

A **Parent's Guide** to  
**Special Education**  
*in Connecticut*



**Connecticut State Department of Education**  
**Bureau of Special Education**  
2003

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## Introduction

Connecticut General Statutes (Section 10-76a to 10-76h, inclusive) and the federal Individuals with Disabilities Education Act (IDEA) are laws that require the provision of special education and related services to eligible children with disabilities. These laws ensure that children with a disability have available to them a free appropriate public education (FAPE) in the least restrictive environment (LRE). Additionally, these laws give parents of children with disabilities the right to play an important role in their children's education.

In consideration of its obligations under IDEA, the Connecticut State Board of Education has stated that a unified and coordinated continuum of educational opportunities and supports, designed to address individual needs, serves and benefits all students. The Connecticut State Board of Education also supports the principle that *Connecticut's Common Core of Learning* defines common goals for all students, including those with disabilities. Connecticut's public education system has the duty to provide opportunities for all students to achieve these statewide student goals (motivation to learn, mastery of basic skills, acquisition of knowledge, competence in life skills and understanding society's values). The Board presumes that these goals are best achieved in the child's local school, although it recognizes that some children who present significant and/or unique needs require placement in alternate settings to achieve those goals.

You and representatives of your school district are members of an Individualized Education Program (IEP) Team that is responsible for developing an appropriate educational program for your child. This program should, to the maximum extent appropriate, include your child in the school's general education program, including nonacademic and extracurricular activities. Your local school district assumes financial responsibility for the special education program developed by the IEP Team. The IEP Team may also be referred to as the Planning and Placement Team (PPT).

This booklet has been developed to answer frequently asked questions regarding special education. While it is not a complete statement of the procedural safeguards that must be offered to parents, it does describe **several key points** of state and federal laws affecting the provision of special education and is intended to help you understand your rights in the special education process. For further assistance in understanding your rights or to receive a statement of your procedural safeguards, contact the Director of Special Education in your local school district. You may also write or call the Bureau of Special Education, Connecticut State Department of Education, P.O. Box 2219, Room 369, Hartford, CT 06145-2219, at (860) 713-6910.



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## Commonly Used Terms

**Behavioral Intervention Plan (BIP)** — Strategies, program or curricular modifications, and supplementary aids and supports developed by a PPT to address behaviors that impedes your child’s learning or that of others.

**Evaluation** — Tests and other assessment procedures, including a review of information, that are used to decide whether your child is eligible for special education services and what services your child may need.

**Extended School Year Services (ESY)** — Special education and related services that are provided to a student: a) in accordance with the student’s IEP; b) beyond the normal school year; and c) at no cost to the parents. The determination of the need for ESY services to a student is determined by the PPT on an individual basis.

**Free Appropriate Public Education (FAPE)** — Special education and related services that are provided at public expense, under public supervision and direction, and without charge; meet state and federal requirements; include preschool, elementary school, or secondary school education; and are provided according to an IEP.

**Functional Behavioral Assessment (FBA)** — The process of coming to an understanding of why a student engages in challenging behavior and how student behavior relates to the environment. The purpose of the functional behavioral assessment is to gather information to better understand the specific reasons for the student’s problem behavior.

**Individualized Education Program (IEP)** — A written plan that describes in detail your child's special education program.

**Identification** — The decision that a child is eligible for special education.

**Least Restrictive Environment (LRE)** — An educational environment which meets the needs of a child requiring special education and related services as set forth in the child’s IEP and which, to the maximum extent appropriate to the child’s needs, ensures that the child will be educated with children not requiring special education and related services.

**Manifestation Determination** — The process for reviewing whether there is a relationship between your child’s disability and the behavior that is subject to the disciplinary action.

**Planning and Placement Team (PPT)** — The interdisciplinary team of educators, and parents that make decisions regarding your child’s special education. The team may also include, at the discretion of the parent or the school district, other individuals who have knowledge or special expertise about the child.

**Regional Educational Service Center (RESC)** — A public educational authority formed by four or more boards of education for the purpose of cooperative action to furnish programs and services.

**Stay Put** — The requirement that your child must stay in his or her current program or placement during the course of a due process hearing, unless you and the school district agree to a change.

**CSDE** — Connecticut State Department of Education.

**BSE** — Bureau of Special Education

## **Special Education and Related Services**

### **What is special education?**

Special education is provided to a child with an identified disability who needs a specially designed instructional program to meet his/her unique needs and to enable the child to access the general curriculum of the school district. It may include special classes, programs, or services. Special education is provided at no cost to you or your child. As a parent of a child who has or who may have a disability that requires specially designed instruction, you will work with a team of educators and, as appropriate, specialists to determine the needs of your child and to design an appropriate program to address your child's educational needs.

### **What are related services?**

Related services are those services that are required in order for a child to benefit from special education. Related services may include, but not be limited to, psychological and counseling services, language, speech and hearing, guidance, social work, transportation, physical and occupational therapy and medical services that is required for diagnostic or evaluation purposes.

### **How am I notified of my child's rights?**

You must be given a copy of *Steps to Protect a Child's Right to Special Education: Procedural Safeguards in Special Education* when:

- ✧ your child is referred for an initial evaluation;
- ✧ you are invited to a PPT meeting to talk about your child's IEP;
- ✧ your child is being reevaluated;
- ✧ a due process hearing is requested; or
- ✧ a change in your child's program is being made because a school rule was broken.

## **Eligibility**

### **Who is eligible for special education and related services?**

To be eligible for special education and related services:

- ✧ your child must be between 3 and 21 years of age;
- ✧ your child must have one or more of the following disabilities:
  - autism;
  - deaf-blindness;
  - deafness;
  - developmental delay (for 3- to 5-year-olds, inclusive);
  - emotional disturbance;
  - hearing impairment;
  - intellectual disability (mental retardation);
  - multiple disabilities;
  - orthopedic impairment;

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- other health impairment (i.e., limited strength, vitality or alertness due to chronic or acute health problems such as asthma, attention deficit disorder or diabetes, that adversely affects a child's educational performance);
  - physical impairment;
  - specific learning disability;
  - speech or language impairment;
  - traumatic brain injury; or
  - visual impairment, including blindness.
- ✧ the disability must adversely affect your child's educational performance; and
- ✧ your child requires a specially designed instructional program to address his/her unique educational needs.

A school district is also required to provide identification, referral and evaluation services for a child who may be gifted and/or talented. A district has the option of providing services to a child who has been identified as being gifted and/or talented.

## **Referral to Special Education**

### **What is a referral to special education?**

A referral to special education is a written request for an evaluation of a child who is suspected of having a disability and who may be in need of special education and related services. A referral to special education may be made by:

- ✧ the student, 18 years of age or older;
- ✧ a parent, guardian or surrogate parent;
- ✧ school personnel; or
- ✧ other individuals from other agencies (e.g., physicians, social workers) to whom parental permission has been given.

