services

All decisions made by each student's IEP team begin with the assumptions that the student:

- ★ Would attend the school they would attend if they did not have a disability;

- ★ Would receive his/her special education supports and services within the regular educational classroom; unless,
 - If the nature or intensity of the supports and services required by an individual student cannot be provided in the home school or in the general educational classroom, the IEP will clearly state the rationale for removal

The amount of time, location, size of student group and intensity of staff supports are determined individually for each student at the PPT/IEP team meeting. Considering a number of factors not limited to makes these decisions:

- ★ Educational and social benefits for the student in a general education classroom
- ★ Impact of the student on the learning of other students in the general education classroom
- ★ Health and safety of all students

All decisions made by the PPT/IEP team are based on the student's present level of educational performance (PLEP). The PLEP component of the IEP describes the student's strengths, concerns, and the impact of the student's disability in general education and concerns shared by the parents and student. This information is used to generate the annual goals and short-term objectives contained in the IEP. Both goals and objectives must be measurable and progress must be reported to parents on goals and objectives as often as progress is reported for peers in general education. The IEP must be reviewed at least annually. At the annual review, the team evaluates progress/mastery and develops a new IEP (if the student continues to meet eligibility requirements). Each student's continued eligibility must be assessed at least every three years or prior to consideration for exiting special education services.

The process of determining eligibility and development of an IEP includes:

- ★ Determination of existence of disability
- ★ Description of impact on learning
- ★ Determination of the need for specially designed instruction
- ★ Development of Present Level of Educational Performance
- ★ Development of Annual Goals and Objectives
- ★ Description of supports and services required to implement goals and objectives
- ★ Evaluation of progress

YOUR FIRST ANNUAL REVIEW TEAM MEETING

STEP 1: PRIOR TO THE ANNUAL REVIEW MEETING

What is the purpose of the Annual Review?

The purpose of the Annual Review IEP Team meeting is to review the student's progress and program over the last IEP year and develop a new IEP for the next twelve months.

When will it occur?

The Annual Review will take place on or before the anniversary of the current IEP.

Who will be at the meeting?

Required:

- A district representative (Local Education Agency Rep- administrator or designee who is knowledgeable about the general curriculum and able to commit resources)
- Special education monitor/teacher
- General education teacher
- Pupil Personnel Service staff member (speech therapist, psychologist, guidance counselor, social worker, etc)
- Parent(s)/Guardian(s)
- Student (as appropriate)

Optional:

- Family members/friends
- Advocates
- Specialists
- Other professionals
- Translator as needed by the parent

How should I prepare?

- Review the student's school records, current IEP, and any other information you received from the school over the past IEP year
- Write down questions and concerns to discuss or any suggestions you have regarding the student's program

- Decide whether the student should attend (students age 18 and over must be invited to attend)

What should I expect before the meeting?

Parents will receive a phone call prior to the meeting that describes the proposed agenda and asks for their input on the agenda items. In advance of the meeting, parents will receive a DRAFT copy of the proposed Present Level of Academic Achievement and Functional Performance (PLEP), Annual Goals and Objectives, and curricular and instructional accommodations/modifications. Parent input will be included in the PLEP based on information provided by you, prior to or during, the IEP Team meeting.

STEP 2: THE ANNUAL REVIEW MEETING

What will be discussed at the meeting?

- Review progress towards mastery of goals on current IEP
- Develop new IEP
 - Develop Present Level of Academic Achievement and Functional Performance (PLEP)
 - Develop Annual Goals and Objectives
 - Determine the supports and services required to implement goals and objectives
 - Determine the related services and supplementary aides and supports
 - Determine the curricular and instructional accommodations/modifications
 - Determine eligibility for Extended School Year
 - Consider the need for Assistive Technology
 - Determine testing accommodations
 - Determine need for specialized transportation

What if I disagree with the team during the meeting?

If you disagree with any decisions, please be sure to share your concerns with the team.

STEP 3: AFTER THE ANNUAL REVIEW MEETING

What should I expect after the meeting?

A copy of the completed IEP document along with any other supporting documents discussed at the meeting will be mailed home within 5 school days from the IEP Team meeting. We hope that you will send back the survey you received at the Annual Review IEP Team to provide the school and district with feedback as to how we are running our IEP Team meetings. If you have any questions or concerns, you can contact a member of the team to discuss these or to set up another PPT.

What if I disagree with the team after the meeting?

If you disagree with the actions recommended at the meeting, as represented in the written prior notice, contact your administrator to discuss your concerns, and possibly schedule another IEP meeting.

Overview of the Process

Special Education Process

General Education Initiatives

Pre-Referral Process: Student Assistance Team (SAT: K-8)
or RTI Team (9-12)
◆
SAT or RTI Intervention Plans have yielded minimal results

First Planning and Placement Team Meeting (PPT)
Team meets to review referral information or Parent Initiated Private Evaluations (PIPE)

Suspicion of a Disability

OR

No Suspicion of a Disability
◆
Student Continues with General Education

Team Obtains Parental Consent to Evaluate
▼
Team Conducts Multidisciplinary Evaluation
▼
Team Determines Eligibility for Special Education Services
Eligible for Special Education Services
▼
Team Develops Individualized Educational Program (IEP)
▼
Implement IEP/ Special Education Program
Above Process must be completed by the 45-school-day or 60-Calendar-Day TIMELINE (whichever comes first)
▼
Review IEP Annually
▼
Re-evaluate IEP every three (3) years

OR

Team Obtains Parental Consent to Evaluate
▼
Team Conducts Multidisciplinary Evaluation
▼
Team Determines Eligibility for Special Education Services
NOT Eligible for Special Education Services
Student Continues with General Education Program

ADDITIONAL INFORMATION

How often can a PPT be held for my child?

The school is required to hold a PPT meeting every year to review a student's IEP and develop a new one. At any time during an IEP year, the parent or school can request an IEP Team meeting to discuss making revisions to a current IEP. Oftentimes, parent questions and concerns can be addressed at parent-teacher meetings and do not require a formal meeting.

How am I made aware of my child's progress on his or her goals and objectives?

Your child's progress on his/her IEP goals and objectives is included with the report card. Each objective will be marked with a progress code to demonstrate progress towards mastery. The frequency of report cards is determined by the grade-level of your child. At your child's Annual Review Meeting, the goals and objectives will also be reviewed for final mastery.

How often is my child's continued eligibility for special education determined and how is this done?

A student's eligibility for special education must be determined at an IEP Team meeting once every three years. The date of the next Triennial Review Meeting is indicated on page 1 of the IEP as the "Next Triennial Reevaluation Date." The Triennial Evaluation Report is used in order to determine continued eligibility for Special Education services. The team must gather data to answer the following questions:

- Does the student continue to meet the criteria for a disability?
- Does the disability continue to adversely affect the student's educational performance?
- Does the student require specialized instruction?

At the Annual Review prior to the student's Triennial Review date, the team will decide what information is needed to determine continued eligibility. Formal testing may or may not be required for the team to make the determination that a student continues to be eligible for special education. However, if the team is considering exiting a student from special education, further assessment is required.

- **If testing is required**, the team must complete all testing and report the evaluation results at a PPT on or before the student's Triennial Review date.
- **If testing is not required**, and the student continues to be eligible for special education services, then a Triennial Review PPT needs to be held on or shortly before the Triennial Review date to complete the Triennial Final Report. The Triennial Final Report will serve as the student's triennial evaluation and the "Next Triennial Reevaluation Date" is changed to exactly 3 years from this date.

RESOLVING CONFLICTS

If parents/guardians have concerns about their child's eligibility or Special Education services, the first step is to talk to the student's general or special education teacher, the Assistant Principal, the building principle, the cluster administrator or the district's special education director. It helps to deal with concerns when they first arise so steps can be taken as soon as possible to support the working relationship among parents, staff, and students. If the concerns are not resolved, both parents and staff can take further steps, including mediation, by contacting the Connecticut Department of Education, Bureau of Special Education.

Parents and school staff usually agree upon issues regarding evaluation, eligibility, services and placement of students with disabilities. However, there are times when disagreement occurs. If the parents and school staff are unable to resolve a conflict concerning special education services, mediation can be a helpful option. Mediation is completely voluntary and optional for parents and the school. It does not interfere with any of the parental procedural safeguards, including the right to request a due process hearing. During mediation a trained mediator works with parents and school personnel in a confidential session to guide the parties toward a mutually satisfactory solution in the best interest of the student. This meeting is more structured than a parent-teacher conference but less formal than a due process hearing. The mediator has been trained in a communication process to handle special education disputes.

Mediation

Mediation takes place at no cost to the parent or the school district. The Connecticut Department of Education bears the costs related to special education mediation. However, parties who choose to involve their attorneys are responsible for their own attorney fees. Mediation can:

- Identify disagreements concerning the identification, evaluation or educational placement of a student
- Clarify issues causing the disagreement
- Provide those involved with uninterrupted opportunities to present their points of view
- Stimulate mutual problem-solving efforts
- Promote positive working relationships between parents and school personnel
- Help parents and school personnel focus on what they have in common – the student – rather than on issues that divide them

Parents or the school district can request mediation. Mediation may occur prior to or at the same time as a request hearing of the filing of a complaint. However, it may not, in any way, interfere with the right to a due process hearing. Unless both parents and the school district agree to mediation as a way to resolve your disagreement, a mediation session cannot be scheduled.

Due Process Resolution and Hearing

A due process hearing is a formal legal proceeding. You may request a due process hearing if you disagree with the identification, evaluation, educational placement or other aspects relating to your child's free appropriate public education. Like complaints, hearing requests must be made in writing to the State Department of Education. Your hearing request must include:

- Your child's name and address and the name of the school your child attends
- A description of the violation of Part B of IDEA, including specific facts about the violation
- Specific suggestions you have for solving the problem

A school district may also request a due process hearing:

- When a parent refuses consent for re-evaluation or placement
- To demonstrate that the school district has conducted an appropriate evaluation
- To demonstrate that the school district has offered a free appropriate public education

Resolution

Once a request for a due process hearing has been filed with the State Education Department, the district is required to contact the parent to schedule a resolution meeting. The resolution meeting is a mandatory meeting that the school district must convene within 15 days of receiving the parents' due process complaint. The resolution session includes parents, members of the IEP team relevant to the complaint, and a representative of the school district who has decision-making authority. The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the district has the opportunity to resolve the dispute that is the basis for the due process complaint. The resolution meeting need not be held if:

- The parents and the district agree in writing to waive the meeting
- The parents and the district agree to use the mediation process

If the resolution is not successful, then the due process hearing will go forward. An impartial hearing officer will conduct the hearing. This person has been trained to resolve special education conflicts and is employed by the Connecticut Department of Education. The hearing must be completed and a final order issued within 45 days of the receipt of a hearing request unless the hearing officer grants an extension of time at the request of a party. A party to a hearing has certain rights, including:

- The right to bring an attorney who can give you advice

- The right to present evidence and confront, cross examine, and require witnesses to be present
- The right to a written record of the hearing
- The right to a written, or, at the option of the parents, electronic findings of fact and decisions

At least five business days before a hearing, school districts and parents must disclose to each other all evaluations of the student completed by that date and recommendations based on those evaluations that are intended to be used at the hearing. A hearing officer may bar any party that fails to comply with this rule from introducing the undisclosed evaluations or recommendations at the hearing without the consent of the other party. During the process of hearing and appeal, your child will remain in his or her current educational placement. This “stay put’ rule applies unless:

- The parent and the school district agree to another placement
- The students applying for initial admission to a public school and the parents consent to the student’s placement in the public school program
- The child is removed to an interim alternative educational setting by school personnel or a hearing officer

A court may award reasonable attorney fees to the parents of a child with a disability if they prevail in the action. Under certain circumstances, attorney fees may be reduced or denied. The district may be awarded attorney fees if the due process request was considered frivolous.

Complaint

If you believe that the state, your special education unit or school district is not complying with the Individuals with Disabilities Education Act (IDEA), you have the right to request an investigation of what you consider to be violations of this law. The intent of this complaint procedure is to address matters of a public agency (state, unit or district) violating a requirement IDEA. An organization or individual may file a signed, written complaint. This signed written complaint:

- Must include a statement that a particular requirement of IDEA has been violated
- Must include the facts on which the statement is based
- Must be submitted to the Connecticut Department of Education

The State Director of Special Education will assign a person to investigate the complaint. This investigator will interview you and give you an opportunity to submit additional information about the allegations in the complaint. The investigator will also interview other involved parties and determine whether an on-site investigation of the complaint is necessary. The investigator will review all relevant information and make an independent determination as to whether the public agency is violating a requirement of Part B of IDEA

and issue a written decision to you that address each allegation in the complaint. The written decision will contain the findings of fact and conclusions and the reasons for the final decision. Procedures for effective implementation of the decision, if needed, may include technical assistance activities, and corrective actions to achieve compliance.

Tips For Parents



- Before the meeting, write a list of concerns or issues that you feel are important to discuss.
- Talk to other parents who have attended PPT meetings.
- Ask to see your child's school folder and any reports concerning your child prior to the PPT meeting.
- Take your own notes, have a friend take notes, bring your laptop or record what was said at the meeting
- Be a good listener. Listen to the staff's professional opinions about your child. Remember, school personnel are good advocates for your child too.
- When differences of opinion arise, talk them out.
- If you do not understand something, ask that it be restated. You may ask for an example or demonstration of what is meant.
- If you feel pressured or overwhelmed, it is okay to ask for 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.
- Ask the person leading the meeting to verbally summarize the decisions/actions recommended or not recommended before you leave the meeting.
- Let the team know if you have time constraints so they can make sure to address all the issues.

Documents

The following are samples of the forms mentioned in this guide. Some of these forms will be presented to you more than once throughout your process.

- Notice of Planning and Placement Meetings
- Procedural Safeguards (English & Spanish)
- Notice and Consent to Conduct an Initial Evaluation
- Complaint Procedures
- Summary of the Meeting (IEP pages 1&2)
- Consent for Special Education Placement
- Multidisciplinary Evaluation Report for Students Suspected of Having a Specific Learning Disability
- Triennial Final Report

Individual Education Plan (IEP)

These forms are samples from an IEP, which is generated when a student is found eligible to receive special education services.

- Written Prior Notice (pg. 1&2)
- Present Levels of Academic Achievement and Functional Performance (pg. 3-5) (PLEP)
- Transition Planning (pg. 6)
- Goals and Objectives (pg. 7)
- Program Modifications/Accommodations (pg. 8)
- State and District Testing and Accommodations (page 10)
- Special Factors, Progress Reporting, Exit Criteria, Graduation (page 11)
- Service Page (page 12)
- Program Accommodations/Modifications 2 (pg. 12a)
- Required Data Collection (pg. 13)
- CAPT State Accommodations (pg. 14)
- CMT State Accommodations (pg. 15)
- Assistive Technology Consideration Review
-

**GREENWICH SCHOOL DISTRICT
NOTICE OF PLANNING AND PLACEMENT TEAM MEETING**

Parent/Guardian:
Address:

Date:

Rescheduled from *because of*

Dear _____ and _____

Please be advised that a Planning and Placement Team (PPT) meeting will be convened on behalf of _____
DOB: _____ . The meeting is scheduled as follows:

Date: _____ Time: _____ Location: _____

The purpose of this meeting is to: (check all that apply)

- discuss a referral to special education and consider/plan an evaluation
- review evaluation results and determine eligibility for special education
- develop, review or revise the IEP
- conduct an Annual Review
- consider transition needs/services – student will be invited to attend the meeting and: (check all items below that apply)
 - transition goals and objectives in the IEP will be developed/reviewed/rewised (required at the annual review following a student's 15th birthday or sooner, if appropriate)
 - the agency representative(s) listed below will be invited to attend to assist in transition planning
- plan a reevaluation to determine continuing eligibility for special education and related services
- review reevaluation results determine continuing eligibility for special education and related services
- conduct a Manifestation Determination
- Other: (specify) _____

The following individuals have been invited to attend (*indicates notified, but may not attend):

_____ Name Administrator	_____ Name Occupational Therapist
_____ Name Student's Reg. Ed. Teacher	_____ Name Physical Therapist
_____ Name Special Education Teacher	_____ Name Social Worker
_____ Name Student	_____ Name School Counselor
_____ Name Speech Pathologist	_____ Name and Title
_____ Name Psychologist	_____ Name and Title

Parent participation in this process is very important. Please make every effort to attend this meeting. You may bring any other individuals to the meeting, including those who have knowledge or special expertise regarding your daughter/son. The meeting may be rescheduled at a mutually agreed upon time and place.

