

## **Instruction**

### **Individualized Education Program/Special Education Program**

Any child, whether a student of the school district, of preschool age, or between the ages of three and 21 years of age, inclusive, but not attending district schools, who is identified as being in need of a special program shall be referred to a "special education planning and placement team" (PPT) which shall make an evaluative study to determine whether the child is a child with a disability as defined in state and federal statutes and if special education is required and to establish the scope of the special education program.

A parent or legal guardian of a child, the State Department of Education, other state agencies of the District may initiate a request for an initial evaluation to determine if the child is a child with a disability. Initial evaluations, using a variety of assessment tools and measures to gather relevant functional, developmental and academic information, must be completed within 60 days 45 school days of the receipt of parental or legal guardian consent, or per a timeline determined by the State. Exceptions to this timeframe include children moving between school districts and parental refusal to make a child available for evaluation, as provided by law. Assessments for disabled children who are transfer students shall be coordinated between the sending or receiving district in an expeditious manner.

### **Planning and Placement Team or Individualized Education Program Team**

The "individualized education program team" or "IEP Team" means a group of individuals composed of -

- (i) the parents or legal guardians of a child with a disability
- (ii) not less than one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- (iii) not less than one special education teacher, or where appropriate, not less than one special education provider of such child;
- (iv) a representative of the local educational agency who -
  - (I) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
  - (II) is knowledgeable about the general education curriculum; and
  - (III) is knowledgeable about the availability of resources of the local educational agency;
- (v) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in clauses (ii) through (vi);
- (vi) at the discretion of the parent/legal guardian of or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

{ vii) whenever appropriate, the child with a disability.

## Instruction

### Individualized Education Program/Special Education Program (IEP) (continued)

NOTE: An IEP Team member is not required to attend all or part of an IEP meeting if the parents and District agree that the team member's participation is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting does involve a modification or discussion of the member's area of the curriculum or related services, parents and the District can agree to excuse the member from attending all or part of the meeting if the member submits written input to the parent and the IEP Team prior to the meeting. Parental consent in writing is required in either case.

In addition to the above, the special education specialist, school psychologist, school nurse, school social worker, counselor, or other student service worker who has conducted an assessment of the student shall participate whenever the results or recommendations based on such assessment are significant to the development of the student's individualized education program and placement. Where the student is limited or non-English speaking, a district representative who is fluent in the student's primary language and who is knowledgeable about the process of second-language acquisition and competent in the assessment of limited English and non-English speaking individuals should be included.

Parents/Guardians and the District may agree to conduct IEP meetings, and other meetings, through alternative means, such as including but not limited to, videoconferences or conference calls.

(a) **General** The IEP for each child must include -

- (1) A statement of the child's present levels of educational performance based upon parental provider information, current classroom-based, local, state assessments and classroom-based observations, including -
  - (i) How the child's disability affects the child's involvement and progress in the general education curriculum; or
  - (ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
- (2) A statement of measurable annual academic and functional goals, related to -
  - (i) Meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general education curriculum; and
  - (ii) **Meeting** each of the child's other educational needs that result from the child's disability.

## Instruction

### Individualized Education Program/Special Education Program (IEP) (continued)

#### *Alternate Assessments*

- (iii) A statement of "benchmarks or short-term objectives" is required only with respect to students with disabilities who take alternate assessments aligned with alternate achievement standards.

If a child will participate in alternate assessments based on either general or alternate achievement standards, the IEP must explain why the child cannot participate in the regular assessment and why the alternate assessment selected is appropriate for the child.

The IEP/PPT Team may only recommend appropriate accommodation or use of alternate assessment, but may not exempt students with disabilities from the state assessment.

- (3) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child and a statement of the program modifications or supports for school personnel that will be provided for the child -
  - (i) To advance appropriately toward attaining the annual goals;
  - (ii) To be involved and progress in the general curriculum in accordance with paragraph (a)(I) of this section and to participate in extracurricular and other nonacademic activities; and
  - (iii) To be educated and participate with other children with disabilities and non-disabled children in the activities described in this paragraph.
- (4) An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in the activities described in paragraph (a) (3) of this section;
- (5) A statement of any individual modifications in the administration of State or district-wide assessments of student achievement that are needed in order for the child to participate in the assessment.

## Instruction

### Individualized Education Program/Special Education Program (IEP) (continued)

- (6) The projected date for the beginning of the services and modifications described in paragraph (a)(3) of this section, and the anticipated frequency, location, and duration of those services and modifications; and
  - (7) A statement of
    - (i) How the child's progress toward the annual goals described in paragraph (a)(2) of this section will be measured; and
    - (ii) How the child's parents/legal guardians will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their non-disabled children's progress, of
      - {A} Their child's progress toward the annual goals; and
      - {B} The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year
  - (8) Reevaluation of a student's progress may not occur more than once a year unless agreed to by the parents/legal guardians and the District. Reevaluation must occur at least once every three years unless the parent/legal guardians and District agree that it is unnecessary.
- (b) *Transition services.*
- (1) The IEP must include
    - (i) For each student beginning not later than the first IEP to be in effect when the child is sixteen, and younger if appropriate, and updated annually, thereafter, appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
    - (ii) For each student beginning not later than the first IEP to be in effect when the child is sixteen, (or younger, if determined appropriate by the IEP Team), a statement of needed transition services for the student, including courses of study, needed to assist the child in reaching these goals.
    - (iii) For each student with a disability category of ASD, all of (i) and (ii) applies however the transition services must begin not later than the first IEP to be in effect when the child is fourteen, or younger if appropriate.