A prompt referral to a planning and placement team (PPT) is required for any child who has been suspended repeatedly or whose behavior, attendance, or progress in school is considered unsatisfactory or at a marginal level of acceptance.

### **What if my child hasn't started school, but I suspect a disability may exist?**

If you believe that your child may have a disability and he/she has not started school yet, you may refer your child for an evaluation by submitting a written request to the Director of Special Education in your local school district. For further assistance in referring your child for an evaluation, you may call the State Parent Assistance Line at 1-800-842-8678.

### **What happens when a referral to special education is made?**

When your child is referred to special education, you will receive written notice of this referral. You will also receive a notice asking you to participate as a member of the school's Planning and Placement Team (PPT) to review existing evaluation data that the school district has on your child and, if appropriate, to determine whether there is a need for any additional data. Your participation in this process is very important.

If the PPT decides that additional data is needed in order for it to determine that your child is a child with a disability, you will work with educators and, as appropriate, specialists to design the evaluation procedures for your child. If you disagree with the PPT's decision to conduct an initial evaluation, you may refuse consent for the evaluation. In this case, the school district may continue to pursue those evaluations by using due process. If the PPT refuses to evaluate your child, you may exercise due process to contest its decision (See pages 19-23 for further explanation of due process).

## **Planning and Placement Team (PPT)**

### **What is a Planning and Placement Team?**

A Planning and Placement Team (PPT) reviews referrals to special education, determines if your child needs to be evaluated, decides which evaluations will be given to your child, and determines whether your child is eligible for special education services. As a valued participant of the PPT, you will be working with teachers, school administrators, pupil services personnel, and, as appropriate, other specialists whose expertise may be helpful in designing and interpreting your child's evaluations.

## **Individualized Education Program (IEP) Team**

### **What is an IEP Team meeting?**

An individualized education program (IEP) team meeting is convened by the school district for the purpose of developing an individualized education program for a child who has been determined to be eligible for special education and related services. The PPT is responsible for reviewing, and as appropriate, revising your child's IEP periodically, but not less than annually. The PPT is also responsible for conducting an evaluation of your child and to process any information that you provide the team for review.

### **You have the right to participate in PPTs held for the purpose of:**

- ✧ planning and reviewing evaluation and reevaluation results; and
- ✧ developing, reviewing and revising your child's individualized education program (IEP).

The school district must try to schedule PPT meetings at a time and place convenient for both you and for the school staff. The school district may hold a PPT meeting without you being present if it has made repeated attempts to include you and you are unable to attend the scheduled meetings. Your school district must document the results of its attempts to have you participate in the scheduled meetings.

### **At a PPT meeting, you have the right to:**

- ✧ expect the school district to ensure that you understand the proceedings of the meeting (which may include arranging for an interpreter or sign language interpreter);
- ✧ participate in meetings through such means as individual or conference telephone calls, if you cannot attend;

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- ✧ tape-record the meetings as a means to help you understand the proceedings. A school district may also choose to tape-record the meeting. If either the school district or the parent records the meeting, all participants in the meeting must be informed that they are being taped; and
- ✧ invite advisors of your own choosing, at your own expense, to be present at and to participate in all portions of the meeting that are convened for the purpose of developing, reviewing and revising the IEP.

## **Notice of PPT Meetings**

### **How will I be invited to participate in PPT meetings?**

To assure that you have the opportunity to participate in PPT meetings that are convened for the purpose of developing, reviewing or revising an IEP, the school district must try to schedule these meetings at a mutually agreeable time and place, or arrange for you to participate. If the meeting is scheduled at a time that is not agreeable to you, you can ask the school district to reschedule the meeting or to arrange for your participation in the meeting through an alternative method, such as a conference telephone call. The school district must notify you in writing at least five school days prior to the meeting to ensure that you will have an opportunity to attend the meeting.

### **What information must be included in the notice of a PPT meeting?**

The written notice of a PPT meeting is provided to you to facilitate your participation in the PPT process. The written notice must state the purpose, time and location of the meeting and must be provided to you at least five school days prior to the meeting, in your dominant language. The written notice must include the following information:

- ✧ Inform you of who will be in attendance at the meeting;
- ✧ Inform you of your right to invite other individuals to the meeting who have knowledge or expertise regarding your child or who may provide support;
- ✧ If your child is 14 years old or younger, the notice must indicate (if deemed appropriate by the PPT) that the purpose of the meeting will be the development of a statement of your child's transition services needs, and that your child is invited to attend the meeting; and
- ✧ If your child is 16 years old or younger, the notice must indicate (if deemed appropriate by the PPT) that the purpose of the meeting will be to consider needed transition services for your child and that your child is invited to attend the meeting.

## **Informed Consent**

### **What does informed written consent mean?**

Informed written consent means that you have been given all the information that you need to make a knowledgeable decision about a proposed activity by your school district regarding your child's education and that you agree in writing to that proposed activity. You have the right not to give your consent. You have the right to revoke your consent at any time. Your failure to respond within ten school days to a request for a written consent will be considered by the school district to be a refusal of consent except when your consent is being sought for a reevaluation of your child.

## **When must the school district obtain my written consent?**

Your written consent is required in the following situations:

- ✧ **Before your child is evaluated for the first time** to determine whether your child is eligible for special education;
- ✧ **Before your child's initial placement into special education;**
- ✧ **Before your child is placed in a private placement;** and
- ✧ **Before your child is reevaluated.** (However, if the school can show that it made a good effort to get your consent for the reevaluation of your child, and you do not respond, then the school district may proceed with the reevaluation without having obtained your consent).

Written consent to evaluate your child for the first time is not the same as the consent that places your child into special education and related services. A separate written consent is required to begin your child's special education program.

## **What happens if I do not give written consent for the proposed activity?**

If you should disagree with the proposed activity for which written consent is required and you do not give written consent for the proposed activity, the school district must take steps, as necessary, to ensure that your child continues to receive a free appropriate public education.

- ✧ If you refuse permission for the school district to conduct either an initial evaluation or re-evaluation of your child, the school district **may** initiate due process procedures as a way for it to proceed with the recommended evaluation(s).
- ✧ If you do not give permission for the initial placement of your child into special education, the school district **may not** use due process procedures as a way to place your child into special education. If you refuse consent for initial placement of your child in special education, you waive all rights to special education services and protections at the time consent is refused. You may still ask for a reevaluation or hearing on the evaluation or the appropriateness of the special education and related services being offered.
- ✧ If you refuse permission for the placement of your child into a private school for the purpose of providing your child with a special education program, the school district **must** initiate due process procedures, unless the private placement being offered is for the initial placement of a child in special education.

If you refuse written consent for any proposed activity for which written consent is required, your child's current educational placement will not change unless you and the school district reach agreement on a different course of action or until due process procedures have been completed.

## **What if I want to withdraw my written consent after it has been given?**

Giving written consent is voluntary. You can withdraw your written consent at any time by notifying the school district in writing. Withdrawing your written consent does not effect the actions taken or the services provided during the time the school district had your permission.