If you have any questions or wish to reschedule the meeting please contact _____ at _____

Sincerely,

- A copy of Procedural Safeguards in Special Education is enclosed.
- A copy of the Procedural Safeguards in Special Education was provided to you previously this school year. If you would like another copy of the Procedural Safeguards please contact Pupil Personnel Services at _____
- A copy of this notice has been sent to the parent(s). (This is required if rights under IDEA have been transferred to the student at age 18. When rights transfer, meeting notices must be sent to the student with a copy to parents.)

ED623

January 2006

**State of Connecticut Department of Education
Division of Teaching and Learning Programs and Services
Bureau of Special Education**



**Steps to Protect a Child's Right to Special Education:
Procedural Safeguards**

Introduction

This procedural safeguards notice is written in language to be understood by the general public. For a reading in the actual language of the law/regulations, one should refer to the Connecticut General Statute Section 10-76a to 10-76i, inclusive and corresponding regulations and Federal Individuals with Disabilities Education Act (IDEA) and corresponding regulations.

www.state.ct.us/sde/deps/special/SpEd_Regs.pdf www.ed.gov/policy/speced/guid/idea/idea2004.html

The parent must be given a copy of these safeguards one time each year and when:

- A child is referred for evaluation (testing) for the first time.
- A parent requests an evaluation or requests a copy of these safeguards.
- A hearing is requested or a complaint has been filed for the first time in a school year.
- A decision is made for a removal that is a change in placement because a school rule was violated.

The copy of these steps, the procedural safeguards, shall fully tell about:

- A. Evaluation of a child by a person who does not work for the school district. This is called an independent educational evaluation.
- B. Giving the parent a copy in writing of what the school is proposing or refusing to do about a child's program. This is called Prior Written Notice.
- C. Getting parent permission before the school does an evaluation or provides special education services.
- D. Inspecting, reviewing and getting a copy of a child's education record.
- E. Due process hearings.
- F. Expedited due process hearings.
- G. Advisory opinions.
- H. A child's program during the time it takes to go to a hearing.
- I. Procedures when disciplining a child with a disability.
- J. Steps a parent must follow if a parent places a child in a private school and expects the school to pay.
- K. Mediation.
- L. Bringing a case to Court.
- M. Attorneys' fees.
- N. Complaints.
- O. Electronic mail.
- P. Difference between a hearing and a complaint.

When a child turns eighteen years old, the child has all rights the parent used to have. A child will not get the rights if the Court has said the child is not able to decide in a way that is good for the child. The school shall give any notice required by the law to both the child and the parent even though the child would now have the rights that the parent used to have. When the rights pass from the parent to the child, the school must notify the child and the parent of the transfer of rights.

A. Testing of the Child by a Person Who Does Not Work for the School: Independent Educational Evaluation (IEE)

1. The parent has the right to have the school pay for an evaluation done by a person who does not work for the school (IEE), if the parent disagrees with the evaluation obtained by the school. The school may ask the parent for the reason why the parent objects to the evaluation done by the school. An explanation by the parent is not required. If the school decides not to pay for the evaluation, the school must ask for a hearing without delay. At the hearing the school must show that its evaluation is appropriate or that the evaluation obtained by the parent did not meet the school's standards. If the hearing officer decides that the school's evaluation is appropriate, the school does not have to pay for the evaluation requested or arranged for by the parent. However, the parent still has the right to have an IEE done.
2. The parent has the right to get an IEE done at their own expense. The parent may give the results of the evaluation to the school. The evaluation must be considered by the school when deciding on a child's program, if the evaluation meets the standards used by the school. The evaluation results may be used at a due process hearing.
3. A hearing officer may ask that a child receive an IEE. The school must pay for this evaluation.
4. When the school pays for an IEE, the evaluation must meet the standards for evaluation used by the school. This includes the location where the evaluation is done and the skills of the person doing the evaluation. The school may not set additional standards or timelines when the school pays for the IEE. The standards of the school must not interfere with a parent's right to have the IEE.
5. If the parent asks, the school shall tell where to get an IEE and what the standards are for such evaluation.
6. A parent is allowed to have only one IEE at school expense each time the school conducts an evaluation with which the parent disagrees.

B. Getting in Writing What the School Has Said About a Child's Program: Prior Written Notice

1. The parent has the right to get written notice no later than five school days whenever the school proposes or refuses to initiate or change the identification, evaluation, or educational placement of the child or the provision of a free appropriate public education. This is called prior written notice.
2. The written notice must tell:
 - (a) exactly what the school proposes or refuses to do;
 - (b) why the school proposes or refuses to take action;
 - (c) the other options the PPT talked about and the reasons why those were not done;
 - (d) about each evaluation procedure, assessment, record or report that the school used as a basis for the proposed or refused action;
 - (e) about other factors that were relevant to the school's proposal or refusal;
 - (f) that the parent has protections under the procedural safeguards and how to get a copy of these protections; and
 - (g) who to contact to get help in understanding these protections.
3. The notice must be written in a way that would be easy to read and understand, unless it is clearly not possible to do so. If the parent's spoken word or other means of communication is not a written one, the school must make sure:
 - (a) the notice is given orally or by another way to the parent;
 - (b) the parent understands what is in the notice; and
 - (c) there is written evidence that these two steps have been taken.

C. Parent Consent

1. Consent means that the:
 - (a) parent has been fully informed about why the school seeks permission;

- (b) parent understands and agrees in writing to let the school evaluate the child or place the child in a program. If school records are to be sent to someone, the school tells the parent what will be sent and to whom it will be sent; and
 - (c) parent understands that he or she willingly gives permission and permission may be withdrawn at any time. If the parent withdraws permission, the withdrawal does not effect the actions taken or the services provided to the child during the time the school district had the permission of the parent.
2. The evaluation (testing) is done to find out:
- (a) if a child is disabled; and
 - (b) the kind and amount of special education services a child needs.

Certain tests or ways of evaluating are selected for each child. These tests are not the tests that are given to all children in a school, grade or class.

3. Parent permission must be given before:
- (a) the school evaluates a child;
 - (b) a child gets special education for the first time; and
 - (c) a child is placed in a private school by the public school.

Except for these three times, the school can not use the reason that a parent has not given permission to refuse the parent or the child any other services, benefits or activities of the school. Parent permission to evaluate a child for the first time shall not be taken to mean that the parent has given permission to give a child special education and related services.

When the school seeks parent permission, the school must make reasonable efforts to get consent from the parent and must tell the parent:

- (a) of the right to not give permission and if the parent does give permission, the parent can take it back;
- (b) if the parent does not respond to the school in ten school days, the school will take that to mean that the parent does not give permission; and
- (c) if the parent does not give permission and asks for a hearing, the child's school program will not change during the time it takes to go to a hearing.

If parent permission is not given to evaluate the child for the first time, the school may take steps, but is not required to, to make sure that the child gets an appropriate education. This may mean the school asking for mediation or a hearing.

When the school seeks to evaluate the child for the first time and the child is in the custody of the Commissioner of the Department of Children and Families and is not residing with the child's parent, the school is not required to get the consent from the parent to determine whether is disabled and in need of special education services if:

- (a) after reasonable efforts, the school cannot find out where the parent is located;
- (b) the rights of the parent have been terminated by the Court; or
- (c) a judge decided that the right of the parent to make decisions about the child's education are to be made a person appointed by the Court.

If the parent fails to respond or refuses to give consent for the child to receive special education, the school may not use mediation or request a hearing to reach an agreement or get a ruling that services may be provided to the child. Hence, the school would not violate its responsibility to make available a free appropriate public education (FAPE) to the child and is not required to hold a PPT or develop an individualized education program (IEP) for the child.

If, any time after a parent gives consent for the child to receive special education, the parent withdraws consent in writing for the child to continue to receive special education and related services, the school may not continue to provide special education and related services to the child. In this situation, the school must provide prior written notice (See Section B.) to the parent before stopping the provision of special education and related services to the child. The school may not use mediation or request a hearing to reach an agreement or get a ruling that special education services may be provided to the child. Therefore, the school will not be in violation of its responsibility to make available a free appropriate public education (FAPE) to the child and is not required to hold a PPT or develop an individualized education program (IEP) for the child to provide further special education and related services to the child.

If parent permission is not given to the school when the school seeks to place a child in a private school, the school must ask for a hearing and may ask for mediation provided the private school placement is not the first time the child receives special education services.

If the hearing officer decides in favor of the school, the school may evaluate or place the child in a private school without parent permission. The parent may go to either State Superior Court or Federal District Court to stop the school from evaluating or placing the child.

The school must get parent permission before

reevaluating a child. Except the school does not need to get permission, if the school can show that it made a good effort to get permission and the child's parent did not get back to the school.

Anytime the school seeks parent consent the school must have a record of its efforts to get parent permission. This record might include:

- (a) telephone calls tried or made and the results of those calls;
- (b) copies of letters sent to the parent and any letters sent back to the school by the parent; and
- (c) visits made to the parent's home or workplace and results of those visits.

If the parent refuses consent for reevaluation, the school may, but is not required, go to mediation or ask for a hearing to see that the child gets an appropriate education.

4. Parent permission is not needed before:
 - (a) reviewing existing the records of the child that the school already has when the school is evaluating or reevaluating a child; or
 - (b) giving a test or other means of evaluation that is given to all children unless the school gets parent permission from all parents before giving a test or other means of evaluation.
5. If the parent home schools the child or the child is placed in a private school at the expense of the parent and the parent does not provide consent for the child to be evaluated for the first time or for reevaluation or the parent fails to respond to a request to provide consent, the school may not use mediation or request a hearing and the school is not required to consider the child as eligible to receive services for parentally-placed private school children.

D. Inspecting, Reviewing and Getting the School Records of a Child

1. The parent has the right to:
 - (a) inspect and review all records which are kept or used by the school that deal with the:
 - identification of the child;
 - evaluation of the child;
 - educational placement of the child; and

- child's right to a free appropriate public education (FAPE).

The school may take for granted that the parent has the right to inspect and review records unless the school has been told that the parent does not have this right according to State law.

The school must let the parent inspect and review the records as soon as possible and not later than 10 school days after a parent asks.

The school must let the parent look at the records as soon as possible and within 3 school days if it is to prepare for a:

- meeting about an IEP; or
- mediation or hearing.

The school must, in spite of the timelines noted above, comply with a parent request as soon as possible and before any IEP meeting or hearing;

- expect the school to explain and tell about the meaning of the records;
- get one free copy of the records. The parent must ask for a free copy in writing. The school shall provide a copy within 5 school days. The school may charge for more copies. The school may not charge for more copies if having to pay the fee would keep the parent from inspecting and reviewing the records. The school may not charge a fee to look for records;
- have a person acting for the parent inspect and review the records; and
- inspect and review and be told of certain data about his or her child when any record has data on more than one child. The parent may only look at data about his or her child.

E. Asking for a Hearing: A Way to Solve a Dispute

- The law limits the time period for making a request for a hearing. The parent or the school has two years to ask for a hearing from the time the party knew or should have been known about the alleged action that forms the basis of the request for hearing as such relates to the:
 - identification of the child;
 - evaluation of the child;
 - educational placement of the child; or
 - provision of a free appropriate public education (FAPE).

If the parent is not given a copy of the "Steps to Protect a Child's Right to Special Education: Procedural Safeguards", the two-year limit shall start at the time the copy is properly given to the parent. The two-year limit would not apply if the school told the parent that the issues had been resolved when they actually had not been resolved or if the school withheld information from the parent that was required to be provided to the parent.

When a parent asks for a hearing, the school shall tell the parent about the use of mediation as a means to settle the issues. The school shall also tell the parent of any free or low-cost legal and other services related to the matter that are available in the area if:

- parent asks for this; or
- parent or the school asks for a hearing.

- When a party, or the attorney for the party, asks for a hearing, the party must provide in writing:
 - the child's name and address (if the child is homeless the available contact information for the child) and the name of the child's school;
 - the nature of the problem relating to the proposed or refused initiation or change, including the facts related to the problem; and

- (c) what will resolve the problem, to the extent known and available to the party at the time.
3. The school shall have a form for the parent to fill out to ask for a hearing; however the school or the Connecticut State Department of Education may not require the use of this form. The form shall tell what needs to be included.
 4. The party or their attorney asking for the hearing shall send a letter or the form (which must remain confidential) requesting the hearing to the other party and send a copy to:

Connecticut State Department of Education
Division of Teaching and Learning Programs and Services
Bureau of Special Education

Due Process Unit

P.O. Box 2219

Hartford, CT 06145-2219

FAX 860 713-7153

5. A party may not have a hearing until the party gives the information noted in #2 of this section. The party receiving the request for hearing shall have 15 calendar days from the receipt of the request to notify the hearing officer and the other party in writing that the receiving party believes that the request for hearing does not contain the required information. The hearing officer, within 5 calendar days of receiving this notice, must decide if the required information has been given and immediately notify the parties in writing of that decision. If the receiving party does not notify the hearing officer, the request for hearing would be considered to contain the required information.
6. A party may amend its request for hearing only if the:
 - (a) other party consents in writing to the change and is given the chance to resolve the issues through a resolution meeting as noted in #9 of this section; or
 - (b) hearing officer gives permission which may only be given at any time not later than 5 calendar days before the hearing begins.

If a party files an amended request for hearing, the timelines for the resolution meeting noted in #9 of this section and for the resolving the parent's issues in #12 of this section, begin again with the filing of the amended request for hearing.

7. If the school has not sent prior written notice to the parent (See Section B.) regarding the issues noted in the parent's request for hearing, the school shall, within 10 calendar days of receiving the parent's request for hearing, send the parent a response that shall tell:
 - (a) why the school proposes to or refuses to do what was noted in the request for hearing;
 - (b) the other options the PPT talked about and the reasons why those were rejected;
 - (c) about each evaluation procedure, assessment, record or report that the school used as a basis for the proposed or refused action; and
 - (d) about other factors that were relevant to the school's proposal or refusal.

The response by the school does not keep a school from claiming that the content of the parent's request for hearing was sufficient.

8. Except as provided above in #7, the party receiving the request for a due process hearing must, within 10 calendar days of receiving the request, send to the other party a response that specifically addresses the issues in the request for the due process hearing.

9. Within 15 calendar days of getting the parent's request for a hearing and before the start of the hearing, the school must have a resolution meeting with the parent and the IEP member(s) who have information about the facts that are noted in the parent's request for the hearing. The parent and the school determine the relevant members of the IEP team to attend the meeting. The school must have a person at the meeting who has the authority to make a decision for the school. The school may not bring an attorney unless the parent has an attorney.
10. At the resolution meeting the parent will discuss the request for hearing and give the facts and the reasons why the hearing was requested. The meeting will give the school the chance to resolve the issues. This meeting does not have to be held, if the:
 - (a) parent and the school agree in writing not to have the meeting; or
 - (b) parent and the school agree to use mediation. (See Section K.)
11. If at the resolution meeting the parent and the school resolve the issues, an agreement will be put in writing and signed by the parent and the person from the school who has the authority to make the agreement. The parent or the school will have 3 business days from the signing of the agreement to change their minds and not have to go along with the agreement. The agreement is binding on both the parent and the school and either parent or the school may go to State or Federal Court to have the agreement enforced.
12. If the school has not resolved the parent's issues to the parent's satisfaction within 30 calendar days of receiving the parent's request for the hearing, the 45-calendar-day timeline for hearing may begin except as noted below in #14 of this section.
13. Unless the parent and the school agree not to have the resolution meeting or to use mediation, the failure of the parent to participate in the resolution meeting will delay the timelines for the resolution process and the due process hearing until the resolution meeting is held.

If the school is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts and documents such efforts (as noted in Section C. #11), the school may, at the end of the 30- calendar-day resolution period, ask the hearing officer to dismiss the parent's request for hearing.

If the school fails to hold the resolution meeting within 15 calendar days of receiving the parent's request for hearing or fails to participate in the resolution meeting, the parent may ask the hearing officer to begin the 45-calendar-day due process hearing timeline.

14. The 30-calendar-day resolution period may be adjusted. The 45-calendar-day timeline for the hearing will start the day after one of the following events:
 - (a) The parent and the school agree in writing not to hold the resolution meeting;
 - (b) After the mediation or resolution meeting starts but before the end of 30-calendar-day resolution period, the parent and the school agree in writing that no agreement is possible;
 - (c) If the parent and the school agree in writing to continue the mediation at the end of the 30-calendar-day resolution period, but later, the parent or the school withdraws from the mediation process.
15. If the school requests the hearing, the 45-calendar-day timeline shall commence:
 - (a) after the hearing officer deems the request to be sufficient (See Section E. #5);
 - (b) immediately following the parent's notice to the hearing officer not to challenge the sufficiency of the hearing request; or

(c) after 15 calendar days of the parent's receipt of the school's request for hearing, if the parent does not challenge the sufficiency of the school's request for hearing.