## Instruction

### Individualized Education Program/Special Education Program (continued)

- (iv) For a student no longer eligible for services due to graduation from high school with a regular diploma or for a student who exceeds the age of eligibility under State law, a summary of the student's academic achievement and functional performance including recommendations on how to assist the student in meeting his/her postsecondary goals.
- (2) If the IEP team determines that services are not needed in one or more of the areas specified in §300.27(c)(1) through (c)(4), the IEP must include a statement to that effect and the basis upon which the determination was made.
- (c) ***Transfer of rights.*** Beginning not later than one year before a student reaches the age of majority under State law, the student's IEP must include a statement that the student has been informed of his or her rights under this title if any, that will transfer to the student on reaching the age of majority, consistent with §615(m)
- (d) ***Students with disabilities convicted as adults and incarcerated in adult prisons.*** Special rules concerning the content of IEP's for students with disabilities convicted as adults and incarcerated in adult prisons are contained §612(a)(5)A.

## Transfers

When an individual has been on an IEP in another school district, the PPT shall make an evaluative study of the student and develop an IEP for the student as though the student were newly referred, but the PPT may use the previous IBP (if available) in developing the new one. If the transfer involves districts within Connecticut, the District will provide services "comparable to those described in the previously held IEP," until the District adopts the previously held IEP or develops, adopts, and implements a new IEP. If the student has transferred from another state, the District will provide services "comparable to those described in the previously held IEP," until the District conducts an evaluation, if deemed necessary, and if appropriate, develops a new IEP. If a student who is on an IEP transfers from this district to another, or to a private school, the written IEP and any additional records relating to the student's program and achievement shall be forwarded to the receiving school on the request of the receiving school and the individual's parent or guardian.

## Independent Educational Assessment

If an independent educational assessment is necessary, it shall be conducted by a Connecticut credentialed or licensed professional examiner who is not employed by and does not routinely provide assessment for the State Department of Education or this District.

## **Instruction**

### **Individualized Education Program/Special Education Program**

(continued) **Legal Reference:** Connecticut General Statutes

10-76a Definitions (as amended by PA 06-18)

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

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

10-76ff Procedures for determining if a child requires special education (as  
amended by PA 06-18)

10-76g State aid for special education.

10-76h Special education hearing and review

procedure. PA 06-18 An Act Concerning Special

Education

State Board of Education Regulations

34 C.F.R. 300 et seq. Assistance to States for Education of Handicapped  
Children.

300.14 Special education definitions.

300.340-349 Individualized education programs.

300.503 Independent educational assessment.

300.533 Placement procedures.

300.550-556 Least restrictive environment.

P.L. 108-446 The Individuals with Disabilities Education Improvement Act  
of 2004

## **Instruction**

### **Individualized Education/Special Education Program**

#### **Individual Education Prescriptions (IEP) for Students in Private Schools/Public Schools Out-of-District**

The responsibility for developing and monitoring Individualized Education Programs for children who require special education and related services and have been placed in private facilities, lies with the local school district.

The system Planning and Placement Team will review the private school's IEP form to verify that all the necessary components of an IEP that are required by state and federal laws and regulations are included in the form.

The IEP of each student placed in private or public schools and institutions outside the school system shall be reviewed annually.

The student's IEP shall reflect documentation of the System's PPT participation and approval of the student's IEP.

Legal Reference:        Connecticut General Statutes  
                                  10-76a Definitions.  
                                  10-76b State supervision of special education programs and services.  
                                  Regulations.  
                                  10-76d Duties and powers of boards of education to provide special  
                                  education programs and services.  
                                  10-76g State aid for special education.  
                                  10-76h Special education hearing and review procedure.  
                                  State Board of Education Regulations  
                                  34 C.F.R. 300 et seq. Assistance to States for Education of Handicapped  
                                  Children.  
                                  300.14 Special education definitions.  
                                  300.340-349 Individualized education programs.  
                                  300.503 Independent educational assessment  
                                  300.533 Placement procedures  
                                  300.550-556 Least restrictive environment



## **Instruction**

### **Instructional Arrangements**

#### **Teacher Aides**

Teacher aide means an adult school employee who works under the direction of the certified administrative and teaching staff in performing, within the limitations of training and competency, certain instructional and non-instructional functions in the school program.

In compliance with applicable legal requirements, the Board shall require all teacher aides/paraprofessionals with instructional duties that are newly hired in a Title I school program to have a secondary school diploma or its recognized equivalent and to have:

1. Completed at least two years of study at an institution of higher education;
2. Obtained an Associate's or higher degree; or
3. Met a rigorous standard of quality through a formal state or local academic assessment.

Teacher aides/paraprofessionals hired before January 8, 2002 have until January 1, 2006 to meet these standards. The district will not hire paraprofessionals who do not meet these standards.

Exception to these requirements may be made with regard to paraprofessionals who act as translators.

The Superintendent or his/her designee and/or the staff development committee shall develop an appropriate in-service program for paraprofessionals.

Paraprofessionals are employed so that the certified staff may direct their energies to the students' education. The Principal is responsible for making final decisions related to the duties and responsibilities to be assigned to a paraprofessional.

(cf. 4222 – Teacher Aides/Paraprofessionals)

Legal Reference: 20 U.S.C. §1119(c) No Child Left Behind Act P.L. 107-110