## **Must the school district obtain my written consent each time there is a proposal to change my child's program or placement?**

No. Once services have started, you or the school district may propose changes to your child's program or placement at a PPT meeting. The school district must provide you with written notice of the proposed changes. Your written consent is not required to implement the changes to your child's

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special education program except for when your child is placed initially into a private school for the purpose of receiving his/her special education program. However, if you do not agree with the proposed changes to your child's program, you have the right to initiate due process to stop the changes from occurring.

## **Evaluation**

### **What is an evaluation?**

An evaluation study is the process used by the PPT to determine your child's specific learning strengths and needs, and to determine whether or not your child is eligible for special education services. It must be sufficiently comprehensive to identify all of your child's special education and related services needs, whether or not those needs are commonly linked to a specific disability category. The evaluation study must be conducted in a nondiscriminatory way and tests must be validated for the purpose for which they are being used. All assessments must be provided and administered in the language or form of communication with which your child is most comfortable, unless it is clearly not possible to do so.

The evaluation study will also include a review of information collected by the school district through informal and formal observations, a review of schoolwork, standardized tests and other school records, and talking your child's teachers. The PPT will also review and consider any evaluations and information that you are able to provide. As an active participant in the PPT process, one of your responsibilities is to assist the PPT in the design of the evaluation procedures to be used in the study.

### **When is an evaluation needed?**

When your child is referred to special education, an evaluation study will be conducted to determine if your child is eligible to receive special education services. Before this evaluation study can begin, you will receive a written notice that describes the tests and procedures to be used with your child. You have the right to withhold your written consent for the evaluation study or to revoke your consent at any time.

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

Once the evaluation has been completed, you along with a team of qualified professionals will meet to interpret the evaluation data. The interpretation of the data will determine: 1) if your child has a disability; 2) if the disability is having an adverse affect on your child's education; and 3) whether your child requires special education and related services. You will receive a copy of the evaluation report generated by the PPT. You may also request a copy of any of the individual evaluation reports that were generated as part of the evaluation process.

## **Independent Educational Evaluation**

### **What if I disagree with an evaluation conducted by the school district?**

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 your 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.

### **Who pays for an independent evaluation?**

If you disagree with the evaluation conducted by the school district, you have a right to an independent educational evaluation at the school's expense, **unless** the school district can prove its evaluation is appropriate. If the school believes its evaluation is appropriate, it can initiate a due process hearing rather than pay for the IEE. In that case, 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 of that independent evaluation yourself.

### **Do I need to inform the school district if I intend to seek an independent educational evaluation?**

Although it is often helpful to consult with the school district when seeking an independent educational evaluation, you are not required to inform the school district in advance. Your decision to consult or not to consult with the school district will have no bearing on your right to seek reimbursement for the cost of the independent educational evaluation.

### **If I ask the school district for an IEE, what is the school district required to do and how long may it take for the school district to respond?**

The school district must, without undue 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 school district must **consider** the results of any independent educational evaluation, including the one you pay for, when making decisions regarding your child's educational program. However the school district is **not required to agree with or implement** all or any of the results or recommendations of the independent educational evaluation. You may also submit the results of an independent educational evaluation as evidence at a due process hearing.

### **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.

## **Individualized Education Program (IEP)**

### **What is an individualized education program (IEP)?**

If your child is determined to be eligible for special education services, you will begin the team process of developing an IEP to meet the specific needs of your child. The IEP is a written plan that describes in detail your child's special education program. A few key elements of a child's IEP include the following:

- ✧ Present levels of educational performance;
- ✧ Measurable educational goals for the coming year and short-term instructional objectives derived from those goals;
- ✧ Evaluation procedures and performance criteria;

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- ✧ The extent to which your child will participate in the regular education program;
- ✧ The extent to which your child will not participate in the general education program, and the justification for removal from general education;
- ✧ Modifications and accommodations your child needs to participate in the general education curriculum including nonacademic and extracurricular activities;
- ✧ Special education and related services required by your child including transportation and physical and vocational education programs;
- ✧ Recommended instructional settings and a list of people who will work with your child;
- ✧ The date services will begin and end, and the frequency of the identified services;
- ✧ The length of the school day and year;
- ✧ Whether modifications are needed to facilitate CMT/CAPT testing;
- ✧ Recommendations for participation in alternate assessments (if needed); and
- ✧ Transition service needs.

### **You have the right to:**

- ✧ Receive a copy of your child's IEP within five school days after the PPT meeting held to develop or revise your child's IEP;
- ✧ Bring others with you to the PPT meeting who have knowledge or expertise regarding your child or who may provide support; and
- ✧ Tape-record PPT meetings. Be sure to inform other members of the team prior to recording the meeting.

## **Transition Services**

### **Transition from Birth to Three Services to the Local School District**

#### **Who is responsible for convening the transition planning conference between the Birth to Three program provider and the school district?**

Your child's Birth to Three program provider is responsible for convening the transition planning conference. The purpose of the transition planning conference is to plan the "next steps" for your child before your child turns 3. The transition conference will be scheduled at a mutually convenient time for you and the school district to attend. The service coordinator will notify both you and your child's school district of the date, time and location of the transition planning conference. The transition planning conference must take place no later than 90 days before your child's third birthday.

#### **Must the school district send a representative to the transition conference?**

A representative from your child's school district is required to participate in the transition planning conference. The responsibility of the school district to participate in this conference is not limited to the school district's school year of 180 school days. If it is necessary to hold a transition planning conference during the summer months, then your child's school district must participate in the summer planning conference.

## **When must the school district convene a PPT meeting to design an IEP for my child?**

If your child is determined eligible for special education services by the school district's PPT, your child's school district must convene a PPT meeting to ensure that your child has an individualized education program in place and ready to be implemented no later than your child's third birthday.

## **What if my child turns 3 over the summer? Will my child receive services?**

If your child turns 3 over the summer, the school district must convene a PPT meeting to determine if your child is eligible for special education prior to your child's third birthday. If your child is eligible for special education, the PPT must then determine if your child requires extended school year (ESY) services. If the PPT determines that your child does require ESY services, your child's IEP will be implemented on your child's third birthday regardless of the fact that this occurs during the summer months. If the PPT determines that your child does not require ESY services, then your child's IEP will be implemented on the first day of school.