16. Before the start of the hearing, the parent and the school shall take part in a telephone call with the hearing officer. This is called a prehearing conference. During the call the parent and the school shall try to work out the dispute, if possible, and narrow the issues.
17. The hearing shall be held by a hearing officer who:
 - (a) is not an employee of
 - the Connecticut State Department of Education or
 - the school district where the child goes to school or the school district responsible for the child's education;
 - (b) does not have a personal or professional interest which would get in the way of his or her being fair in the hearing;
 - (c) has knowledge and is able to understand the Federal and State special education laws and regulations and the way these laws are understood by Federal and State Courts;
 - (d) has knowledge and is able to conduct a hearing in accordance with appropriate, standard legal practice; and
 - (e) has knowledge and is able to make and write decisions in accordance with appropriate, standard legal practice.

A person who would be a hearing officer is not an employee solely because he or she is paid by the Connecticut State Department of Education to act as a hearing officer.

18. The Connecticut State Department of Education, Due Process Unit, and the school district shall keep a list of the persons who serve as hearing officers. This list shall state the qualifications of each of those persons.
19. The parent has the right to have the child at the hearing and to open the hearing to the public. The parent has the right to be provided with the record of the hearing and the findings of fact and decisions noted in #20(e) and (f) of this section are at no cost.
20. The parent and the school have the right to:
 - (a) bring and be helped by an attorney and persons with special training about children who are disabled;
 - (b) present evidence, question and cross-examine any witness;
 - (c) require witnesses to attend the hearing;
 - (d) not allow any evidence to be given at the hearing that had not been given to that party no less than five business days before the hearing. Evaluations that have been completed by that date and recommendations from the evaluations that one intends to use at the hearing shall be given at least five business days before the hearing;
 - (e) a written, or, at the choice of the parent, electronic word-for-word record of the hearing; and
 - (f) written, or at the choice of the parent, electronic findings of fact and decisions.
21. The hearing officer may prevent the parent or the school from giving any evidence at the hearing without the permission of the other party if the parent or the school fails to meet the timeline in #20(d) of this section.
22. The party that asked for the hearing shall not be allowed to raise issues at the hearing that were not raised in the request for the hearing unless the other party agrees. A parent may file a separate request for a due process hearing on an issue separate from the hearing request already filed.
23. A decision made by the hearing officer shall be made on:

- (a) substantive grounds, that is, on legal rights and principles based on whether the child received a free appropriate public education (FAPE); and/or
 - (b) on matters alleging procedural violations, if such violations kept the child from receiving a free appropriate public education (FAPE), kept the parent from being meaningfully involved in the decisions about the child's right to a free appropriate public education (FAPE) or deprived the child of educational benefit. The hearing officer may order a school to follow the procedures, even if the hearing officer found that the child was not kept from receiving a free appropriate public education (FAPE).
24. Within 45 calendar days of the start of the hearing timeline, a final decision in the hearing shall be reached and a copy of the decision shall be mailed to each of the parties. The hearing officer may allow extra time beyond the 45-calendar-day timeline when asked for by the parent or the school. The hearing shall be held at a time and place that would make it easy for the parent and child to attend.
 25. The decision of the hearing is final, unless the parent or the school asks for a review from either State Superior Court or Federal District Court.
 26. The Connecticut State Department of Education shall, after taking out any data that would make the identity of the child easily known, send the written findings of fact and decisions to the State Advisory Council for Special Education and also make them available to the general public.

F. Expedited Due Process Hearings

1. The procedures and the way in which an expedited due process hearing is held are as noted in Sections E. (excluding #15) except as noted in this section.
2. An expedited hearing will be set up when a hearing is asked for as follows:
 - (a) the school thinks that keeping the child in the current school program is to a large extent likely to result in injury to the child or to others and the school wants to put the child in an interim alternative educational setting (IAES) (See Section I. #10) for not more than 45 school days;
 - (b) the child is placed in an IAES and the school wants to change the child's school program at the end of the IAES because the school believes it is a danger for the child or others for the child to be in the school program that the child was in before being placed in the IAES and the school asks for an expedited hearing. This hearing procedure may be repeated;
 - (c) the parent challenges an alleged change of placement (See Section I. #3) and believes the child has been kept out of school for more than 10 days in a row without the school following the proper steps;
 - (d) the parent challenges an alleged change in placement (See Section I. #3) and believes the child has been kept out of school for more than 10 days in a school year without the school following the proper steps;
 - (e) the parent does not agree with the school placing the child in an IAES for a weapons, drugs or dangerousness (See Section I. #10); or
 - (f) the parent does not agree with the manifestation determination (MD) (See Section I. #7).

Upon a request for a hearing for any of the matters noted in this section, the hearing shall occur within 20 school days of the date the hearing request is filed and shall result in a decision within 10 school days after the hearing. The hearing officer may order a change in placement of the child as follows:

- (a) return the child to the placement from which the child was removed; or
 - (b) place the child in an IAES for not more than 45 school days if it is determined that keeping the child in the current placement will more than likely result in injury to the child or to others.
3. Each party to a hearing:
 - (a) has the right to keep any evidence from being presented at the hearing that has not been given to the other party at least 2 business days before the hearing; and

(b) shall give to all other parties all evaluations completed to date and the recommendations from the evaluations that the party wants to use at the hearing at least 2 business days before the hearing.

4. A resolution meeting (See Section E. #9) must occur within 7 calendar days of receiving the request for hearing unless the parent and the school agree in writing not to have the resolution meeting or they agree to mediation. The due process hearing may proceed unless the matter has been resolved to the satisfaction of the parent and the school within 15 calendar days of the receipt of the request for hearing.

G. Asking for an Advisory Opinion: A Quick Way to Settle a Dispute

1. After a hearing has been asked for and before the hearing begins, the parent and the school may agree to go to an advisory opinion by sending a letter or a form that the school has to:

Connecticut State Department of Education
Division of Teaching and Learning Programs
and Services
Bureau of Special Education
Due Process Unit
P.O. Box 2219
Hartford, CT 06145-2219
FAX 860 713-7153

2. By going to an advisory opinion, the parent and the school have a chance to state their position in a brief manner to a hearing officer in one day. The hearing officer shall tell the parent and the school how he/she thinks the issues would be decided if the parent and the school went on to a full hearing. The hearing officer who does the advisory opinion shall not be the same hearing officer that would hold the full hearing.
3. The parent and the school do not have to accept the view of the hearing officer that gives the advisory opinion. The parent and the school may go on to a full hearing if the issues are not settled by getting an advisory opinion.

H. Child's School Program During a Hearing or a Court Review

1. Except as provided in #2 of this section, when a hearing has been asked for, the child must stay in the school program with the same services that the child was getting before the parent and the school had a disagreement. The child must stay in this program until the matter is settled unless the parent and the school agree to change the school program. If the child is to enter public school for the first time, the child, with the consent of the parent, must be able to go to school until the completion of all proceedings. If a hearing officer agrees with the parent that a change to the child's school program is appropriate, the order of the hearing officer must be carried out, even if a Court review (See Section L.) has been asked for.
2. If the child turns three years of age and is coming from a Birth-to-Three program, the school is not required to provide the Birth-to-Three services that the child had been receiving. If the child is found to be eligible for special education services and the parent consents for the child to receive services for the first time, the school must provide the services that are not in dispute between the parent and the school.
3. If the school or the parent asks for a hearing, after a child was placed in an interim alternative educational setting (IAES) for not more than 45 school days by:
 - (a) the school for reasons as noted in Section I. #10 or
 - (b) a hearing officer as noted in Section F. #2(a) and #3

the child must stay in the IAES until the hearing officer decides differently or until the end of the specified time (which shall not be more than 45 school days), whichever comes first, unless the parent and school agree to change the school program.

If the school wants to change the child's program after the specified time in the IAES is up and asks for a hearing, the child would return to the school program that the child was in before being placed in the IAES while the hearing is held.

I. Procedures When Disciplining a Child

1. The school may consider any special concerns for a child when deciding to change the school program of a child who violated a code of school conduct.
2. The school may remove a child who violates a school rule from the current program to an IAES, another setting, or suspension, for not more than 10 school days in a row and for additional removals of not more than 10 school days in a row in the same school year for separate incidents of misconduct provided the removals do not result in a change in placement. (See #3 of this section)

A school is only required to provide services to a child who has been removed from his or her current placement for 10 school days or less in the same school year, if the school provides services to a child without a disability who has been similarly removed.

3. A change in placement occurs if:
 - (a) the removal is for more than 10 school days in a row; or
 - (b) the removals make up a pattern because:
 - they total more than 10 school days in a school year
 - the child's behavior is very much like the child's behavior in previous incidents that resulted in other removals, and
 - of other factors as the length of each removal, the total amount of time the child has been removed and the closeness in time of the removals to one another.

The school shall determine on a case-by-case basis whether a pattern of removals is a change in placement.

4. If the school seeks to change a child's placement for more than 10 school days and the behavior that led to this intended change was not a manifestation of the child's disability (See #7 of this section), the child may be discipline in the same way and for the same amount of time that would be applied to a child who is not disabled. The child's PPT shall determine the educational setting.
5. After the child has been removed from his school program for 10 school days in the same school year and the current removal is not for more than 10 school days in a row and is not a change in placement (See #3 of this section), the school staff along with at least one of the child's teachers shall determine the extent to which services are needed to enable the child to continue in the general education coursework, even though in another setting, and to progress toward meeting the goals of the IEP and receive, as appropriate, a functional behavioral assessment (FBA) and behavior intervention services and modifications, that are designed to address the behavior violation so that it does not happen again.
6. If the removal is a change of placement (See#3 of this section), the child's IEP team determines the services that are needed to enable the child to continue in the general education coursework and to progress toward meeting the goals of the IEP.
7. Within 10 school days of any decision to change a child's placement for more than 10 school days because the child violated a school rule, the school with the parent and relevant members of the IEP team (to be determined by the parent and the school) shall review all relevant information in the child's school file, including the IEP, teacher observations and any relevant information provided by the parent to determine if the behavior in question was:
 - (a) caused by, or was directly or to a large extent related to the child's disability; or

(b) the direct result of the school's failure to implement the IEP.

If the team determines that either of the above, (a) or (b), applies to the child, the behavior in question shall be determined to be a manifestation of the child's disability. This decision is known as the manifestation determination (MD).

If the team determines that the behavior in question was a direct result of the school's failure to implement the IEP, the school must take immediate steps to remedy the deficiencies.

8. If the team noted in #7 of this section decides the behavior in question was a manifestation of the child's disability, the IEP team shall:
 - (a) if the school had not already conducted a functional behavior assessment (FBA) before the behavior in question occurred, conduct an FBA and put into effect a behavior intervention plan (BIP) (a plan to improve the child's behavior so that the behavior that resulted in the change of the child's program does not happen again);
 - (b) if a BIP is already in place, review the BIP and modify it, as necessary, to address the behavior in question; and
 - (c) except as noted in #10 in this section, return the child to the program that the child was in before being removed unless the school and the parent agree to a change in the child's placement as part of the revised BIP.
9. On the date the decision is made for a removal that would be a change in placement (See #3 of this section), the school must notify the parent of that decision and provide the parent with a copy of the "Steps to Protect a Child's Right to Special Education: Procedural Safeguards".
10. A school may place a child in an IAES for not more than 45 school days without regard to the manifestation determination (MD) as noted in #7 of this section, in cases where a child:
 - (a) carried a weapon to school or has a weapon at school, on school grounds or to or at a school activity;
 - (b) knowingly had, used illegal drugs, sold or tried to buy a controlled substance at school, on school grounds or at a school activity; or
 - (c) has caused serious bodily injury upon another person at school, on school grounds or at a school activity.

When the school orders a child to an IAES for not more than 45 school days, the school must hold a PPT meeting to determine the IAES.

J. Steps a Parent Must Follow When Placing a Child in a Private School at Public Expense

1. A parent, who on his or her own, places a child, who at one time received special education through the public school, in a private school and seeks a return of the money for the costs of the private school from the public school may receive the costs from the public school:
 - (a) by order of a Court; or
 - (b) by the order of a hearing officer

if it is decided that:

- (a) the school had not made a program that could meet the child's education needs available to the child in a timely manner before the parent enrolled the child in the private school; and

-
- (b) the private school program for the child meets the child's education needs.

The private school program provided to the child may be found to be an appropriate program for the child by a hearing officer or a Court even if the private school does not meet the state standards that apply to the education provided by the school district.

2. The return of the costs for the private school may be denied or reduced:
- (a) if at the last PPT meeting that the parent attended before taking the child out of the public schools, the parent did not
- tell the PPT of not wanting the placement offered by the school
 - state the concerns about the placement offered by the school and
 - state the intent to enroll the child in a private school at public expense;
- or
- if, at least, 10 business days (including any holidays that occur on a business day) before taking the child out of the public school, the parent did not
- give notice in writing to the school of not wanting the placement offered by the school
 - state the concerns about the placement offered by the school and
 - state the intent to enroll the child in a private school at public expense;
- (b) if, before the parent took the child out of the public school, the school told the parent (See Section B.), in writing, of its intent to evaluate the child, giving the purpose of the evaluation, and the parent did not make the child available for evaluation; or
- (c) upon a Court deciding that the parent did not act within reason.
3. The return of the costs:
- (a) shall not be reduced or denied because the parent did not tell the school because:
- the school kept the parent from giving notice, as noted in #2(a) of this section;
 - the parent had not received notice from the school that the parent had to tell the school, as noted in #2(a) of this section, before putting the child in the private school if the parent wanted to get the school district to return the costs of the private school; or
 - having to tell the PPT, as noted in #2(a) of this section, would likely result in physical harm to the child.
- and
- (b) may, in the finding of the hearing officer or the Court, not be reduced or denied because the parent did not tell the school because:
- the parent cannot read and write in English; or
 - having to tell the PPT, as noted in #2(a) of this section, would likely result in serious emotional harm to the child.

K. Settling a Dispute When the Parent and the School Do Not Agree: Mediation

1. Mediation is a way to settle a dispute when the parent and the school do not agree on:
- (a) the identification of the child;
- (b) the evaluation of the child;
- (c) the educational placement of the child; or

- (d) any other matter related to provision of a free appropriate public education to the child (FAPE).

The parent and the school have a free choice to go to mediation. The mediation can not be used to:

- (a) deny or delay the parent's right to a hearing; or
- (b) deny any other rights that the parent has under the State or Federal special education laws.

Before filing a complaint (see Section N.) or before asking for a hearing (see Section E.) or any time after filing a complaint or during the hearing, the parent and the school may ask for a mediation by sending a letter to:

Connecticut State Department of Education
Division of Teaching and Learning Programs and Services
Bureau of Special Education
Due Process Unit
P.O. Box 2219
Hartford, CT 06145-2219
FAX 860 713-7153

The Due Process Unit has a list of mediators and will assign a mediator from a rotating list who:

- (a) is trained in mediation;
- (b) does not show favor to either the parent or the school;
- (c) is knowledgeable about the special education laws;
- (d) is an education consultant with Connecticut State Department of Education; and
- (e) does not provide direct services to the child who is the subject of the mediation.

The mediator will try to help settle the concerns of the parent and the school. The mediation will be held in a place that is close for the parent and the school staff. The Connecticut State Department of Education is responsible for the cost of the mediation process.

2. If the parent and the school reach agreement on the issues, what they have agreed to will be put in writing and signed by the parent and the person from the school who has the authority to sign the agreement. The mediation agreement shall state that the discussions that occurred during the mediation will remain confidential and may not be used as evidence in any subsequent due process hearing or court action that may follow the mediation. The mediation agreement is enforceable in any State Court or in Federal District Court.

L. Reviews by a Court: Civil Actions

1. If the parent or the school does not agree with the findings and final decision made in the hearing, they have the right to a review within 45 calendar days of receipt of the final decision and order from either State Superior Court or Federal District Court without taking into account the damages claimed or the relief sought. The Court:
 - (a) shall get the records of the hearing;
 - (b) shall hear additional evidence when asked by the school or the parent; and
 - (c) basing its decision on the greater amount of evidence, shall order a change as the Court determines to be appropriate.
2. Nothing in the Federal law (IDEA) regarding the education of children who are disabled limits the rights that a parent or the school has under other Federal laws that protect the rights of children who are disabled. However, before filing for a review by a Court, a final decision of the hearing must be rendered.

