

SPECIAL EDUCATION

Instruction

The district shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the district, required under the Individuals With Disabilities Education Act (“IDEA”), Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state and federal statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students’ identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student’s parent(s)/guardian(s)/surrogate parent to examine relevant records, an impartial hearing with opportunity for participation by the student’s parent(s)/guardians(s), and representation by counsel, and a review procedure.

The Board of Education in fulfilling its legal duties and responsibilities for providing special education programs for the students of the school district, shall be assisted through membership in the Regional Service Center and through cooperative associations with other school districts.

If necessary, students may also be placed in private school education facilities.

(cf. 3231 - Medicaid Reimbursement for Special Education Students)

(cf. 5145.71 - Surrogate Parent Program)

Legal Reference: Connecticut General Statutes

10-76a Definitions.

10-76b State supervision of special education programs and services. (as amended by PA 12-173)

10-76c Receipt and use of money and personal property.

10-76d Duties and powers of boards of education to provide special education programs and services.

10-76e School construction grant for cooperative regional special education facilities.

10-76f Definition of terms used in formula for state aid for special education.

10-76g State aid for special education.

10-76h Special education hearing and review procedure. Mediation of disputes.

10-76i Advisory council for special education.

10-76j Five-year plan for special education.

10-76k Development of experimental educational programs.

10-76m Auditing claims for special education assistance.

10-76a-1 et seq. Definitions

10-76d-1 through 10-76d-19 Conditions of instruction

10-76h-1 through 10-76h-2 Due process

10-76l-1 Program Evaluation

10-145a-24 through 10-145a-31 Special Education (re teacher certification)

10-2641 Grants for the operation of interdistrict magnet school programs

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Education Act, 20 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794

P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act

20 U.S.C. §6368 (3) The No Child Left Behind Act

Bd of Ed of the City School District of the City of New York v. Tom F. 128S.Ct. 1, 76 U.S.L.W. 3197 (2008)

Pre-School Special Education

The Board of Education recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board authorizes the

Superintendent of Schools to establish administrative practices and procedures to carry out this responsibility. Such administrative practices and procedures shall include:

1. Locating and identifying all preschool children with disabilities pursuant to the relevant provisions of the Individuals with Disabilities Act (IDEA). The register of children eligible to receive preschool special education services is to be maintained and revised annually by the Director/Supervisor of Special Education;
2. Ensuring that the parents of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. Developing an individualized education program (IEP) for each preschool age child with a disability requiring services;
4. Appointing and training appropriately qualified personnel;
5. Maintaining lists as required by the State Education Department pertaining to the number of children with disabilities who are being served, as well as those identified disabled students not served; and
6. Reporting as required to the State Education Department; and
7. Ensuring the smooth transition from infant to preschool programs.

The Planning and Placement Team's responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability.

It is ultimately the responsibility of the Board to provide the appropriate approved preschool program and services for the District children. Should the PPT's determination and recommendations differ from parent or guardian preference, placement may be appealed by a parent or guardian through the procedures outlined in IDEA.

The Board directs the Superintendent or his/her designee to ensure that the District considers that adequate and appropriate space and personnel are made available for such programs and services.

Legal Reference: Connecticut General Statutes

10-76a Definitions.

10-76b State supervision of special education programs and services.

10-76c Receipt and use of money and personal property.

10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114)

10-76e School construction grant for cooperative regional special education facilities.

10-76f Definition of terms used in formula for state aid for special education.

10-76g State aid for special education.

10-76h Special education hearing and review procedure. Mediation of disputes.

10-76i Advisory council for special education.

10-76j Five-year plan for special education.

10-76k Development of experimental educational programs.

State Board of Education Regulations.

10-76m Auditing claims for special education assistance.

10-76a-1 et seq. Definitions.

10-76b-1 through 10-76b-4 Supervision and administration.

10-76d-1 through 10-76d-19 Conditions of instruction.

10-76h-1 through 10-76h-2 Due process.

10-76l-1 Program Evaluation.

10-145a-24 through 10-145a-31 Special Education (re teacher certification).

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq. as amended by P.L. 105-17.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

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