## **Transitioning from High School to Post-School Activities**

### **What about transition services at the secondary level?**

- ✧ At the annual PPT meeting following your child's thirteenth birthday (or younger, if determined appropriate) you will begin to discuss transition planning from school to adult life. Your child must be invited to this PPT meeting, and all subsequent PPT meetings until he/she either graduates from high school or reaches his/her twenty-first birthday.
- ✧ At the same PPT, your child's IEP must include a statement of "transition service needs." This statement will define the long-term goals for your child and the "course of study" he/she will participate in during his/her high school years.
- ✧ This statement of "transition service needs" must be updated every year at your child's annual PPT meeting.
- ✧ At the PPT meeting following your child's fifteenth birthday (or younger, if determined appropriate) more specific transition planning will occur. In addition to the statement of "needed transition services," the PPT will begin to develop goals and objectives that are critical to prepare your child for life after high school. When your child turns 16, the PPT will begin to discuss and identify, if appropriate, adult agencies, services or programs that your child could be linked to for assistance after he/she graduates from high school.
- ✧ "Transition Services" is defined as follows: "transition services consist of a coordinated set of instructional, community and vocational experiences, based upon your child's needs and interests that are designed to help him/her move from school to post-school activities. Transition services may include: 1) instruction; 2) special education; 3) related services; 4) community experiences; 5) development of employment and other post-school adult living objectives; and, if appropriate, 6) daily living skills and functional vocational evaluation.
- ✧ Transition service areas that should be considered when developing long-term goals and objectives include:
  - Postsecondary education;
  - Vocational training;
  - Integrated employment (including supported employment);
  - Continuing and adult education;
  - Adult services
  - Independent living; or
  - Community participation.

## **Placement**

### **Where will my child receive his/her special education and related services?**

Your child, to the maximum extent appropriate, should be educated with his/her nondisabled peers in the regular education class in the school that he/she would have attended if he/she did not have a disability that required special education and related services. The removal of your child from the regular education class or regular educational environment to another instructional site such as a special class or separate school should only occur when the nature or the severity of the disability is such that educating your child in the regular class or regular educational environment with the use of supplementary aids and services can not be achieved satisfactorily. If for some reason your child's IEP, with the use of supplementary aids and services, can not be implemented in the school that he/she would have attended, the PPT must find an appropriate educational placement for your child as close as possible to the child's home.

### **What is a Regional Educational Service Center (RESC)?**

A RESC is a public educational authority formed by four or more local boards of education for the purpose of cooperative action to furnish programs and services to school districts. There are six RESCs in Connecticut.

### **What is an approved private special education program?**

An approved private special education program is a private school that provides special education and related services to children. Although it is not public agency, an approved private special education program must meet the standards that were established by the State Board of Education.

### **Who is responsible to pay for the costs if the PPT places my child in an approved private special education program?**

The board of education of the school district in which you reside is responsible for the costs.

### **Who is responsible to pay for the costs if I place my child in a private placement?**

You are responsible for the costs.

### **What can I do if I believe the public school cannot or will not provide an appropriate education and I want private placement for my child?**

You may place your child in a private placement and may seek reimbursement for the cost of the enrollment. Full or partial reimbursement is not guaranteed and will be dependent upon a finding by a hearing officer or a court that the school district did not make a free appropriate public education available to your child in a timely manner, and the private school meets your child's educational needs.

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If you plan to place your child in a nonpublic school and seek reimbursement from the school district, you must do the following:

- ✧ Inform the school district at the last PPT meeting before the removal of your child from the public school of your intention to enroll your child in a private school at public expense, advise the PPT that you do not want the public school's proposed program, and state your concerns about the recommended program; **or**
- ✧ Provide the school district with written notice at least ten business days prior to the enrollment of your child in the private school. You must state your concerns with the school district's IEP, the placement proposed by the school district and your intention to enroll your child in a private school.

Failure to inform the school district of your intention to make a private placement at public expense, failure to make your child available for evaluation, or other unreasonable action on your part could result in an hearing officer's decision to reduce or deny reimbursement for the private placement.

**However**, the award may not be reduced or denied if you can show that:

- ✧ giving notice would have resulted in physical or serious emotional harm to your child;
- ✧ the school prevented you from giving notice;
- ✧ you were unaware of the requirement to give notice because you never received a copy of *Steps to Protect a Child's Rights to Special Education: Procedural Safeguards in Special Education*; and the school district never told you of the need to give notice; or
- ✧ you cannot read and write English.

## **Reevaluation**

### **How often must my child be reevaluated?**

Your child must be reevaluated at least once every three years. A reevaluation may occur sooner if conditions warrant, or if you or your child's teacher requests it. Reevaluations are needed to determine if your child continues to have a disability and continues to need special education and related services.

### **How is a reevaluation conducted?**

The PPT team reviews the existing data and decides whether additional testing is required to determine if your child continues to be eligible for special education services. Existing data may include information provided to the PPT by the parent, teacher reports and assessments, and school staff observations. If the PPT decides that no additional information is needed to determine your child's continuing eligibility for special education services, it must inform you of that decision. If, you believe additional information is needed to determine whether your child continues to be a child with a disability who requires special education services, you may request that the school district conduct additional assessments of your child. The school district must conduct these assessments or request a due process hearing.

## **Does the school district need my written consent to reevaluate my child?**

The school must obtain your written consent before it conducts any testing which is a part of a reevaluation of your child. If you refuse consent, your school district may continue to pursue the reevaluation through mediation and/or hearing. If the school district can show that it has tried to get your consent for the reevaluation and you fail to respond to the school district's attempts to obtain your consent, the school district may proceed with the reevaluation as planned.

## **Notice of Proposed or Denied Change**

### **Written Prior Notice**

#### **How will I be informed of decisions regarding my child's special education program?**

Your school district must provide you with written prior notice when a PPT's makes a decision to change or not to change the identification, evaluation, educational placement or the provision of FAPE to your child. This written prior notice must be provided to you at least five school days before the school district can implement its decision to change or not to change the identification, evaluation, educational placement or the provision of FAPE to your child. The written prior notice provided to you must be written in a way that is easy for you to read and understand, unless it is clearly not possible to do so. If your language is not a written language, the school district must take steps to ensure that the notice is given to you orally or by some other means. The school district will help you to understand the notice and document its efforts in this regard.

#### **What must be included in written notice?**

Written notice must include the following:

- ✧ What the PPT proposes or refuses to do;
- ✧ The reasons for the proposed or refused action;
- ✧ A description of any other options considered and why those options were rejected;
- ✧ A description of each evaluation procedure, test, record or report the district used as a basis for proposed or refused action;
- ✧ A statement of your protections under the procedural safeguards; and
- ✧ Sources you may contact to get help in understanding your procedural safeguards.

## **Confidentiality and Access to Educational Records**

#### **Can I see my child's educational records?**

If your child is under 18 years old, you have the right to inspect and review his/her school records unless your rights have been terminated under state law.

#### **Can anyone else see my child's school records without my consent?**

School district employees can access your child's education records when they need to do so in order to perform their job responsibilities. If your child transfers to a different school district, the employees of the new district also have access to your child's school records. In addition, school districts are required by law to share information with certain government agencies and to organizations conducting studies for, or on behalf of, educational agencies or institutions.

The school district is required to keep a record of persons, other than school district employees, who access your child's school records. You may request from your school district an opportunity to review the school district's policy or procedures regarding the access to educational records.