M. Attorneys' Fees

1. For any hearing or Court review the Court may order:
 - (a) the school to pay for the attorneys' fees paid by the parent in a matter that is decided in the favor of the parent;
 - (b) the attorney of a parent to pay for the attorneys' fees paid for by the school or the State in a matter that is decided in favor of the school or the State, if the attorney of the parent files a request for a hearing or review by the Court that is needless, is without good reason, or is without a proper basis; or if the attorney of a parent continued to litigate after it is clear that the matter is needless, is without good reason, or is without a proper basis;
 - (c) the attorney of a parent or the parent to pay the attorneys' fees paid for by the school or the State in a matter that is decided in favor of the school or the State, if the parent's request for hearing or review by the Court is made for any improper purpose, such as to harass, to cause unnecessary delay, or needlessly increase the cost of the hearing or the Court review.
2. The amount of attorneys' fees that is decided shall be based on rates common in the area in which the hearing or Court review arose for the kind and quality of services provided. No extra means may be used in figuring the fees ordered.
3. Attorneys' fees may not be ordered and related costs may not be returned to the parent in any hearing or Court review for services provided after the time of a written offer to a parent to settle the matter if:
 - (a) the offer is made within the time allowed by Federal rule or, in the case of a hearing, at any time more than 10 calendar days before the hearing begins;
 - (b) the offer is not accepted within 10 calendar days; and
 - (c) the Court finds that the relief finally given to the parent is not more than the offer to settle the matter.

An order for the return of attorneys' fees and other costs may be made to a parent who succeeds with his or her case and who had good reason for not taking the offer made by the school to settle the matter.

The return of attorneys' fees may not be ordered for:

- (a) any meeting of the PPT unless the PPT meeting is held as a result of a hearing or a Court review;
 - (b) a mediation (See Section K); or
 - (c) the resolution meeting (Section E #9).
4. The Court may lower attorneys' fees whenever it finds that:
 - (a) the parent or the parent's attorney, during the hearing or the Court review, took more time than necessary to reach a final resolution of the hearing or the Court review;
 - (b) the amount of the attorneys' fees goes beyond, without good reason, the hourly rate common in the area for same type of services by attorneys who compare in skill, reputation, and training;
 - (c) the time spent and legal services provided were more than expected for the type of hearing or Court review; or
 - (d) the attorney for the parent did not give to the school the required information when requesting the hearing.

The Court would not lower attorneys' fees if the Court finds that:

- (a) the school or the State without good reason took more time than necessary to reach a final resolution of the hearing or the Court review; or
- (b) the procedural safeguards were violated.

N. Filing a Complaint

1. A organization or a person may file a signed complaint in writing. The complaint must state:
 - (a) that the school did not carry out the Federal (IDEA) or the State laws that protect children who are disabled;
 - (b) the facts on which the complaint is based; and
 - (c) the signature and contact information for the person or organization filing the complaint.

If the complaint involves a specific child, the complaint shall include:

- (a) the name and address of the child;
- (b) the name of the school that the child is attending;
- (c) in the case of a homeless child, the available contact information for the child and the name of the school the child is attending;
- (d) the nature of the problem of the child, including the facts related to the problem; and
- (e) a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

The complaint must claim a violation that occurred not more than one year before the date that the complaint is received.

2. A complaint shall be sent to the school district and, at the same time, a copy to:

Connecticut State Department of Education
Division of Teaching and Learning Programs and Services
Bureau of Special Education
Due Process Unit
P.O. Box 2219
Hartford, CT 06145-2219
FAX 860 713-7153

3. The Department shall make a decision about the issues in the complaint within 60 calendar days after the complaint is filed with Department. The 60- calendar-day-limit may be extended if the:
 - (a) Department believes that there are special factors in a complaint; or
 - (b) person or the organization and the school agree to a mediation.

In making a decision, the Department shall:

- (a) carry out an on-site visit at the school, if the Department believes it must be done;
- (b) give the complainant a chance to give, orally or in writing, more facts about the complaint;
- (c) provide the school with the opportunity to respond to the complaint, which may include:
 - if the school so desires, a proposal to resolve the complaint and
 - an opportunity for the complainant and the school to go mediation.
- (d) review all the facts regarding the complaint and decide if the school failed to meet the law; and
- (e) send out a decision to the complainant. The decision shall rule on each issue raised in the complaint and contain the facts on which the decision was based, how the facts were related to the decision and the reasons for the decision.

4. The carrying out of the Department's decision may include:

- (a) assistance to the school district by the Department;
- (b) talks to help the parent and the school agree to terms to resolve the complaint; and

(c) actions for the school to take to meet the law.

5. If the Department has found that the school failed to provide appropriate services to a child, the Department shall address :
 - (a) how to make up for services that had not been given to a child, which may include paying the parent for the costs of those services that had been paid by the parent or other proper actions related to the needs of the child; and
 - (b) for system-wide issues, appropriate future provision of services for all children who are disabled.
6. A parent may also request a hearing even if a complaint has been filed; however the Department shall not look into any part of a complaint that is part of the due process hearing, until the final decision of the hearing is made. Any issue in the complaint that is not part of the due process hearing must be resolved following steps noted in #3 in this section. If an issue is raised in a complaint that was already decided in a due process hearing with the same parties, the hearing decision is final and will not be reviewed by the Department. The Department shall inform the complainant that a review will not be done. If a complaint states that the school has failed to carry out the final decision of the due process hearing, the Department shall resolve the complaint.

O. Electronic Mail

1. The parent may elect to receive notices required for prior written notice, procedural safeguards and due process hearings, if the school makes that that option available.

P. Difference Between a Due Process Hearing (Section E.) and an Administrative Complaint (Section O.)

1. A complaint may be filed by any person or organization which claims that a school district violated the Federal (IDEA) and/or the State special education laws and/or regulations that protect a child with a disability. The Connecticut State Department of Education shall make a decision within 60 calendar days after the complaint is filed with the Department.
2. A hearing may be filed by a parent or the school district on any matter relating to a proposal or refusal to initiate or change:
 - (a) the identification of a child;
 - (b) the evaluation of a child;
 - (c) the educational placement of the child; or
 - (d) the provision of a free appropriate public education to the child.

The hearing officer shall render a final decision within 45 calendar days after the start of the hearing timeline, unless the hearing officer allows extra time when asked by the parent and/or the school.

01/01/09

**GREENWICH SCHOOL DISTRICT
NOTICE AND CONSENT TO CONDUCT AN INITIAL EVALUATION**

Date: _____

Dear _____

Your child, _____ (Student's Name) - _____ (DOB) has been referred for an evaluation to determine

eligibility for special education services. Federal and State regulations require that the school district obtain the written consent of parents before conducting such an evaluation.

- A copy of the Procedural Safeguards in Special Education is enclosed.
- A copy of the Procedural Safeguards in Special Education was provided to you previously this school year. If you would like another copy of the Procedural Safeguards, an explanation of these procedures, or if you have any questions, please contact:

_____ at _____
(Name) (Title) (Telephone Number)

This document includes the following rights:

- A. Parents have the right to refuse consent and, if given, it may be revoked at any time.
- B. Parental failure to respond within 10 school days from the date of this notice shall be construed as refusal of consent.
- C. If contested, your child's current educational placement will not change until due process proceedings have been completed.
- D. Parents have the right to review and obtain copies of all records used as a basis for a referral.
- E. Parents have the right to be fully informed of all evaluation results and to receive a copy of the evaluation report.
- F. Parents have the right to obtain an independent evaluation as part of the evaluation process.
- G. Parents have the right to utilize due process procedures.

- The tests/evaluation procedures listed below were recommended
- The PPT has decided that the available evaluation information listed below is sufficient to determine eligibility:

Reason: (specify) _____

<u>TEST/EVALUATION PROCEDURE</u>	<u>AREA OF ASSESSMENT</u>	<u>EVALUATOR</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Special adaptations or accommodations are to be considered when indicated by the student's language, cultural background or physical status. Adaptations/accommodations required for this evaluation are:

- No adaptations/accommodations required
- Adaptations/accommodations required: (specify) _____

PARENTAL CONSENT

- I give my consent for the _____ Public Schools to utilize the evaluations described above. I understand that this consent may be revoked at any time.

Parent/Guardian Signature Date

- I do not give my consent for the _____ Public Schools to conduct the evaluations described above. I understand that the school district must take steps as see necessary, which may include due process proceedings, to ensure that my child continues to receive a free appropriate public education.

Parent/Guardian Signature Date

GREENWICH SCHOOL DISTRICT -
IEP PLANNING AND PLACEMENT TEAM MEETING COVER PAGE

Student: _____

Current Enrolled School: _____

Home School: _____

School Next Year: _____

ID#: _____

Student Address: _____

Mother/Guardian: _____

Father/Guardian: _____

Surrogate: _____

DOB: _____

Home School: Yes No

House: _____

Grade Next Year: _____

SS#: _____

Monitor: _____

Age: _____

Current Grade: _____

HS Credits: _____

Gender: M F

Start Date of Original Service: _____

Race/Ethnicity: Am.Ind./Alask.Nat. Asian / Pacif.Is Black/Af.Am. White Hispant

Student Instructional Lang: English Other: (specify) _____

Student Home Phone: _____

Mother's Work Phone: _____

Father's Work Phone: _____

Next Triennial Reevaluation Date: _____

Next Annual Review Date: _____

Program/Private School/Out-of-District Placement: _____

Most recent evaluation date: _____

Reason for Meeting: Review Referral Conduct Annual Review Revise IEP Program Review IEP/Program

May choose more than one: Determine Eligibility Transition Planning Manifestation Determination Plan Evaluations/Reevaluation

Develop IEP: Exit Review Eval/Reeval Other _____

Primary Disability: Autism Multiple Disabilities Hearing Impaired Specific Learning Disability OHI/ADD/ADHD

Deaf/Blind/Deaf/Blind Emotional Disturbance Traumatic Brain Injury Orthopedic Impairment Dev. Delay (ages 3-5 only)

Intellectual Disability Visual Impairment Speech/Language Impairment Other Health Impairment To Be Determined

Members Present: _____

Admin/Designee: _____

Parent/Guardian: _____

Parent/Guardian: _____

Student: _____

Surrogate Parent: _____

Reg. Ed. Teacher: _____

*Spec. Ed. Teacher: _____

*School Psy: _____

Social Worker: _____

*Speech/Lang: _____

Guidance: _____

Nurse: _____

*OT: _____

*PT: _____

Agency: _____

Others: _____

* Eligible as a student in need of Special Education (The child is evaluated as having a disability, and needs special education and related services) Yes No

* Is this an amendment to a current IEP? Yes No

If yes, what is the date of the IEP being amended? _____

* Amendments attached Yes No

The next projected IEP meeting date is: 04/02/2010

Parents please note: Under the procedural safeguards of IDEA, a copy of the Procedural Safeguards in Special Education shall be given to the parents of a child with a disability only one time per year, except that a copy also shall be given to the parents: 1) upon initial referral or parental request for evaluation, 2) upon the first occurrence of the filing of a complaint under Section 615(b)(6), 3) upon request by a parent, and 4) upon a change of placement resulting from a disciplinary action. A copy of Procedural Safeguards in Special Education which explains these protections was made available previously this school year is enclosed with this document

A copy of Procedural Safeguards in Special Education is available on school district website: <http://www.greenwichschools.org>. If you need assistance understanding the provisions of IDEA, please contact your child's principal, the district's special education director or the CT's federally designated Parent Training and Information Center (CPAC at 800-445-2722). For a copy of "A Parent's Guide to Special Education in CT" and other resources contact SERC (800-842-8678) or go to: www.state.ct.us/sde/deps/special/index.htm.

WRITTEN PRIOR NOTICE

<p>Actions Proposed</p> <p>Reasons for proposed actions</p> <p><input type="checkbox"/> Educational performance supports proposed actions</p> <p><input type="checkbox"/> Evaluation results support proposed actions</p> <p><input type="checkbox"/> Previous IEP goals and objectives have been satisfactorily achieved</p> <p><input type="checkbox"/> Student has met Exit Criteria</p> <p><input type="checkbox"/> Other (Specify) _____</p>	<p>Date these actions will be implemented (minimum 5 school days from date parent receives Prior Written Notice)</p>
<p>Evaluation procedure, assessment, records or reports used as a basis for the actions proposed (dated) _____</p> <p><input type="checkbox"/> Achievement</p> <p><input type="checkbox"/> Adaptive</p> <p><input type="checkbox"/> Classroom Observation</p> <p><input type="checkbox"/> Cognitive</p> <p><input type="checkbox"/> Communication</p> <p><input type="checkbox"/> Developmental</p> <p><input type="checkbox"/> Health/Medical</p> <p><input type="checkbox"/> Motor</p> <p><input type="checkbox"/> Report Cards</p> <p><input type="checkbox"/> Review of Records</p> <p><input type="checkbox"/> Social Emotional Behavior</p> <p><input type="checkbox"/> Teacher Reports</p> <p><input type="checkbox"/> Review of Mastery Data</p> <p><input type="checkbox"/> Other (specify & date) _____</p>	<p>Actions Refused</p> <p>Reasons for Refused actions</p> <p><input type="checkbox"/> Educational performance supports proposed actions</p> <p><input type="checkbox"/> Evaluation results support proposed actions</p> <p><input type="checkbox"/> Previous IEP goals and objectives have been satisfactorily achieved</p> <p><input type="checkbox"/> Student has met Exit Criteria</p> <p><input type="checkbox"/> Other (Specify) _____</p>
<p>Other options considered and rejected in favor of the Proposed Actions</p> <p><input type="checkbox"/> Full-time placement in general education with supplementary aids and services</p> <p><input type="checkbox"/> No other options were considered and rejected.</p> <p><input type="checkbox"/> Other options considered and rejected in favor of this action: _____</p> <p>Rationale for rejecting other options</p> <p><input type="checkbox"/> Options would not provide student with an appropriate program in the least restrictive environment</p> <p><input type="checkbox"/> Other (specify) _____</p>	<p>Evaluation procedure, assessment, records or reports used as a basis for the refusal (dated) _____</p> <p><input type="checkbox"/> Achievement</p> <p><input type="checkbox"/> Adaptive</p> <p><input type="checkbox"/> Classroom Observation</p> <p><input type="checkbox"/> Cognitive</p> <p><input type="checkbox"/> Communication</p> <p><input type="checkbox"/> Developmental</p> <p><input type="checkbox"/> Health/Medical</p> <p><input type="checkbox"/> Motor</p> <p><input type="checkbox"/> Report Cards</p> <p><input type="checkbox"/> Review of Records</p> <p><input type="checkbox"/> Social Emotional Behavior</p> <p><input type="checkbox"/> Teacher Reports</p> <p><input type="checkbox"/> Review of Mastery Data</p> <p><input type="checkbox"/> Other (specify & date) _____</p>
<p>Other factors that are relevant to this action</p> <p><input type="checkbox"/> There are no other factors that are relevant to the IEP/PP Team's decision</p> <p><input type="checkbox"/> Information/concerns shared by the parents</p> <p><input type="checkbox"/> Information/preferences shared by the student</p> <p><input type="checkbox"/> Information/preferences shared by the staff</p> <p><input type="checkbox"/> Other _____</p>	<p>Exit Information</p> <p><input type="checkbox"/> Date of exit from Special Education _____</p> <p><input type="checkbox"/> Returning to general education _____</p> <p>Reason for exiting Special Education: _____</p>

GREENWICH SCHOOL DISTRICT
CONSENT FOR SPECIAL EDUCATION PLACEMENT

I. Identification Information:

Student: _____ DOB: _____
School: _____ Grade: _____
Parent/Guardian: _____

II. Consent Requirements:

Federal regulations mandate that parents (guardians) give written consent for the initial placement of their child in a special education program. State regulations require written consent for a private special education placement. In both instances the consent must be in writing and given prior to placement.

- A copy of the Procedural Safeguards in Special Education was provided to you previously this school year. If you would like another copy of the Procedural Safeguards or an explanation of these procedures, or if you have any questions, please contact:

_____ at _____
(Name and Title) (Telephone Number)

Included in this document are the following rights:

- A. Parents have the right to refuse consent and, if given, it may be revoked at any time.
- B. Parental failure to respond within 10 school days from the date of this notice shall be construed as refusal of consent.
- C. If contested, your child's current educational placement will not change until due process proceedings have been completed unless you and the district otherwise agree.
- D. Parents have the right to utilize due process proceedings

III. Placement Description

The following special education placement is being proposed for your child, _____
(child's name)

The proposed placement is: Initial Placement in Special Education A Private Placement and is described in an IEP dated: _____ (Note: An IEP must be developed prior to either placement)

IV. Written Consent

I consent to the special education placement described in item III, above. I understand that, for an initial placement in special education, my consent is valid for changes in my child's program or placement (except placement in a private program) if proper notice is given to me and I have not revoked my consent.

Parent/Guardian Signature Date

I do not consent to the special education placement described in item III, above. I understand that by refusing consent for the initial placement in special education, I waive all rights to special education services and protections at the time consent is refused. I may still ask for a reevaluation or hearing on the evaluation or the appropriateness of the special education and related services being offered. I also understand that, if I am refusing consent for a private placement, the school district must initiate due process, provided the private placement is not the initial placement of the child.

Parent/Guardian Signature Date

[District Name] Public Schools
Multidisciplinary Evaluation Report for
Students Suspected of Having a Specific Learning Disability

Student: _____ Date of Birth: _____ Grade: _____

School: _____ Date of Report: _____

The following information must be reviewed by the Planning and Placement Team and documented in the appropriate spaces.

I. Required Evaluation Components

A. Parental Input:

B. Interventions and Instructional Strategies Used Prior to Referral:

[All student-centered intervention and progress monitoring data is attached, including information from math, reading, and/or writing worksheets, as appropriate. Data should include implementers and dates of progress monitoring.]

C. Educationally Relevant Medical Findings, if any: N/A

D. Regular Classroom Observation: Area of Difficulty: _____

Academic setting: _____ Date(s): _____

Observer(s): _____

Behavior observed and the relationship to academic functioning: _____

E. Assessment Information:

<u>Assessment</u> (e.g., curriculum-based, standardized, criterion-referenced)	<u>Evaluator (Name and Title)</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

II. Criteria Respond to each criteria used to determine eligibility for students suspected of having a specific learning disability.		Criteria Met	
		YES	NO
A.	Is student achieving adequately for the student's age or meeting State-approved grade-level standards in one or more of the following areas when provided with learning experiences appropriate for the student's age or State-approved grade level standards? If NO, indicate in which area(s) student is NOT achieving adequately below: <i>[Note: At least <u>one</u> area must be identified.]</i> <input type="checkbox"/> mathematics calculation <input type="checkbox"/> mathematics problem solving <input type="checkbox"/> oral expression <input type="checkbox"/> written expression <input type="checkbox"/> listening comprehension <input type="checkbox"/> reading comprehension <input type="checkbox"/> fluency <input type="checkbox"/> basic reading skills		*
B.	Is student making sufficient progress in the area identified above to meet age or State-approved grade-level standards, even with scientific research-based interventions?		*
C.	The student has been provided with explicit and systematic instruction in the essential components of scientific, research-based reading instruction or math from a qualified teacher, including regular assessments of achievement to document the student's response to scientific, research-based intervention as a part of the evaluation procedures.		*
D.	Learning difficulty is <i>primarily</i> due to:	YES	NO
	1. Lack of instruction in math, reading or writing ^o (<i>Based on Math, Reading or Writing Worksheets</i>)		
	2. A visual, hearing or motor disability		
	3. Intellectual Disability		
	4. Emotional Disturbance		
	5. Cultural factors		
	6. Environmental or economic disadvantage		
	7. Limited English proficiency		
Note: If all of the (✓)'s are in the NO column, then the student meets the criteria for II D (i.e., "learning difficulty is NOT the result of" these other factors).			
E.	Has NO been (✓)'d for all items in D above (#1-7)?		
F.	Does information gathered through the required evaluation components (including consideration of a dual discrepancy**) indicate that a specific learning disability exists in the area identified above (in A)? - If a specific learning disability exists in one of the eight areas above (in II A), attach a summary statement of all formal and informal assessment data used to document the existence of such a disability.		
G.	Are special education and related services required to address the specific learning disability identified in II F?		

*Criteria A-C: The student has been provided with scientific, research-based interventions in area of concern and repeated measures of progress were utilized to determine the student's response to the intervention(s).

^oCriteria D-1: Math, Reading and/or Writing Worksheets are attached (unless math, reading and/or writing are not an area of weakness).

**Dual Discrepancy: Dual discrepancy means that a student has BOTH low performance relative to age or grade level standards AND insufficient progress even when provided with scientific, research-based interventions.

Statements of Assurances:

- H. Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction (i.e., progress monitoring) has been provided to parents.

Date(s) information provided: _____

- I. Student's parents were notified about state policies for performance, strategies for increasing the student's rate of learning and parent's right to request an evaluation.

Date(s) information provided: _____

- J. The IQ/discrepancy (ability/achievement) model was not used to determine eligibility.

- K. A disorder in one of the basic psychological processes in understanding or in using spoken or written language was not required as part of the eligibility decision.

The Planning and Placement Team has reviewed the information presented and has made the determination that the student has a specific learning disability and requires special education services:

YES [All criteria (A-G) have been met.] **NO**

Each team member certifies by his/her signature that this report reflects her/his conclusion. (**Bold** means required.)

<u>Signature</u>	<u>Title</u>
_____	General education teacher _____
_____	Examiner/special education instruction _____
_____	Examiner/pupil personnel services _____
_____	Administrator _____
_____	Other _____
_____	Other _____

If this report does not reflect a team member's conclusion s/he must indicate below her/his reasons and conclusion.

Name: _____ Title: _____ Signature: _____

Reason(s) and conclusion:

TRIENNIAL EVALUATION REPORT (cont'd)

Is the student's attendance in regular education classes satisfactory?

Yes No

Does the student avail him/herself of the special education support?

Yes No

Does the student complete expected work (classroom, homework)?

Yes No

Does the identified disability continue to exist? (IEP: Are these weaknesses noted above the results of, or due to, the student's disability?)

Yes No

Is another disability suspected, which might be causing these difficulties? Describe the basis for your concern and provide documentation

Yes, further documentation is needed No

Does this student still require Special Education Services?

Yes No, further assessment is needed to consider exiting from IDEA services

For program planning purposes:

Has the special education program been effective in meeting the IEP goals?

Yes No, further assessment is needed

Are the student's educational needs adequately identified and understood?

Yes No

Team Decision: Based on the team's responses to the previous questions, check the one student that applies.

- No further assessment is required to determine that the student still has a disability which requires special education. Therefore, this review concludes the reevaluation process; this document serves as the reevaluation report
- Further assessment is necessary in order to determine disability, develop the IEP or consider exiting the student from special education (does not include graduation.) The following components/procedures are suggested.

Questions to be answered:

Components/Procedures to obtain information:

Team members contributing to this evaluation decision:

Administrator

Speech Pathologist

Teacher

Parent(s)

Psychologist

Student

Guidance Counselor

Special Ed Teacher

Social Worker

Triennial Final Report

Student Name:

Date of Report:

School/House:

Grade:

Monitor Completing Report:

- 1) The following information was reviewed as a basis for this report:

standardized tests
 report cards
 evaluation reports
 other

mastery data
 progress reports
 teacher reports

- 2) Provide a brief summary of the student's functioning level and impact on education for each area:

Academic

Social/Behavior

Communication

Vocation/transition

Other

- 3) Based on the review of student records and functioning level:

a) Does the student continue to exhibit a disability? yes no
b) Does the student continue to require special education? yes no

IEP

Individualized Educational Program
Sample Pages of an IEP

Student
 Current Enrolled School: Home School Yes No Age: Current Grade: HS Credits: Gender: M F
 Home School: House: Start Date of Original Service: Race/Ethnicity Am.Ind./Alask.Nat. Asian / Pacif.Is Black/At.Lam. White Hispart
 School Next Year: Grade Next Year: Student Instructional Lang: English Other: (specify)
 ID#: SS#: Student Home Phone: Mother's Work Phone: Father's Work Phone:
 Student Address: Next Triennial Reevaluation Date:
 Mother/Guardian: Next Annual Review Date:
 Father/Guardian: Programs/Private School/Out-of-District Placement:
 Surrogate: Most recent evaluation date

Reason for Meeting: Review Referral Conduct Annual Review Revise IEP/Program Review IEP/Program
 Determine Eligibility Transition Planning Manifestation Determination Plan Evaluations/Reevaluation
 Develop IEP Exit Review Eval/Reeval Other
Primary Disability Autism Multiple Disabilities Hearing Impaired Specific Learning Disability OHI/ADD/ADHD
 Deaf/Blind/Deaf/Blind Emotional Disturbance Traumatic Brain Injury Orthopedic Impairment Dev. Delay (ages 3-5 only)
 Intellectual Disability Visual Impairment Speech/Language Impairment Other Health Impairment To Be Determined

Members Present
 Admin/Designee: Nurse:
 Parent/Guardian: *OT:
 Parent/Guardian: *PT:
 Student: Agency:
 Surrogate Parent: Others:
 Reg. Ed. Teacher:
 *Spec. Ed. Teacher:
 *School Psy:
 Social Worker:
 *Speech/Lang:
 Guidance:

* Eligible as a student in need of Special Education (The child is evaluated as having a disability, and needs special education and related services) Yes No
 * Is this an amendment to a current IEP? Yes No
 If yes, what is the date of the IEP being amended?
 * Amendments attached Yes No

The next projected IEP meeting date is: 04/02/2010

Parents please note: Under the procedural safeguards of IDEA, a copy of the Procedural Safeguards in Special Education shall be given to the parents of a child with a disability only one time per year, except that a copy also shall be given to the parents: 1) upon initial referral or parental request for evaluation, 2) upon the first occurrence of the filing of a complaint under Section 615(b)(6), 3) upon request by a parent, and 4) upon a change of placement resulting from a disciplinary action. A copy of Procedural Safeguards in Special Education which explains these protections was made available previously this school year is enclosed with this document.

A copy of Procedural Safeguards in Special Education is available on school district website: <http://www.greenwichschools.org>. If you need assistance understanding the provisions of IDEA, please contact your child's principal, the district's special education director or the CT's federally designated Parent Training and Information Center (CPAC at 800-445-2722). For a copy of "A Parent's Guide to Special Education in CT" and other resources contact SERC (800-842-8678) or go to: www.state.ct.us/sde/deps/special/index.htm.

WRITTEN PRIOR NOTICE

<p>Actions Proposed</p>	<p>Reasons for proposed actions</p> <p><input type="checkbox"/> Educational performance supports proposed actions</p> <p><input type="checkbox"/> Evaluation results support proposed actions</p> <p><input type="checkbox"/> Previous IEP goals and objectives have been satisfactorily achieved</p> <p><input type="checkbox"/> Student has met Exit Criteria</p> <p><input type="checkbox"/> Other (Specify) _____</p> <p>Evaluation procedure, assessment, records or reports used as a basis for the actions proposed (dated):</p> <p><input type="checkbox"/> Achievement _____</p> <p><input type="checkbox"/> Adaptive _____</p> <p><input type="checkbox"/> Classroom Observation _____</p> <p><input type="checkbox"/> Cognitive _____</p> <p><input type="checkbox"/> Communication _____</p> <p><input type="checkbox"/> Developmental _____</p> <p><input type="checkbox"/> Health/Medical _____</p> <p><input type="checkbox"/> Motor _____</p> <p><input type="checkbox"/> Report Cards _____</p> <p><input type="checkbox"/> Review of Records _____</p> <p><input type="checkbox"/> Social Emotional Behavior _____</p> <p><input type="checkbox"/> Teacher Reports _____</p> <p><input type="checkbox"/> Review of Mastery Data _____</p> <p><input type="checkbox"/> Other (specify & date) _____</p> <p>Date these actions will be implemented (minimum 5 school days from date parent receives Prior Written Notice) _____</p>
<p>Actions Refused</p>	<p>Reasons for Refused actions</p> <p><input type="checkbox"/> Educational performance supports proposed actions</p> <p><input type="checkbox"/> Evaluation results support proposed actions</p> <p><input type="checkbox"/> Previous IEP goals and objectives have been satisfactorily achieved</p> <p><input type="checkbox"/> Student has met Exit Criteria</p> <p><input type="checkbox"/> Other (Specify) _____</p>
<p>Other options considered and rejected in favor of the Proposed Actions</p> <p><input type="checkbox"/> Full-time placement in general education with supplementary aids and services</p> <p><input type="checkbox"/> No other options were considered and rejected.</p> <p><input type="checkbox"/> Other options considered and rejected in favor of this action: _____</p> <p>Rationale for rejecting other options</p> <p><input type="checkbox"/> Options would not provide student with an appropriate program in the least restrictive environment</p> <p><input type="checkbox"/> Other (specify) _____</p>	<p>Evaluation procedure, assessment, records or reports used as a basis for the refusal (dated)</p> <p><input type="checkbox"/> Achievement _____</p> <p><input type="checkbox"/> Adaptive _____</p> <p><input type="checkbox"/> Classroom Observation _____</p> <p><input type="checkbox"/> Cognitive _____</p> <p><input type="checkbox"/> Communication _____</p> <p><input type="checkbox"/> Developmental _____</p> <p><input type="checkbox"/> Health/Medical _____</p> <p><input type="checkbox"/> Motor _____</p> <p><input type="checkbox"/> Report Cards _____</p> <p><input type="checkbox"/> Review of Records _____</p> <p><input type="checkbox"/> Social Emotional Behavior _____</p> <p><input type="checkbox"/> Teacher Reports _____</p> <p><input type="checkbox"/> Review of Mastery Data _____</p> <p><input type="checkbox"/> Other (specify & date) _____</p>
<p>Other factors that are relevant to this action</p> <p><input type="checkbox"/> There are no other factors that are relevant to the IEP/PP Team's decision</p> <p><input type="checkbox"/> Information/concerns shared by the parents</p> <p><input type="checkbox"/> Information/preferences shared by the student</p> <p><input type="checkbox"/> Information/preferences shared by the staff</p> <p><input type="checkbox"/> Other _____</p>	<p>Exit Information</p> <p><input type="checkbox"/> Date of exit from Special Education _____</p> <p><input type="checkbox"/> Returning to general education _____</p> <p>Reason for exiting Special Education: _____</p>

GREENWICH PUBLIC SCHOOLS

INDIVIDUALIZED EDUCATIONAL PROGRAM

Present Levels of Academic Achievement and Functional Performance

The following information was derived from: report data, documentation from classroom performance, parent/student reports, curriculum based and standardized assessments, observations, including CMT and CAPT results and student samples).

Parent Input
and Concerns

Priority

Student Input
and Concerns

Area (briefly describe current performance) Strengths based on: Concerns/Challenges/Needs requiring special education and reflected in an annual goal based on: Impact of student's disability on involvement and progress in the general education curriculum or appropriate preschool activities. (must be reflected in accommodations/modifications)

<p>Academic/Cognitive : Language Arts: <input type="checkbox"/> . Age/Grade Appropriate</p>			
<p>Academic/Cognitive: Math <input type="checkbox"/> . Age/Grade Appropriate</p>			
<p>Other Academic/ Nonacademic Areas <input type="checkbox"/> . Age/Grade Appropriate</p>			

Revised On:

IEP Year 2009-2010

INDIVIDUALIZED EDUCATIONAL PROGRAM

Current Functioning/Present Level of Educational Performance
Classroom Performance/Parents' Reports/Assessment Results

Area (briefly describe current performance)	Strengths based on:	Concerns/Challenges/Needs requiring special education and reflected in an annual goal based on:	Impact of student's disability on involvement and progress in the general education curriculum or appropriate preschool activities. (must be reflected in accommodations/modifications)
Social/Emotional <input type="checkbox"/> , Age/Grade appropriate			
Communication <input type="checkbox"/> , Age/Grade Appropriate			
Vocational/Transition <input type="checkbox"/> , Age/Grade appropriate			

Revised On: _____ IEP Year 2009-2010

**Current Functioning/Present Level of Educational Performance
Classroom Performance/Parents' Reports/Assessment Results**

Impact of student's disability on involvement and progress in the general education curriculum or appropriate preschool activities. (must be reflected in accommodations/modifications)

Concerns/Challenges/Needs Requiring special and reflected in an annual goal based on:

Strengths based on:

Area (briefly describe current performance)

<p>Health and Development-Vision and Hearing <input type="checkbox"/> . Age Appropriate</p>			
<p>Fine Motor <input type="checkbox"/> . Age Appropriate</p>			
<p>Gross Motor <input type="checkbox"/> . Age Appropriate</p>			
<p>Activities of Daily Living <input type="checkbox"/> . Age Appropriate</p>			

Revised:

IEP Year 2009-2010

Student: _____ Last Name, First Name _____ DOB: _____ mm/dd/yyyy _____ District: Greenwich School District _____ Meeting Date: _____ mm/dd/yyyy

TRANSITION PLANNING

1. Not Applicable: Student has not reached the age of 15 and transition planning is not required or appropriate at this time.
 This is either the first IEP to be in effect when the student turns 16 (or younger if appropriate and transition planning is needed) or the student is 16 or older and transition planning is required.