### **Can I review my child's school records?**

The school district must provide you with the opportunity to review your child's school records within in ten school days of your request, or within three school days of your request if you need the information to prepare for an IEP meeting or to prepare for a due process proceeding.

### **How can I obtain a copy of my child's school records?**

You have the right to receive one free copy of your child's records. Your request for a copy of your child's school records must be submitted to the school district in writing. The school district may take up to five school days to provide you with a copy of your child's records. The school district may charge a fee for any additional copies of your child's school records that you request.

### **What should I do if I find false or misleading information in my child's school records?**

You may request in writing that the school district change your child's school records if you believe them to be inaccurate, or misleading, or to violate the privacy or other rights of your child.

When you ask the school district to change your child's records, the school district must act upon the request within a reasonable period of time. If your request is refused, you have the right to a hearing under the Family Educational Rights and Privacy Act (FERPA). If, as a result of the hearing, the hearing officer denies your request to change your child's records, you have the right to place a statement in your child's records regarding your concerns. This statement must be maintained in your child's records as long as the documents you object to are maintained, and your statement must be released whenever those documents are disclosed. You may ask your school district for a copy of its student records policy to review your rights to challenge the content of your child's records.

### **Do I have a right to review my child's record when he becomes an adult student?**

Until your child reaches age 18, you have access to all educational records maintained by the school. After the transfer of rights to your child upon reaching the age of majority, you have the right of access to your child's educational records only if you have your child's written consent for access unless you maintain your child as a dependent for tax purposes.

## **Transfer of Rights Upon Reaching Age of Majority**

### **When are parental rights transferred to the student?**

When your child reaches age 18 (age of majority), or is declared an emancipated minor, all rights under special education law will transfer to your child unless a court has appointed a legal guardian for your child. **At least one year before your child turns age 18**, the school district must inform both you and your child of the transfer of these rights. Once these rights have been transferred, you will still receive notice, but your child may grant or withhold consent as appropriate. Your right to inspect and review your child's records will also end upon the transfer of rights if you do not maintain your child as a dependent for tax purposes.

## **Surrogate Parent**

If you have been appointed as a surrogate parent of a child with a disability, you represent the child in all matters relating to identification, evaluation, placement and provision of FAPE. A surrogate parent has all the rights of the parent in the PPT process including:

- ✧ The receipt of written notice of meetings and written prior notice of proposed or refused changes in the child's educational program;
- ✧ The attendance at PPT meetings (regarding referral of the child for evaluation, planning or review of evaluation and reevaluation results, determining eligibility, developing and reviewing the IEP, and determining transition needs);
- ✧ The granting or withholding of written consent when written consent is needed for a proposed activity;
- ✧ The initiation of due process procedures to resolve disputes; and
- ✧ The review of educational records prior to the transfer of rights and request changes of any inaccurate or misleading records.

## **Disciplinary Procedures**

### **Does my child have the right to receive educational services during a suspension from school?**

- **Removal for up to ten consecutive school days in any school year**

If your child has violated the school district's discipline code, he/she may be suspended for a period not to exceed ten consecutive school days in any school year. The time of removal must be comparable to the removal that would be applied to non-disabled child who breaks the same rule. Your consent is not required, and the school district is not required to provide services if the removal does not exceed ten consecutive school days in any school year and if the school district does not provide services to a nondisabled child who has been suspended from school for breaking the same rule.

- **Removal for up to 45 days for offenses involving weapons, drugs or danger to self or others:**

The school district may place your child in an interim alternative education setting (IAES) for up to 45 days, if your child:

- ✧ carries a weapon to school or a school function, or is in possession of a weapon in school or at a school function; or
- ✧ knowingly possesses or uses illegal drugs, or sells or solicits the sale of controlled substances while at school or a school function.

A Hearing Officer may place your child in an IAES if he/she determines that keeping your child in the current placement is substantially likely to result in an injury to your child or to others.

In an IAES, your child must receive necessary services to enable him/her to progress in the general curriculum and to meet the goals set out in his/her IEP. Placement in an IAES for matters that relate to drugs or weapons is made by the PPT. For matters related to the safety of your child or others, a Hearing Officer determines the IAES. Your consent is not required, but you may initiate due process if you disagree with the school district's decision to place your child in an IAES. If you initiate due process, your child will remain in the IAES pending the outcome of the due process proceedings or the expiration of the time for which he/she was placed in that setting, whichever occurs first.

- **Removal for more than ten school days in a school year**

If in any school year, your child is removed from his or her educational placement for more than ten school days, school personnel must decide whether the removals constitute a change in placement. If your child is removed from the general school population, in-school suspensions, as well as partial day suspensions, count towards the cumulative total of days that a child can be removed from school. Factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another must be considered in determining whether the removals constitute a change in placement.

### **Determination that removals do not constitute a change in placement**

If school personnel decide that removals for more than ten school days in a school year do not constitute a change in placement, they must decide the extent of services that will be provided to your child, during subsequent removals in the same school year, to enable your child to progress in the general curriculum and appropriately advance towards achieving the goals set out for your child in his/her IEP.

### **Determination that removals are a change in placement**

If school personnel determine that the series of short-term removals is a change of placement, the PPT team must meet to determine whether the misconduct is related to your child's disability. This is called a manifestation determination. If you disagree with a determination of change in placement, you may initiate due process procedures.

## **Is my child protected from being disciplined for behaviors related to his or her disability?**

If your child is removed for more than ten consecutive school days, or if a series of short-term removals amounting to more than ten school days in a school year is determined to be a change of placement, the PPT must meet within ten business days of the decision to remove your child. The purpose of this meeting will be to determine if a functional behavioral assessment has been completed. If not, one will be ordered and a behavioral intervention plan will be developed. If a functional behavioral assessment has been done, the PPT will meet to review and revise the behavioral intervention plan that was developed for your child as a part of his/her IEP. As a participant of the PPT you have the right to attend in this meeting.

If the determination is made that the behavior is related to your child's disability, then your child may not be removed from the current educational placement (except in the case of weapons, drugs, or danger to self or others). If the determination is that there is no relationship between your child's disability and the behavior, then your child may be disciplined as any other child, except that the school district must continue to provide services to enable your child to progress in the general curriculum and to advance appropriately toward attaining the annual goals set out in his/her IEP.

If you disagree with the manifestation determination, you have the right to initiate due process.

## **Special Education Complaint Resolution Process**

### **What is the special education complaint resolution process?**

The special education complaint resolution process is a mechanism whereby a parent and/or other interested party or parties may file a written complaint to the Bureau of Special Education and alleging that the local school district has violated a requirement of federal or state law concerning special education. Bureau staff will not look into any part of a complaint that is also part of a due process hearing until the final hearing decision has been made. If an issue raised in a complaint was already decided in a due process hearing with the same parties, the hearing decision is final and will not be reviewed. A complaint alleging that a school district has failed to carry out a final decision of a due process hearing must be resolved by the State Department of Education.

### **How long do I have to file a complaint?**

A complaint must be filed within one year of the time it is believed that the school district failed to follow the law. A longer time may be reasonable if:

- ✧ the school continues to violate the law; or
- ✧ the complaint asks for services to compensate for what the school district failed to do within the last three years.

### **How will I be notified of the results of the complaint investigation?**

A written report of findings, conclusions and resolutions will be mailed within 60 calendar days of receipt of the request, unless an extension is granted for extenuating circumstances.

<b>You can file a complaint by writing to:</b>	<b>The complaint should state the following:</b>
Connecticut State Department of Education Bureau of Special Education and Pupil Services P.O. Box 2219, Room 359 Hartford, CT 06145-2219 FAX 860-713-7153	<ul style="list-style-type: none"><li>• That the school district is not carrying out IDEA or state laws that protect children with disabilities; and</li><li>• The facts on which the complaint is based.</li></ul>

## **Mediation**

### **What is mediation?**

Mediation is a way to settle disputes when you and school district cannot agree to:

- ✧ consider or find that your child has a disability and may be eligible for special education;
- ✧ evaluate your child;
- ✧ place your child in a school program that meets his or her needs; or
- ✧ provide your child with a free appropriate public education that meets his or her needs.

Both you and the school district must agree to enter into mediation before it can occur.

### **Where and when does mediation occur?**

Mediation will be held within 30 days of receipt of a written request for mediation. It will be held in a place and at a time that is convenient for both you and the school staff.

### **What happens during mediation?**

The mediator will try to help you and the school district settle your differences. If you and the school district reach agreement on the issues, what you have agreed to will be put in writing. If you and the school district cannot reach agreement, the mediator will certify in writing that mediation has not been successful.

### **Who may act as a mediator?**

The State Department of Education, Bureau of Special Education, has a list of mediators and will assign a mediator on a random basis from a list of individuals who:

- ✧ are trained in mediation techniques;
- ✧ do not show favor to either the parent or the school district;
- ✧ are familiar with special education laws;
- ✧ are education consultants with Connecticut State Department of Education; and
- ✧ do not provide direct service to the child who is the subject of the mediation.

### **May I bring an advocate or lawyer to the mediation conference?**

You may bring an advocate and/or lawyer with you to help you in the mediation conference. The school district may also bring a lawyer to the mediation conference. You will be responsible for the cost of your attorney's fees.

### **Are mediation conferences confidential?**

The discussions that occur during the mediation process shall be confidential and may not be used as evidence in any hearing or court action that may follow the mediation. You and the school district may have to agree to this in writing before the start of the mediation.

### **Do I have to try mediation?**

Mediation is voluntary and may not be used to:

- ✧ deny or delay your right to a hearing; or
- ✧ deny any other rights that you have under state or federal special education law.

A Request for Mediation form is in the appendix of this book.

## **Due Process Procedures**

### **What is due process?**

Due process is a way of ensuring fairness in the decision making process regarding your child. If you disagree with a proposed or refused action regarding your child's education, and if you cannot work out the problem at a PPT meeting, you may initiate due process in order to resolve the disagreement.

Due process procedures include:

- ✧ advisory opinions;
- ✧ hearings; and
- ✧ expedited hearings

### **When may I request due process hearing?**

You may ask for a due process hearing within two years of the time the school district proposes or refuses to:

- ✧ consider or find that your child is disabled;
- ✧ evaluate your child;
- ✧ place your child in a school program that meets his or her needs; or
- ✧ provide your child with a free appropriate education that meets his or her needs.

If you have not been given a copy of *Steps to Protect a Child's Right to Special Education: Procedural Safeguards in Special Education*, the two-year limit begins when you receive one.

## **Placement During Due Process Procedures**

### **What happens to my child while due process hearing is ongoing?**

While a due process hearing is pending, your child's classification, program, or placement cannot be changed unless you and the school district agree. However, if you request due process because you disagree with a decision to remove your child to an IAES for matters related to weapons or drugs, your child will remain in the IAES pending the outcome of due process or the expiration of the time for which he or she was placed in that setting, whichever occurs first. If your child is to enter public school for the first time, the child must be allowed to go to school while the hearing is pending, if you so desire.

## **Advisory Opinion**

### **What is an advisory opinion?**

An advisory opinion is a non-binding opinion issued by a hearing officer after consideration of a brief presentation of information by both the parents and the school district.

### **What happens in the advisory opinion process?**

You and the school district will each have 45 minutes to present your case to a hearing officer. Each party may present one or two witnesses during their allotted time and introduce reliable and essential documents such as the most recent IEP, revisions to the IEP, educational evaluations, progress reports, transcripts, independent evaluations, and teacher narratives. You and the school district must exchange copies of any documents and the names of any witnesses you intend to present no later than five calendar days prior to the advisory opinion hearing. You must also provide this information to the hearing officer at the same time. You will have 15 minutes to respond to the school district's presentation, and the school district will have 15 minutes to respond to yours. Afterwards, the hearing officer will render an oral opinion. No record will be made of the advisory opinion process.

### **May I bring an advocate or lawyer to the advisory opinion hearing?**

You may bring an advocate or lawyer and up to three additional people with you to help you in the advisory opinion hearing. The school district may also bring a lawyer and up to three additional people. You will be responsible for the cost of your attorney's fees.

### **What can I do if I disagree with the advisory opinion?**

An advisory opinion is non-binding and does not restrict your right or the school district's right to engage in other forms of resolution such as mediation or due process hearing.

### **Are advisory opinions confidential?**

Advisory opinion hearings are not open to the public and no record of the proceeding is made. The advisory opinion is confidential and may not be used as proof in any future hearing or court action.

A form that may be used to request a hearing and an advisory opinion is at the end of this booklet.

## **Due Process Hearing**

### **What is a due process hearing?**

A due process hearing is a legal process in which a hearing officer appointed by the Due Process Unit of the Bureau of Special Education, State Department of Education, decides the resolution of a disagreement between you and the school district.

### **Where and when does a hearing occur?**

The hearing will be held at a time and place that will make it easy for you and your child to attend. Within 45 calendar days after the receipt of a request for a hearing, a final decision in the hearing shall be rendered and a copy of the decision shall be mailed to each of the parties. The Hearing Officer may grant a specific extension of time beyond the 45-calendar day timeline for certain reasons at the request of either party.

### **What happens during a hearing?**

You and the school district may present evidence, including expert testimony, cross-examine witnesses, and compel the presence of any witnesses. You and the school district must exchange copies of all documents and the names of all witnesses you intend to present no later than five business days prior to the hearing. Evaluations to be used at the hearing must be presented no later than 5 business days prior to the hearing. You must also provide this information to the hearing officer by the same deadline. A record of the hearing will be made. You may obtain a written or electronic copy of the record of the hearing.

### **May I bring an advocate or lawyer to the hearing?**

You may bring an advocate and/or lawyer with you to help you at the hearing. The school district may also bring a lawyer to the hearing. The school district must make you aware of any free or low-cost legal services available when:

- ✧ you ask for it; or
- ✧ you or the school district asks for a hearing.