2. Student Preferences/Interests – document the following:

- a) Was the student invited to attend her/his Planning and Placement Team (PPT) meeting? Yes No
- b) Did the student attend? Yes No
- c) How were the student's preferences/interests, as they relate to planning for transition services, determined?
 Personal Interviews Comments at Meeting Functional Vocational Evaluations Age appropriate transition assessments Other
- d) Summarize student preferences/interests as they relate to planning for transition services:

3. Age Appropriate Transition Assessment(s) performed: (Specify assessment(s) and dates administered)

4. Agency Participation:

- a) Were any outside agencies invited to attend the PPT meeting? Yes No If No, specify reason
- b) If yes, did the agency's representative attend? Yes No Written consent to invite was obtained from the parent (or the child if over 18)
- c) Has any participating agency agreed to provide or pay for services/linkages? Yes No (If Yes, specify)

5. Post-School Outcome Goal Statement(s) and Transition Services recommended in this IEP

- a) Post-School Outcome Goal Statement - Postsecondary Education or Training:
 Annual goal(s) and related objectives regarding Postsecondary Education or Training have been developed and are included in this IEP
- b) Post-School Outcome Goal Statement – Employment:
 Annual goal(s) and related objectives regarding Employment have been developed and are included in this IEP
- c) Post-School Outcome Goal Statement - Independent Living Skills (if appropriate):
 Annual goals and related objectives regarding Independent Living have been developed and are included in this IEP (may include Community Participation)

6. Please select ONLY one:

- The course of study needed to assist the child in reaching the transition goals and related objectives will include (including general education activities):

Student has completed academic requirements; no academic course of study is required – student's IEP includes only transition goals and services.

7. At least one year prior to reaching the age of 18, the student must be informed of her/his rights under IDEA which will transfer at age 18.

- NA (Student will not be 17 within one year) student has been informed of her/his rights under IDEA which will transfer at age 18 No IDEA rights will transfer

8. For a child whose eligibility under special education will terminate the following year due to graduation with a regular education diploma or due to exceeding the age of eligibility, the Summary of Performance will be completed on or before: (specify date)

Parents please note: Rights afforded to parents under the Individuals with Disabilities Education Act (IDEA) transfer to student at the age of 18, unless legal guardianship has been obtained.

Revised on:

IEP Year: 2009-2010

Student Name

INDIVIDUALIZED EDUCATION PLAN

ANNUAL GOALS AND OBJECTIVES

GREENWICH SCHOOL DISTRICT

- Cog/Academic/Reading
- Vocational
- Transition/Education
- Cog/Academic/Math
- Health/Vision/Hearing
- Transition/Independence
- Cog/Academic/Writing
- Fine Motor
- Social/Emotional
- Gross Motor
- Transition/Community
- Transition/Employment
- Communication
- Activities of Daily Living
- Play
- Other

Annual Goal # 1 Name Goal 01 (Custom)

Date Mastered

Description

--

Enter Dates for Evaluating and Reporting Progress in Boxes Below:							
1	2	3	4	5	6	7	8

as measured by mastery of the following objectives:

Objective # 1 Name Objective 01

Condition	Behavior	Criteria	Evaluation

Report Progress Below:

1	2	3	4
5	6	7	8

Objective # Name

Condition	Behavior	Criteria	Evaluation

Report Progress Below:

1	2	3	4
5	6	7	8

Objective # Name

Condition	Behavior	Criteria	Evaluation

Report Progress Below:

1	2	3	4
5	6	7	8

*CODES: M - Mastered S-Satisfactory Progress-Likely to Achieve NP-No Progress-Will Not Achieve Goal NI-Objective was Not Introduced
 NM-Unsatisfactory Progress-Unlikely to Achieve Goal as Currently Stated R-Objective has been revised at IEP/PPT meeting X-Please call to discuss

Student: _____ Meeting Date: _____
 DOB: _____ Greenwich School District

Program Modifications/Accommodations Including Nonacademic and Extracurricular Activities/Collaboration/Supports for School Personnel

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

MODIFICATIONS AND ACCOMMODATIONS -including non-academic and extracurricular activities-Accommodations may include Assistive Technology Devices and Services			Sites/Activities Where Required and Duration
<u>Materials/Books/Equipment:</u>			
<u>Tests/Quizzes/Time:</u>			
<u>Grading:</u>			
<u>Organization:</u>			
<u>Environment:</u>			
<u>Behavior Management/Support:</u>			
<u>Instructional Strategies:</u>			

Student: _____ District: Greenwich School District Meeting Date: _____
 Last Name, First Name _____ DOB: _____ mm/dd/yyyy _____ mm/dd/yyyy

STATE AND DISTRICT TESTING AND ACCOMMODATIONS

The CMT/CAPT section and DISTRICTWIDE ASSESSMENTS section must be completed.

<p>CMT/CAPT</p> <p>Check the grade the student will be in when the test is given.</p> <p><input type="checkbox"/> Grade 3 <input type="checkbox"/> Grade 4 <input type="checkbox"/> Grade 5 <input type="checkbox"/> Grade 6 <input type="checkbox"/> Grade 7 <input type="checkbox"/> Grade 8 <input type="checkbox"/> Grade 10 <input type="checkbox"/> Grade 10 (Retest) <input type="checkbox"/> Grade 11 <input type="checkbox"/> Grade 12 <input type="checkbox"/> Grades PK-2, 9 or 11-12: testing not required</p>	<p>DISTRICTWIDE ASSESSMENTS</p> <p>Check the grade(s) the student will be in when the tests are given.</p> <p><input type="checkbox"/> Grade Pre-K <input type="checkbox"/> Grade K <input type="checkbox"/> Grade 1 <input type="checkbox"/> Grade 2 <input type="checkbox"/> Grade 3 <input type="checkbox"/> Grade 4 <input type="checkbox"/> Grade 5 <input type="checkbox"/> Grade 6 <input type="checkbox"/> Grade 7 <input type="checkbox"/> Grade 8 <input type="checkbox"/> Grade 9 <input type="checkbox"/> Grade 10 <input type="checkbox"/> Grade 11 <input type="checkbox"/> Grade 12</p>
<p>CMT/CAPT</p> <p>(You must select ONE of Assessment Options 1, 2, and 3 unless the student is in grade PK-2, 9 or 11-12 and testing is not required. Select any appropriate Administration Options.)</p> <p>Assessment Options:</p> <p><input type="checkbox"/> 1. Standard CMT/CAPT for all tests <input type="checkbox"/> 2. CMT/CAPT Modified Assessment System (MAS)* for: <input type="checkbox"/> math tests only <input type="checkbox"/> reading tests only <input type="checkbox"/> math and reading tests (This option includes the Standard CMT/CAPT for all tests not specified above.) <input type="checkbox"/> 3. CMT/CAPT Skills Checklist</p>	<p>DISTRICTWIDE ASSESSMENTS</p> <p>(Select all appropriate options.)</p> <p><input type="checkbox"/> N/A - No districtwide assessments are scheduled during the term of this IEP. <input type="checkbox"/> Standard Assessment(s) <input type="checkbox"/> Alternate Assessment(s) Alternate assessments must be specified and a statement provided for each as to why the child cannot participate in the standard assessment and why the particular alternate assessment selected is appropriate for the child.</p>
<p>Administration Options: (Check N/A for both options if student is assessed with Skills Checklist.)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A Accommodations will be provided.** The completed CMT or CAPT Test Accommodations Form is attached. <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A ELL exemption from reading and writing tests will be given. NOTE: This exemption applies only to a student who has attended school in the U.S. for less than 12 months AND has limited English proficiency. The student must have taken an English language assessment (the LAS Links). This exemption is available for only ONE administration of the CMT or CAPT; the student may not be exempted from testing in subsequent years. Exempted students are not required to take the reading and writing tests, but must take all other CMT or CAPT tests. For further information, see the guidelines at http://www.sde.ct.gov/sde/csm/View.aspx?A=251&Q=320320.</p>	<p>Select one of the following options:</p> <p><input type="checkbox"/> No accommodations will be provided, OR <input type="checkbox"/> Accommodations will be provided as specified on Pages 8 and/or 9, OR <input type="checkbox"/> Accommodations will be provided as specified below.</p>
<p>* The CMT/CAPT (MAS) Eligibility Worksheet and FACs document should be used for guidance on eligibility. Provide a completed copy of the worksheet to the district test coordinator for required registration of students assessed with the CMT/CAPT (MAS) on the CSDE CMT/CAPT Accommodations Data Collection website. A PPT decision to assess the student using the CMT (MAS) or CAPT (MAS) must be recorded on IEP page 2, Prior Written Notice.</p> <p>** If accommodations are given, complete the CMT or CAPT Test Accommodations Form and attach to this IEP. Provide a copy of the form to the district test coordinator for required registration on the CSDE CMT/CAPT Accommodations Data Collection website.</p>	

Revised on:

IEP Year: 2009-2010

Student

Greenwich School District

DOB:

Meeting Date:

SPECIAL FACTORS, PROGRESS REPORTING, EXIT CRITERIA, GRADUATION

CONSIDERATION OF SPECIAL FACTORS

- For students whose behavior impedes her/his learning or that of others, the IEP/PP Team has considered strategies, including positive behavioral interventions and supports to address that behavior, and:
 - N/A A behavioral Intervention plan has been developed IEP Goals and Objectives have been developed to address the behavior Other (specify)
- For students with limited English proficiency, the IEP/PP Team has considered the language needs of the student as these needs related to the student's IEP and recommended the following:
 - not applicable recommendation
- For students who are blind or visually impaired:
 - NA
 - Instruction in Braille or the use of Braille is being provided, as required
 - The IEP/PP Team has determined, after an evaluation of the student's reading and writing skills, needs and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille) that instruction in Braille is not appropriate for this student.
- For students who are Deaf or Hard of Hearing, the IEP/PP Team has determined (after considering the student's language and communication needs, opportunities for direct instruction in the student's language and communication mode, and considering whether the student requires assistive technology devices and services) that the following services are required:
 - NA No services required Services/modifications required: (specify)

PROGRESS REPORTING

- Procedures which will be utilized to ensure that the student's parents are regularly informed of the student's progress toward the annual goals in this IEP and the extent to which that progress is sufficient to enable the student to achieve these IEP Goals by the end of the year:
 - A report of progress toward the Measurable Annual Goals and Short Term Objectives included in this IEP will be sent to parents as often as the district reports progress to parents of students who do not have disabilities
 - Quarterly
 - Consistent with grade level reports
 - Other: (Specify)

EXIT CRITERIA

- Exit Criteria: Student will be exited from Special Education upon: (Check One)
 - Ability to succeed in Regular Education without special education support Graduation Age 21 Other (specify)

GRADUATION

- The student is projected to graduate in:
 - (Check the box that applies at the annual review during the students 9th grade)
 - 4 years 5 years 6 years 7 years Other (specify)

Revised:

IEP Year 2009-2010

Note: Each item #1 - 13 must include a response.

1. Assistive Technology Not Required Required
 N/A Special (specify)
2. Applied (Voc) Education..... Regular N/A
 N/A Special (specify)
3. Physical Education..... Regular N/A
 N/A Special (specify)
4. Transportation..... Regular Other (specify)
5. Length of School Day..... Standard Other (specify)
6. Total School Hours/Week... Standard Other (specify)
7. Number of Days/Week..... Standard Other (specify)
8. Length of School Year..... Standard Other (specify)

9. Sp. Ed. Hours/Week _____ hrs. _____ min. Yes No
10. Since the last Annual Review, has this student participated in school sponsored extracurricular activities with non-disabled peers? Yes No

11. Extended School Year Services:
 Not Required Required; See Page 2 for program description Required; Continue to implement current IEP
12. Hours per week the student will spend with children/students who do not have disabilities (Time With Non-Disabled Peers): 33 hrs. 45 min.

13. a) The extent, if any, to which the student will not participate in regular classes and in extracurricular and other nonacademic activities, including lunch, recess, transportation, etc. with students who do not have disabilities: Not applicable: Student will participate fully.

b) If the IEP requires any removal of the student from the school, classroom, extracurricular, or nonacademic activities, (e.g., lunch, recess, transportation, etc.) that s/he would attend if not disabled, the IEP/PP Team must justify this removal from the regular education environment Not applicable: Student will participate fully.

Required: If the student is removed for any time, IEP/PP Team must document the justification below.

Note: The LRE Checklist must be completed and attached to this IEP if the student is to be removed from the regular education environment for 50% or more of the time (time with non-disabled peers 40% or less, see below). It is recommended that the LRE checklist be utilized when making any placement decision to ensure conformity with the LRE provisions of the Individuals with Disabilities Education Act.

Current % assigned to time with non-disabled peers: 100%

Student: _____ Last Name, First Name _____ DOB: _____ mm/dd/yyyy _____ Meeting Date: _____ mm/dd/yyyy _____
 District: _____ Greenwich School District

Required Data Collection
 (Collect and/or update at every PPT)

For Children 3 to 5 years of age

- Did the child ever receive Birth to Three services? Yes No
 Free Appropriate Public Education (FAPE) by age 3. Yes No
 If the Oct. 1st reported "Annual Review/PPT Meeting Date" and child's DOB indicate that the child did not receive FAPE by their 3rd birthday, why?
 Late referral (less than 90 days before 3rd birthday) Moved into district late Other (Specify) _____
 Child initially found not eligible at age 3 (re-referred to district at a later date) Parent Choice FAPE met via earlier PPT. Date of initial PPT was _____
Placement/Settings for students 5 or younger OR grade is preschool:
 Early Childhood Preschool or Kindergarten Program – Includes 50% or more non-disabled children Early Childhood Special Education Program in Separate Class – includes less than 50% non-disabled children
 Early Childhood Special Education Program in Separate School – includes less than 50% non-disabled children
 Service Provider Location (Inherent Services) – applies only when a child does not spend time in any environment with non-disabled peers

Education Placement 3 to 21 years of age

1. Early Intervention Participant (EIP) Yes No
2. Primary reason for Educational Location
- PPT Open Choice (Parent Placement) Court Order Following Due Process District transition/vocational program or age appropriate community based program Homeless
 - Charter School Vo-Ag School Expulsion Mediation Agreement (reached with participation of an SDE mediator) None (Awaiting Placement)
 - CTHSS (Parental Choice) Service plan only (Parent Agreement) Parent/BOE Settlement Resolution Agreement (reached through a resolution session held in relation to a parent's due process hearing request)
 - Inter-district Magnet (Parental Choice) Medical (Hospital or Homebound) Due Process Hearing Non-Educational Restriction / Treatment Boundary (must answer 3a - who initiated non-educational restriction/treatment boundary)
3. If student doesn't live at home, where does he/she live?
- Correctional Facility (District 336 only) Municipal Detention Center (Bridgeport, Hartford, New Haven) Foster Home Private Residential Treatment Center
 - DCF Facility (District 347 only) Private Detention Center (e.g. SAGE, Washington Street Juvenile Detention Center) Permanent Family Residence Supported housing (housing subsidized by DCF, DDS, DMHAS or other state agency.) Private Residential Educational School
 - DMHAS Facility (District 337 only) Hospital Group Home Temporary Shelter (includes Permanency Diagnostic Center (PDC) and STAR shelters) Other (Specify) _____

3a. If student's placement is not in a district program, who/what entity initiated the placement?

- State Agency Placement Grant applies if placement initiated by: DCF DDS DMHAS Judicial Department Indian Nation
 LEA Excess Cost Grant may apply when placement is made by: PPT Physician Resolution Agreement Settlement Agreement Mediation Agreement Hearing Decision

GRADUATION

The student is projected to graduate in what year? (Enter the school year formatted as YYYY-YYYY that is determined at the annual review during the student's 9th grade year.)

Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
---	---	---	---	---	---	---	---	---	---

Revised on: _____ IEP Year: 2005-2010

Test Accommodations Form
 Special Education/Section 504 Students
 And/Or Students with Limited English Proficiency (LEP)

IEP Date: _____ SASID: _____
 Student's Name: First _____ Last _____
 Date of Birth [MM/DD/YY]: _____ Sex: M F Grade: _____
 School/Facility Name: _____ Code: _____
 District of Fiscal Responsibility: Greenwich Code: 057
 District Contact Person: _____ Phone: _____

This student has (choose one): A Special Education IEP A Section 504 Plan Neither
 This student has Limited English Proficiency (choose one): Yes No

Special Education or Section 504 Accommodations						
MA	SC	RL	RI	IW	ER	
MA = Math, SC = Science, RL = Response to Literature, RI = Reading for Information, IW = Interdisciplinary Writing, ER = Editing and Revising						
CAPT Presentation Accommodations						
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Braille*
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Large Print*
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Closed-Circuit TV (Optelec/Visualtec)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Sign language interpreter
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Reader - directions only
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Reader (cert. teacher) - MA and SC items, and IW passages
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Screen Reader (Computer) - MA, SC, and ER items, and IW passages
CAPT Response Accommodations						
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Circle answers in test booklet [Multiple Choice Items Only]
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Braille
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Word Processor/ Online computer response*
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Bubbler
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Voice Recognition Software*
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Sign language to multiple-choice or griddable responses
CAPT Other Accommodations						
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Time extension**
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Test setting
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Talking calculator (for blind or visually impaired students only)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Abacus (for blind or visually impaired students only)
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Adaptive furniture
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Adaptive lighting
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Amplification
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	MODIFIED ASSESSMENT SYSTEM (MAS) (Only for Special Education Students)
Limited English Proficiency Accommodations						
CAPT LEP Accommodations						
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Time extension**
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Test setting
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Reader (cert. teacher, in English) - MA and SC items and IW passages
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Reader in English or native language - directions only
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	Dictionary - word to word translation only, no definitions

WORKING DOCUMENT: FOR DISTRICT USE ONLY
 Electronic Submissions: <https://solutions.emetric.net/TAForm/>

* Grade 11 and 12 students receiving this accommodation require this Test Accommodations Form. (Otherwise this form is not required for grades 11 or 12.) ** Time extension also requires Test setting. If you have questions about this form or about an accommodation that is not listed on this form contact: Joe Armenta (860-713-6855) or Janet Stuck (860-713-6837), Special Populations Assessment

Test Accommodations Form
 Special Education/Section 504 Students
 And/Or Students with Limited English Proficiency (LEP)

IEP Date: _____ SASID: _____

Student's Name: First _____ Last _____

Date of Birth [MM/DD/YY]: _____ Sex: M F Grade: _____

School/Facility Name: _____ Code: _____

District of Fiscal Responsibility : Greenwich Code: 057

District Contact Person: _____ Phone: _____

This student has (choose one): A Special Education IEP A Section 504 Plan Neither

This student has Limited English Proficiency (choose one): Yes No

Special Education or Section 504 Accommodations

MA = Math, SC = Science, DRP = Degrees of Reading Power, RC = Reading Comp.,
 DAW = Direct Assessment of Writing, ER = Editing and Revising

CMT Presentation Accommodations

MA	*SC	DRP	RC	DAW	ER	
<input type="radio"/>	Braille					
<input type="radio"/>	Large Print					
<input type="radio"/>	Closed-Circuit TV (Optelec/Visualtec)					
<input type="radio"/>	Sign language interpreter					
<input type="radio"/>	Reader - directions only					
<input type="radio"/>	Reader (Cert. Teacher) -MA and SC items					
<input type="radio"/>	Screen Reader (Computer) - MA, SC, and ER items					

CMT Response Accommodations

<input type="radio"/>	Circle answers in test booklet [Multiple Choice Items Only]					
<input type="radio"/>	Braille					
<input type="radio"/>	Word Processor/ Online computer response					
<input type="radio"/>	Bubbler					
<input type="radio"/>	Voice Recognition Software					
<input type="radio"/>	Sign language to multiple-choice or griddable responses					

CMT Other Accommodations

<input type="radio"/>	Time extension**					
<input type="radio"/>	Test setting					
<input type="radio"/>	Talking calculator (for blind or visually impaired students only)					
<input type="radio"/>	Abacus (for blind or visually impaired students only)					
<input type="radio"/>	Adaptive furniture					
<input type="radio"/>	Adaptive lighting					
<input type="radio"/>	Amplification					
<input type="radio"/>	MODIFIED ASSESSMENT SYSTEM (MAS) (Only for Special Education Students)					

Limited English Proficiency Accommodations

CMT LEP Accommodations

<input type="radio"/>	Time extension**					
<input type="radio"/>	Test setting					
<input type="radio"/>	Reader (cert. teacher in English only) – MA and SC items					
<input type="radio"/>	Reader in English or native language-directions only					
<input type="radio"/>	Dictionary – word to word translation only, no definitions					

WORKING DOCUMENT: FOR DISTRICT USE ONLY
 Electronic Submissions: <https://solutions.emetric.net/TAForm/>

* SC- Science only grades 5 & 8 ** Time extension also requires Test setting.

For questions about this form or about an accommodation that is not listed on this form contact:
 Joe Amenta (860-713-6855) or Janet Stuck (860-713-6837), Special Populations Assessment

GREENWICH ASSISTIVE TECHNOLOGY CONSIDERATION REVIEW

Student: _____ Date of Annual Review: _____ Age: _____
 Grade: _____ School: _____

Team Members Present

<u>Position</u>	<u>Name</u>	<u>Position</u>	<u>Name</u>
Admin/Designee:		OT:	
Parent/Guardian:		PT:	
Parent/Guardian:		Agency:	
Surrogate Parent:		Student	
Reg Ed Teacher:		Others: (specify)	
Spec Ed Teacher			
School Psy			
Social Worker			
Speech/Language			
Guidance			
Nurse			

Assistive Technology is not necessary at this time. Student's needs are currently being met.

Assistive Technology Currently in Use

	<input type="checkbox"/> Effective -- continue use <input type="checkbox"/> No longer required <input type="checkbox"/> Ineffective - reconsider
	<input type="checkbox"/> Effective -- continue use <input type="checkbox"/> No longer required <input type="checkbox"/> Ineffective - reconsider
	<input type="checkbox"/> Effective -- continue use <input type="checkbox"/> No longer required <input type="checkbox"/> Ineffective - reconsider

Summary of Assistive Technology Considerations

- Assistive technology devices/services are required by this student and are described in the IEP Goals and Objectives and/or adaptations and modifications in general education.
- New or additional assistive technology devices/services may be of potential use to this student and will be implemented on a trial basis.
- Further investigation/assessment may be necessary to determine what, if any, assistive technology devices/services may be required.

RESOURCES

Resources

The following are helpful websites and print resources to help you in understating special education for your child. These sites offer family friendly information on special education policy and others are simply to great tools to visit as many times as you need for updates on effective strategies, and tools you can use at home to support your child.

Documents

- IDEA Legal Overview
- Special Education Mediation: A Guide for Parents

Important Websites and Other Internet Resources

- Connecticut State Department of Education
www.sde.ct.gov/sde/site/default.asp
- Greenwich Public Schools Pupil Personnel Services (PPS) Department
www.greenwickschools.org/page.cfm?p=55
- Special Education Services Committee
www.greenwickschools.org/page.cfm?p=4055
- Due Process
<http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Special/Complaints.pdf>
- The Families and Advocates Partnership for Education (FAPE) project.
<http://fape.org/idea/>

ORGANIZATIONS

Abilis Youth Division

50 Glenville Street
Greenwich, CT 06831
Phone (203) 531-1880
Web Site <http://www.abilis.us>

Private, nonprofit early intervention services for children ages birth to three; family support services for families with children with special needs birth to twenty-one that include respite care, summer camp programs, advocacy services, after school programs, ongoing workshops and information.

Parent to Parent Network of Lower Fairfield County

Phone (203) 324-1880 x336

A variety of support and information services for families with children who receive special education services, ages birth to twenty-one. One to one matches with experienced or supporting parents; ongoing meetings and workshops for a variety of focus groups including birth to six, elementary and middle school issues; quarterly newsletter; lending library for books, toys, and special equipment. No charge. Services also provided for Spanish speaking families through Padres Abriendo Puertas (a newly formed focus group under the Parent to Parent umbrella).

Greenwich Autism Project

Phone (203) 324-1880 x327

Support programs families and children with Autism, Pervasive Development Disorder, Asperger's Syndrome or related disabilities. Services include information and resources for families on positive behavior supports, person-centered planning and other related topics, enhancement of in-home routines, increase community participation, advocacy, and increased access to respite care services.

CT Association for Children with Learning Disabilities (CACLD)

25 Van Zant Street, Suite 15 - 5
East Norwalk, CT 06855 - 1719
Phone (203) 838-5010
Fax (203) 866-6108
Web Site <http://www.caclld.org>

Private, nonprofit information, referral and consultation organization serving learning disabled children and adults. Extensive library.

CT Parent Advocacy Center (CPAC)

338 Main Street

Niantic, CT 06357

Phone (800) 445-2722

TDD (860) 739-3089

Web Site <http://www.cpacinc.org>

Nonprofit organization established to inform parents about special education rights and procedures, to provide information and referral services. Workshops, newsletter, resource collection, individual assistance.

**CT State Department of Special Education –
Bureau of Special Education**

(860) 713-6910

Department of Mental Retardation (DMR)

Region IV

115 Virginia Avenue

Bridgeport, CT 06110

Phone (203) 805-7400

Email ddsct.west@ct.gov

Web Site <http://www.ct.gov/dds/>

Coordinates and oversees services for people of all ages with mental retardation. Respite care funding and family supports, case management.

Info line

Phone 1-800-203-1234

Statewide information, referral, and crisis information service. Up to date information about agencies, community resources, childcare.

International Dyslexia Association

40 York Road

4th Floor

Baltimore, MD 21204

Phone (410) 296-0232

Fax (410) 321-5069

Web Site <http://www.interdys.org>

Information and resources regarding dyslexia.

National Dissemination Center for Children with Disabilities (NICHY)

1825 Connecticut Avenue NW, Suite 700

Washington D.C. 20009

Phone (800) 695-0285

Fax (202) 884-8441

Web Site <http://www.nichcy.org>

National information clearinghouse that provides free information on disabilities and related issues. Extensive information on special education & related services, IEP's, specific disabilities.

PTA Council: Special Education Services Committee

Representatives at each public school

Resource for parents of children receiving services through an IEP. Identifies special education needs in the community, represents PTA council, communicates parental concerns to public schools coordinator

Special Education Resource Center (SERC)

25 Industrial Park Road

Middletown, CT 06457

Phone (860) 632-1485

Web Site <http://www.ctserc.org>

Information and resources for parents of children with special needs. Extensive resources include a library, in services, conferences, newsletter, information dissemination. Request the resource package for parents. No charge.

How to obtain a copy of the IDEA regulations:

The regulations can be downloaded from a number of sources:

<http://idea.ed.gov/explore/view/p/,root,regs>, (official OSEP site)

The complete publication is broken into smaller units for ease of downloading at:

<http://www.wrightslaw.com/idea/law.htm>

Copies can be purchased for \$8.00 by calling the Government Printing Office at (202) 512-1800.

Single free copies can be ordered by calling EDPUBS at (877) 433-7827.

WEB SITE RESOURCES FOR PARENTS

General Organizations

ADA Homepage	http://www.usdoj.gov/crt/ada/adahom1.htm
BEACH Center	http://www.beachcenter.org
Broadreach Training and Resources	http://www.normemma.com
Bureau of Rehabilitation Services	http://www.ct.gov/brs/
Easter Seals Disability Services	http://www.easterseals.com
Family Village	http://www.familyvillage.wisc.edu/
Infoline	http://www.infoline.org
National Disability Rights Network	http://www.protectionandadvocacy.com
National Council on Disability	http://www.ncd.gov
National Dissemination Center for Children with Disabilities	http://www.nichcy.org
National Organization for Rare Disorders	http://www.rarediseases.org
National Organization on Disability	http://www.nod.org
PACER	http://www.pacer.org
Parents Helping Parents	http://www.php.com
Special Olympics International	http://www.specialolympics.org
TASH	http://www.tash.org
The ARC	http://thearc.org
The Center on Human Policy	http://thechp.syr.edu
Very Special Arts	http://www.vsarts.org

Educational Resources

Assistive Technology	http://www.closingthegap.com
Association for the Advancement of Rehabilitation Technology	http://www.resna.org
Connecticut Birth to Three System	http://www.birth23.org/
Connecticut State Department of Education	http://www.state.ct.us/sde/
CT Association for Children and Adults with Learning Disabilities	http://www.caclld.org
Council for Exceptional Children	http://www.cec.sped.org
Fedworld Information Network	http://www.fedworld.gov
Inclusion Press Homepage	http://www.inclusion.com
Interactive Guide to Learning Disabilities	http://www.LDOnline.org
Resources for Children with Disabilities	http://www.kidstogether.org
The National Association of State Boards of Education (NASBE)	http://www.nasbe.org
The US Department of Education	http://www.ed.gov
University of Connecticut — Pappanikou Center for Disabilities	http://www.uconnucedd.org

Specific Disabilities

American Academy of Allergy, Asthma & Immunology	http://www.aaaai.org
American Academy of Child and Adolescent Psychiatry	http://www.aacap.org
American Association on Intellectual Disabilities	http://www.aamr.org
American Diabetes Association	http://www.diabetes.org
American Speech-Language-Hearing Association	http://www.asha.org
Angelman Syndrome Foundation	http://www.angelman.org
Asperger's Disorder Homepage	http://www.aspergers.com
Autism Research Institute	http://www.autism.com/ari/
Autism Society of America	http://www.autism-society.org
Brain Injury Association	http://www.biausa.org
CHADD Children and Adults with ADD	http://www.chadd.org
Cleft Palate/Smiles	http://www.cleft.org
Council for Exceptional Children	http://www.cec.sped.org
Council for Learning Disabilities	http://www.cdinternational.org
Department of Health and Human Services	http://www.hhs.gov
Food Allergy Network	http://www.foodallergy.org
Health Finder	http://www.healthfinder.org
Hydrocephalus Association	http://www.hydroassoc.org
International Dyslexia Association	http://www.interdys.org
International Rett Syndrome Association	http://www.rettysyndrome.org
Invisible Disabilities Association	http://www.invisibledisabilities.org/
Learning Disabilities Association of America	http://ldanatl.org
National Alliance on Mentally Illness	http://www.nami.org
National Center for Learning Disabilities	http://www.nclld.org
National Center for Stuttering	http://www.stutterine.com
National Down Syndrome Congress	http://www.ndsccenter.org
National Down Syndrome Society	http://www.ndss.org
National Eye Institute	http://www.nei.nih.gov
National Fragile X Foundation	http://www.nfxf.org/
National Health Information Center	http://www.health.gov/nhic
National Information Center on Deafness	http://www.gallaudet.edu/nicd
PERC Parents & Educators Resource Center	http://www.perc-schwabfdn.org
Prader-Willi Syndrome Association	http://www.pwsausa.org
Spina Bifida Association of America	http://www.sbaa.org
Stuttering Foundation of America	http://www.stutteringhelp.org
Substance Abuse and Mental Health Services Administration	http://www.mentalhealth.org
The Epilepsy Foundation of America	http://www.epilepsyfoundation.org
The International Dyslexia Society	http://www.interdys.org
United Cerebral Palsy	http://www.ucp.org
Williams Syndrome Association	http://www.williams-syndrome.org

Thanks to New Canaan Public Schools for this information.

LEGAL OVERVIEW

IDEA (Individuals with Disabilities Education Act)

Students with disabilities can achieve great things in school when they receive the supports and services they require. While not every child with a disability will require special education services, every child whose disability affects their school progress is entitled to receive a free and appropriate public education (FAPE), which meets their unique needs. In this era of school reform, it is expected that high standards will guide the teaching of all students.

A parent, teacher or other professional may refer a student for special education evaluation at time by contacting the school's principal or administrator of special education.

If you are concerned that your child may have a disability that is affecting his or her ability to make progress in school, you can first speak with the classroom teacher. As you speak with the teacher, explain your concerns and ask the teacher to share his or her concerns. As part of your discussion, it may be decided that classroom accommodations will be used to address concerns for a short period of time. If your child continues to have difficulty with schoolwork, you may make a referral for a special education evaluation at any time.

Special Education Laws and Principles

Special education is specially designed instruction and related services that meet the unique needs of an eligible student with a disability or a specific service need that is necessary to allow the student with a disability to access the general curriculum. The purpose of special education is to allow the student to successfully develop his or her individual educational potential. Along with providing services to the child, if necessary, services are provided to parents and to teachers for the student to benefit from special education. Special education is provided by the school district at no cost to parents.

In Connecticut, the special education system is based on the federal special education law, the Individuals with Disabilities Education Act (IDEA), in combination with the state's special education laws. These laws protect students with disabilities who are eligible for special education and guarantee them an Individualized Education Program (IEP) designed to meet their unique needs.

All children have a right to a free and appropriate public education (FAPE). Federal and state laws guarantee this right.

In 1975, Public Law 94-142, The Education for all Handicapped Children Act, was signed into law to insure that the educational rights of children with special needs were protected and that their education was provided in a way that met their needs. In 1990, this act was amended and renamed the Individuals with Disabilities Education Act or IDEA. In 1997 and again in 2004, the IDEA was reauthorized to further strengthen the roles of parents, students and educators in the education process.

IDEA provides the rules or guidelines for special education services throughout the United States. IDEA has the following major components, which are the landmark principles of special education:

- **Zero-reject:** This component prohibits schools from excluding any child from education because he or she has a disability.
- **Non-discriminatory evaluation:** Fair testing of children is required, with tests that are administered and scored in an unbiased way.
- **Free, appropriate, individualized education:** This is the landmark principle of IDEA, requiring a child's education to be designed to his or her needs. The Individualized Education Program, or IEP, is the document that spells out those needs into a program of services.

A child who is eligible for special education services is entitled by federal law to receive a Free Appropriate Public Education (FAPE). FAPE ensures that all students with disabilities receive an appropriate public education at no expense to the family. FAPE differs for each student because each student has unique needs. FAPE specifies that needed services must be provided without cost to the family.

FAPE guarantees that for students who are found eligible for special education, school districts must be prepared to provide services according to an IEP beginning no later than their third birthday. If a student continues to be eligible, services may continue until the student graduates from high school with a standard diploma or turns 21, whichever comes first.

FAPE also means that students receiving special education services have access to and make meaningful progress in the general curriculum (i.e. the same curriculum as students without disabilities) and the right to be full participants in the life of the school. Your child is not only entitled to access the academic portion of school but also to participate in extracurricular and other activities sponsored by the school. Full participation means that students with disabilities are entitled to the aids and services needed to assist them in participating in all areas of school life. FAPE is closely tied to a principle known as the "Least Restrictive Environment." (Massachusetts)

- **Least restrictive educational placement (LRE):** To the greatest extent possible, children with disabilities are required to be educated with their peers without disabilities.

The federal law, IDEA, mandates that students with disabilities must be educated with their non-disabled peers to the maximum extent appropriate based on the student's needs. This is known as the Least Restrictive Environment (LRE). The Team (including the parent) determines the placement that the student needs to provide the services on the student's IEP and the Team must choose the least restrictive environment able to provide those services. This means that the student should attend the school he or she would attend if non-disabled, unless the Team determines that the nature of the student's disability will not allow that student to have a successful educational experience in that environment.

FAPE and LRE are closely tied together. Both federal and Massachusetts's special education laws require that a Team consider appropriate education in the least restrictive environment. In order to help your child be successful, the Team must carefully consider whether supplemental aids and services and specialized instruction could make it possible for your child to be educated with non-disabled peers. If services can be appropriately

provided in a less restrictive setting, the Team must choose that type of program and setting. If the student's program requires a more restrictive setting to be successful, then the Team may consider other settings. The Team should look class by class, activity by activity, and only remove your child from the general education classrooms if, and only if, supplemental aids and services would not make it possible for the student to remain in that classroom and make effective progress.

Determination of the LRE is based on your child's IEP, not on a diagnosis or specific disability label. This determination must be made individually and carefully. Students cannot be placed in separate or more restrictive environments only because they require modification of the curriculum. It is important to remember that Teams do not have to choose between specialized help for a student and inclusion of that student in the general education classroom; students are entitled to both. After the Team has developed the IEP and understands the needs and goals for your child, then the Team will determine the most appropriate setting for your child's services. LRE is an integral part of the placement determination. (Massachusetts)

- **Procedural due process:** Parents must be given the opportunity to consent or object to their children's education, referral, assessment, program, or placement.
 - **Parent participation:** Parents may participate as full partners and have full knowledge of their child's education program.
-

Rehabilitation Act Section 504

Section 504 of the Rehabilitation Act has been in place since 1973. For many years its main thrust has been in the area of employment for individuals with disabilities. However, within the last several years, the Office for Civil Rights (OCR), charged with enforcement of Section 504, has become pro-active in the field of education of individuals with disabilities. Advocacy organizations and the legal system likewise have increasingly focused on Section 504's requirements to insure the education system provides the full range of special accommodations and services necessary for students with special needs to participate in and benefit from public education programs and activities. The following information focuses upon the instruction issues of Section 504 (Subpart D), and not upon employment practices.

Section 504 prohibits discrimination against persons with disabilities, including both students and staff members, by school districts receiving federal financial assistance. All individuals who are disabled under the Individuals with Disabilities Education Act (IDEA) are also considered to be "handicapped" and therefore protected, under Section 504. However, all individuals who have been determined to be "handicapped" under Section 504 may not be disabled under IDEA. These children require a response from the regular education staff and curriculum. With respect to most students with disabilities, many aspects of the Section 504 regulation concerning FAPE parallel the requirements of the Individuals with Disabilities Education Act (formerly the Education of the Handicapped Act) and state law. In those areas, by fulfilling responsibilities under the IDEA and state law, a district is also meeting the standards of the Section 504 regulations.

However, in some other respects the requirements of the laws are different. There are some students who are not eligible for IDEA services but who nevertheless are deemed disabled under Section 504, and to whom a district may therefore have responsibilities. The IDEA defines as eligible only students, who have certain specific criteria for disability and who, because of that disability, need special education (specially designed instruction). Section 504, on the other hand, protects all students with disabilities, defined as those individuals having any physical or mental impairment that substantially limits one or more major life activities. Section 504 covers all students who meet this definition, even if they do not fall within the IDEA disability categories and even if they do not need specially designed instruction.

An example of a student who is protected by Section 504, but who may not be covered by the IDEA, is an individual who has juvenile arthritis but who is not eligible for special education and related services through IDEA. Such a student has a health impairment but may not be covered by the IDEA because he does not require specially designed instruction (special education). However, the student may be eligible under Section 504 because he is unable to use his hands for many life activities including buttoning/zippering, using eating utensils, writing and/or typing. Such students may not meet the criteria for IDEA disability categories such as learning disabled, other health impaired, or emotionally disturbed. However, if their disorders or conditions substantially limit their ability to function at school, they may be disabled within the meaning of Section 504 and must be provided with the accommodations and special services necessary to benefit from FAPE.

If a district has reason to believe that, because of a disability as defined under Section 504, a student needs either special accommodations or related services in the regular setting in order to participate in the school program, the district must evaluate the student; if the student is determined to be eligible under Section 504, the district must develop and implement a plan for

the delivery of all needed supports and accommodations. Again, these steps must be taken even though the IDEA special education provisions and procedures do not cover the student. The type of disability believed to be present determines what is required for the Section 504 evaluation and placement process, and the type of supports the student may need. The evaluation must be sufficient to accurately and completely assess the nature and extent of the disability. Evaluations more limited than a full special education evaluation may be adequate in some circumstances. For example, in the case of the student with juvenile arthritis, the evaluation might consist of the school nurse meeting with the parent and reviewing the student's current medical records and his/her current participation in activities (to assess the impact). In some cases, additional evaluations may be necessary.

The determination of what supports are needed must be made by a group of persons knowledgeable about the student. The group should review the nature of the disability, how it affects the student's participation in life activities, whether specialized supports are needed, and if so what those supports are. The decisions about Section 504 eligibility and services must be documented in the student's file and reviewed annually.

It should also be noted that, under Section 504, the parent or guardian must be provided with notice of actions affecting the identification, evaluation or placement of the student and are entitled to an impartial hearing if they disagree with district decisions in these areas. For students with disabilities eligible only under Section 504 and not the IDEA, a Section 504 hearing will have to be made available.

In summary, it is important to keep in mind that some students who have physical or mental conditions that limit their ability to access and participate in the education program may be protected under Section 504 even though they do not fall into IDEA categories and may not be covered by that law.

It is also important to realize that Section 504 is not an aspect of "special education" nor is it the "consolation prize" for students not found to be eligible under IDEA. Rather, it is a responsibility of the comprehensive general public education system to provide the supports needed to "level the playing field" for students with disabilities that significantly impact one or more of life's major activities but do not require special education.

The Family Education Rights and Privacy Act (FERPA)

This law, 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.

The following is a summary of the parental rights associated with educational records:

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 your 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 and within three school days if information is needed to plan for due process or a PPT meeting.
4. The right to have an explanation and interpretation of your child's records.
5. The right to acquire one free copy of their child's records. A nominal fee may be charged for additional copies. This request is honored within five school days. The school district may not charge a fee to search for or retrieve information and any fee charged may not effectively deny parents their rights to inspect and review education records.
6. The right to have your authorized representative inspect and review your 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 two-week period.
8. The right to a hearing if the parents' 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 the parents 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 that the parent may request destruction of the information.

Special Education Mediation

A Guide for Parents

*Parents and Educators Working
Toward Mutual Solutions*



What Is Mediation?*

- Mediation brings parties together to work with each other to resolve a disagreement.
- An impartial mediator helps the participants communicate their concerns to each other.
- All parties are involved in the decision making. Everyone has an opportunity to express concerns and offer solutions.
- The focus is on solving the disagreement and working toward a solution that satisfies all parties.
- Mediation is voluntary. All parties must agree to participate.
- The proceedings are confidential. Discussions cannot be used in any future hearings.

A trained mediator

- facilitates open communication between the participants
- creates a safe environment, allowing parties to interact and understand each other's point of view
- is unbiased and impartial
- clarifies points of agreement and disagreement
- helps identify options
- assists with writing down the terms of the agreement

**This brochure describes the general mediation process. It is not intended to interpret, modify, or replace the formal requirements under federal law.*

Resolving Special Education Disputes

- Parents and educators can use mediation to resolve disagreements about a child's special education needs (birth through age 21).
- The focus is to find a solution that is in the best interests of the child.

"A family that I worked with had significant disagreements with their child's school district. They had been arguing for more than two years. I suggested that they request a mediation to try and resolve the matter.

The mediation really enabled the family and school to hear each other's perspectives and have a much better understanding of the situation. While the parents didn't receive everything they wanted for their child, their concerns are finally being addressed and the district is serious about helping."

-A Parent Advocate

Individuals with Disabilities Education Act

When Congress reauthorized IDEA, they added a requirement that state education agencies must make mediation available whenever a request for a due process hearing has been filed. We encourage you to learn more about the mediation requirements under IDEA '97.

For telephone information or a hard copy of the mediation requirements, contact:

The Technical Assistance Alliance for Parent Centers
toll-free: 1-888-248-0822

The National Information Center for Children and
Youth with Disabilities toll-free: 1-800-695-0285

For information over the Internet, visit the CADRE
Web site at www.directionservice.org/cadre/idea

have an opportunity to discuss concerns.

To Request Mediation

- Parents, students (if over 18 years of age), or school staff may request mediation whenever communication has broken down or there is a dispute that can't be resolved.
- Each state has its own guidelines for requesting mediation.
- Forms may be available at school district offices, agency offices, advocacy organizations, public libraries, or the state education agency.

"The parent advocate made me feel less vulnerable. I felt by her being there that I had a better chance of being listened to and that she would help me with everything I wanted to say..."

— A parent

The Benefits Of Mediation

- Parents and educators jointly develop the final agreement rather than an outside individual.
- Parties work together, and they are in control of the outcome.
- Mutual agreements result in greater satisfaction for all parties.
- Mediation assists everyone to better understand differing points of view.
- Mediation may be less costly and disagreements are resolved more quickly than traditional litigation procedures.
- Written agreements resulting from mutual resolution frequently result in higher rates of compliance.

Some Potential Concerns About Mediation

- Mediation can sometimes be an emotional, tiring, and frustrating process.
- Parents and family members may feel at a disadvantage if they don't adequately prepare.
- Some complex situations might need multiple mediation sessions in order to create a thorough and detailed agreement.
- There are no guarantees that mediation will lead to a written agreement.

Frequently Asked Questions About Mediation

Does the mediator make decisions?

No. The role of the mediator is to facilitate and structure communication. Mediation is a problem-solving process.

Who pays for mediation?

There is no cost to parents for mediation when the mediation follows a request for a due process hearing. The state education agency is responsible for providing the service. Some states and school districts provide mediation at no cost prior to requesting a due process hearing.

How do I know the school will follow through with the agreement?

All parties sign a form outlining the terms of the agreement that reflects their commitment to the integrity of the mediation. People tend to follow the terms of mediated agreements because they participated in developing them.

is a vital key to successful resolution.

Frequently Asked Questions About Mediation

What if the mediation does not work?

Studies show that mediation can be a successful process. In the event that the parties cannot agree, parents retain their full rights to a due process hearing.

How many people will be in the room?

Typically, the number of participants is kept to a minimum. The parties agree on who can attend the session and may request a limit on the number of people participating.

Are mediations confidential?

Yes. Only the parties involved in the meeting will know what was said and information may not be shared outside the group. Discussion cannot be used in any future due process hearing or court proceedings.

How To Prepare For Mediation

- Identify the issues you want to discuss during the mediation process.
- Make a written list. This will help you address all your concerns in an organized manner.
- Write out word for word the questions you want to ask.
- Organize your documents. Record dates and notes on them. Make three copies; keep one for yourself, give one to the other party involved, and one to the mediator.
- Anticipate questions the other party may ask. Write down your possible responses.

How To Prepare For Mediation

- Consider all possible solutions to the problem.
- Call your state Parent Training and Information Center (PTI) or Community Parent Resource Center (CPRC) to talk with an advocate. (Refer to the back page of this booklet for contact information.)
- Ask a parent advocate for help. A parent advocate can answer your questions and may attend the mediation.

Important Sources Of Information

Parent Center information, IDEA '97 regulations, best practices and a current list of all PTI's and CPRC's in the nation are available through The Technical Assistance Alliance for Parent Centers (ALLIANCE) or The Families and Advocates Partnership for Education (FAPE):

www.taalliance.org or www.fape.org

call toll-free 1-888-248-0822.

The Consortium for Appropriate Dispute Resolution in Special Education (CADRE), serves as the national technical assistance center on dispute resolution including mediation:

www.directionservice.org/cadre or call 541-686-5060.

Another CADRE partner, The National Information Center for Children and Youth with Disabilities (NICHCY) responds to parent requests for assistance:

www.nichcy.org or call toll-free 1-800-695-0285.

In Your Area Contact:

Alliance Coordinating Office
PACER Center, Inc.
8161 Normandale Boulevard
Minneapolis, MN 55437-1044
Tel: (952) 838-9000 Fax: (952) 838-0199
TTY: (952) 838-0190
Toll-Free: 1-888-248-0822
alliance@taalliance.org
www.taalliance.org

Northeast Regional Alliance Center
Parent Information Center
P.O. Box 2405
Concord, NH 03302-2405
Tel: (603) 224-7005 Fax: (603) 224-4379
picnh@aol.com

South Regional Alliance Center
Partners Resource Network, Inc.
1090 Longfellow Drive, Suite B
Beaumont, TX 77706-4819
Tel: (409) 898-4684 Fax: (409) 898-4869
txprn@pnx.com

Midwest Regional Alliance Center
Ohio Coalition for the Education
of Children with Disabilities (OCECD)
Bank One Building
165 West Center Street, Suite 302
Marion, OH 43302-3741
Tel: (740) 382-5452 Fax: (740) 383-6421
ocecd@gte.net

West Regional Alliance Center
Matrix Parent Network and
Resource Center
94 Galli Drive, Suite C
Novato, CA 94949
Tel: (415) 884-3535 Fax: (415) 884-3555
alliance@matrixparents.org

**Consortium for Appropriate Dispute
Resolution in Special Education**
CADRE
P.O. Box 51360
Eugene, OR 97405-0906
Tel: (541) 686-5060 Fax: (541) 686-5063
cadre@directionservice.org
www.directionservice.org/cadre

Contact Your Local Parent Center:

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Greenwich Public Schools
Pupil Personnel Department
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