If the hearing is decided in your favor, you may request that the court order the school district to pay the reasonable costs of your attorney's fees.

### **Protection of Child's Anonymity**

The State Department of Education shall (after removing data that would make the identity of the your child 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.

A Request for Impartial Special Education Hearing form is in the appendix of this book.

## **Expedited Hearing**

An expedited hearing is a hearing that is held quickly so that a situation can be addressed without undue delay. In an expedited hearing, the decision of the hearing officer shall be put in writing and mailed to the parties within 45 calendar days of the receipt of the request for a Due Process without exception or extensions. The parties involved in the hearing must exchange information to be presented as evidence at least two business days prior to an expedited hearing. An expedited hearing will be arranged when the following occurs:

- ✧ The school district thinks that keeping your child in the current placement is highly likely to result in injury to your child or to others and the school district wants to put your child in an IAES for not more than 45 days;
- ✧ The school district does not want your child, who is placed in an IAES, to return to his or her original placement at the end of the 45 day period because it believes your child is likely to injure him/herself or others in that placement;
- ✧ You believe that the school district has improperly removed your child for more than ten consecutive school days;
- ✧ You believe that the school district has improperly removed your child for more than ten school days in a school year;
- ✧ You do not agree with the school district's placement of your child in an IAES; or
- ✧ You do not agree with the manifestation determination.

## Timelines

Here are some important timelines for you to remember concerning the special education process.

<b>From the Date of the Initial Referral to Special Education:</b>	Written notice of referral shall be sent to the parents no later than five school days after the date of the referral.
<b>IEP Implementation:</b>	IEPs shall be implemented within 45 school days from referral (not including time needed to obtain consent); and  IEPs shall be implemented within 60 school days for students in out-of-district placement (not including time needed to obtain consent).
<b>Parental Consent for Evaluation, Placement or Private Placement:</b>	Within ten school days of the date of the notice or PPT meeting in which the parent participated.
<b>Prior to PPT Meetings:</b>	Parental receipt of written notice at least five school days prior to a PPT meeting.
<b>From IEP Meetings:</b>	Parental receipt of a copy of the IEP within five school days of the IEP meeting.
<b>From the Receipt of the IEP:</b>	Implementation of the IEP five school days after the receipt of the IEP.
<b>Reevaluation:</b>	At least once every three years.
<b>From Request for Hearing:</b>	45 days to mailing of the decision, unless hearing officer grants an extension (No extensions may be granted for an expedited hearing.)
<b>From Request for Mediation:</b>	30 days to agreement or certification of unsuccessful mediation.
<b>From the Filing of Complaint:</b>	60 days to the mailing of the decision, unless the State Department of Education requires an extension.

## Steps To Getting Services

### What Happens If My Child Is Having Trouble Learning In School?

If your child is having trouble in school, you should contact the teacher or the principal to discuss your concerns. Some school districts have teams consisting of school personnel that review student problems and suggest academic and/or behavioral strategies in an attempt to change or improve student performance. Please be prepared to provide information that may be helpful to the team. This process does not preclude you from making a referral for special education services. The chart below will guide you through the *special education process*.

	Parent/Guardian	School District
<b>Referral</b>	<ul style="list-style-type: none"> <li>✧ Make a written referral to determine eligibility for special education and related services or believe that your child has significant learning problems.</li> <li>✧ Receive a copy of parent rights (procedural safeguards).</li> <li>✧ Have questions answered.</li> <li>✧ Ask for information about advocacy groups or area parent support groups.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Make written referral to determine eligibility for special education and related services if child is suspected of having a disability.</li> <li>✧ Contact parent, explain referral process, and provide copy of procedural safeguards.</li> </ul>
<b>Before PPT Meetings</b>	<ul style="list-style-type: none"> <li>✧ Review procedural safeguards information.</li> <li>✧ Seek support, if needed.</li> <li>✧ Bring support person(s) to meetings, if needed.</li> <li>✧ Bring concerns, questions, and suggestions to meeting.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Notify parent of meeting(s) and participants.</li> <li>✧ Determine mutually agreed on time and place for the meeting(s).</li> <li>✧ Provide a copy of procedural safeguards.</li> <li>✧ Arrange for appropriate school personnel to be present.</li> </ul>
<b>Evaluation</b>	<ul style="list-style-type: none"> <li>✧ Provide information for evaluation process (e.g., medical, family, and educational history; perceptions of child's strengths and needs at home and in community).</li> <li>✧ Provide input, in collaboration with the school district, to determine the specific assessments needed to evaluate.</li> <li>✧ Receive notification of the evaluation decision.</li> <li>✧ Provide consent to evaluate if you wish for the evaluation to occur.</li> <li>✧ Withhold consent if you do not agree with the evaluation(s) to be conducted.</li> <li>✧ If it is determined that no evaluation is needed, receive in writing the reasons for not conducting the evaluation(s).</li> <li>✧ Receive a copy of procedural safeguards.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Collect information from parent, teacher, and others.</li> <li>✧ Review existing information, in collaboration with the parent, to determine the specific assessments needed to evaluate.</li> <li>✧ Notify parent of the evaluation decisions.</li> <li>✧ Obtain parent permission to evaluate.</li> <li>✧ Complete evaluation.</li> <li>✧ If it is determined that no evaluation is needed, provide in writing reasons for not conducting the evaluation to parent and person who made the referral.</li> <li>✧ Provide parent with procedural safeguards.</li> </ul>

	<b>Parent/Guardian</b>	<b>School District</b>
<b>During the Eligibility Meeting</b>	<ul style="list-style-type: none"> <li>✧ Ask questions about evaluation results.</li> <li>✧ Share information about child’s strengths and needs.</li> <li>✧ Contribute to the determination of eligibility.</li> <li>✧ Receive copy of procedural safeguards.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Summarize, interpret and document evaluation results.</li> <li>✧ Determine eligibility for special education services.</li> <li>✧ Provide copy of eligibility determination to parent at end of meeting.</li> <li>✧ Notify parent of their right to an independent evaluation if there is a disagreement about the evaluation results.</li> <li>✧ Review procedural safeguards.</li> <li>✧ If child is not eligible for special education services consider eligibility for services under Section 504, if appropriate.</li> </ul>
<b>During the Individualized Education Program (IEP) Meeting</b>	<p>If child <i>is eligible</i> for special education services:</p> <ul style="list-style-type: none"> <li>✧ Share information about child.</li> <li>✧ Assist in development of goals and objectives/benchmarks.</li> <li>✧ Contribute to the determination of appropriate special education and related services to be provided.</li> <li>✧ Contribute to the determination of appropriated educational placement.</li> <li>✧ Give permission for child to receive special education and related services (initial placement only).</li> </ul> <p style="text-align: center;"><i>OR</i></p> <ul style="list-style-type: none"> <li>✧ Withhold consent, if you do not agree with the special education program being recommended.</li> <li>✧ Receive procedural safeguards.</li> </ul>	<p>If child <i>is eligible</i> for special education services:</p> <ul style="list-style-type: none"> <li>✧ Develop IEP that will enable the child to be involved in and progress in the general curriculum which includes: child’s strengths and needs; annual goals and short-term objectives/benchmarks; appropriate special education and related services; and appropriate educational placement.</li> <li>✧ Provide parents with procedural safeguards.</li> </ul>

	<b>Parent/Guardian</b>	<b>School District</b>
<p><b>Annual Review</b> (The IEP meeting that reviews the educational status and special education placement)</p>	<ul style="list-style-type: none"> <li>✧ Gather school papers and other information that may be helpful at the meeting.</li> <li>✧ Receive procedural safeguards.</li> <li>✧ Bring support person(s) to meeting, if desired.</li> <li>✧ Review current IEP goals and objectives.</li> <li>✧ Assist in the development of a new IEP.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Notify parent of meeting and participants.</li> <li>✧ Provide copy of procedural safeguards.</li> <li>✧ Gather information on child's progress, including involvement and progress in the general curriculum.</li> <li>✧ Review current IEP.</li> <li>✧ Develop new IEP that will enable the child to be involved in and progress in the general curriculum.</li> <li>✧ Discuss and document the need for extended school year services.</li> <li>✧ Discuss graduation, if appropriate.</li> </ul>
<p><b>Reevaluation</b></p>	<ul style="list-style-type: none"> <li>✧ Review procedural safeguards.</li> <li>✧ Provide consent or refuse consent.</li> <li>✧ Provide input, in collaboration with the school district, to determine the specific assessments needed to evaluate.</li> <li>✧ Receive notice of the reevaluation decisions.</li> <li>✧ Provide information for reevaluation process (e.g. medical, family and educational history; perceptions of the child's strengths and needs at home and in community, progress during year).</li> <li>✧ Provide information from doctors or other professionals that might be helpful.</li> <li>✧ Request an evaluation sooner than the three years, if you feel there is a change in your child's educational needs.</li> </ul>	<ul style="list-style-type: none"> <li>✧ Notify parent that a three-year reevaluation needs to be done.</li> <li>✧ Explain reevaluation process.</li> <li>✧ Provide copy of procedural safeguards to parent.</li> <li>✧ Answer questions.</li> <li>✧ Obtain parental consent to reevaluate.</li> <li>✧ Review existing evaluation data, in collaboration with the parent, to determine the specific assessments needed to evaluate.</li> <li>✧ Notify parent of the evaluation decisions.</li> <li>✧ Hold meeting to determine continued eligibility.</li> <li>✧ If child continues to be eligible, hold IEP meeting and determine appropriate special education and related services and educational placement.</li> </ul>

Illinois State Board of Education, *A Parents' Guide The Educational Rights of Students with Disabilities*  
Used with Permission.

## **Resources**

### **Who else may I contact for help in understanding my rights?**

For help in understanding your rights, you may write or telephone the Director of Special Education in your local school district or contact the Bureau of Special Education, Connecticut State Department of Education, P.O. Box 2219, Room 369, Hartford, CT 06145-2219 at (860) 713-6910.

In many communities, there are social service organizations to which you may turn for help in understanding your rights. These groups may be affiliated with state and national advocacy groups. Local Directors of Special Education usually know about local groups, and meetings are often publicized in newspapers.

Other sources of information are:

Special Education Resource Center  
25 Industrial Park Rd.  
Middletown, CT 06457  
(860) 632-1485

Parent Assistance Line  
25 Industrial Park Rd.  
Middletown, CT 06457  
1-800-842-8678

Connecticut Parent Advocacy Center, Inc.  
338 Main Street  
Niantic, CT 06357  
1-800-445-2722

## **Appendix**

- **Request for Mediation Form**
- **Request for Impartial Special Education Hearing**



Connecticut State Department of Education  
Bureau of Special Education  
**Due Process Unit**  
P.O. Box 2219, Room 359, Hartford, CT 06145-2219  
Fax: (860) 713-7153

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**Request For Mediation**

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I request a mediation concerning \_\_\_\_\_, \_\_\_\_\_,  
(name of student) (date of birth)

\_\_\_\_\_ who is currently within the jurisdiction of  
(address of residence of student)

the \_\_\_\_\_ and attends \_\_\_\_\_  
(school district) (name of the school the student attends)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
**Parent Signature Date District Signature Date**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
**Telephone Fax Telephone Fax**

**The date of the IEP meeting at which the parties failed to reach agreement:** \_\_\_\_\_

Description of the nature of the issues in dispute, including related facts:

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Proposed resolution of the issues to the extent known and available at this time.

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Please provide three mutually agreeable dates for the mediation, which will be held within 30 days of this request. \_\_\_\_\_

From these dates, one will be selected for the convening of the mediation.

*Please forward to the above address and, as appropriate, the parents or the school district.*



**Connecticut State Department of Education**

Bureau of Special Education

**Due Process Unit**

P.O. Box 2219, Room 359, Hartford, CT 06145-2219

Fax: (860) 713-7153

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**Request for Impartial Special Education Hearing**

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I request an impartial hearing concerning \_\_\_\_\_, \_\_\_\_\_  
(name of student) (date of birth)

\_\_\_\_\_ who is currently within the jurisdiction of  
(address of residence of student)

the \_\_\_\_\_ and attends \_\_\_\_\_  
(school district) (name of the school the student attends)

\_\_\_\_\_  
**Print Name** **Signature** **Date**

\_\_\_\_\_  
**Telephone** **Fax**

**The date of the IEP meeting at which the parties failed to reach agreement:** \_\_\_\_\_

Description of the nature of the issues in dispute, including related facts:

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Proposed resolution of the issues (to the extent known and available at this time).

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*Please forward to the above address and, as appropriate, the parents or the school district.*

**Request for Advisory Opinion**

*(See other side)*

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**Request for Advisory Opinion**

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**We request an advisory opinion. We understand both parties must agree to an advisory opinion and we are not required to pursue an advisory opinion prior to a hearing.**

\_\_\_\_\_  
Parent Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
School District Representative

\_\_\_\_\_  
Date

Two mutually agreeable dates for the advisory opinion: \_\_\_\_\_, \_\_\_\_\_

From these dates, one will be selected for the advisory opinion.

*Please forward to the address on the front of this form and, as appropriate, the parents or the school district.*

# **Connecticut State Department of Education**

## **Division of Educational Programs and Services**

George A. Coleman  
Associate Commissioner  
Deborah Koval  
Publications Coordinator

## **Bureau of Special Education**

George P. Dowaliby  
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Roger D. Frant  
Karen Halliday  
Carolyn W. Isakson  
Ann Kammerer  
Deborah Richards  
Norma Sproul  
Anne Louise Thompson

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