

Special Education

Connecticut State Department of Education





Introduction to Special Education

Overview of Presentation

1. Legal Landscape, Ages Served
2. Values and Principles of Special Education
[Individual Child, FAPE, LRE]
3. Definition of Special Education & Related Services
4. Process of Special Education
5. Information on Students, Schools, Funding and LRE
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7. Private Schools
8. Procedural Safeguards, Due Process



Special Education

The provision of special education is based upon the Individuals with Disabilities Education Act (IDEA) and Connecticut statute and regulations regarding special education.

Therefore, the implementation of “special education” is mandated by federal and special education law. Connecticut statute and regulations mirror the IDEA with few exceptions.



IDEA – Legal Landscape

- Federal Statute: The Individuals with Disabilities Education Improvement Act (IDEA) of 2004 [Public Law 108-446]
- IDEA has four (4) “Parts”
 - Part A: General Provisions
 - **Part B: Assistance for the Education of All Children with Disabilities**
 - Part C: Infants and Toddlers with Disabilities
 - Part D: National Activities to Improve the Education of Children with Disabilities
- Federal Regulations: IDEA Implementing Regulations at 34 CFR Parts 300 & 301: *“Assistance to States for the Education of Children with Disabilities”*
- State Law: Statute (C.G.S. 10-76(a)-(q) and Regulations (R.C.S.A. Sec. 10-76a-1 to 10-76h-16): *“Students with Disabilities Requiring Special Education”*



Special Education Defined

The Individuals with Disabilities Education Act (IDEA) defines special education as,

“a free appropriate public education (FAPE) is provided to a child with a disability who requires special education and related services.”

IDEA –Ages Served



IDEA [Part B]: Education of Students/Special Education

- Children, ages 3 through 21, or graduation from high school, whichever is first attained
 - Includes eligible children beginning by their third birthday
 - Extends to eligible children/youth until age 21 or high school graduation, whichever occurs first
 - Under CT regulations, a student with a disability maintains eligibility through the end of the school year (June 30) in which s/he turns 21





A Child's Right and A Nation's Value

Any child with a disability, regardless of the nature and severity of the child's disability, is entitled to a public education that is tailored to that child's individual educational needs.

[nation's law that is antidiscrimination, affords a civil right, provides an entitlement]

Principles of Special Education

- **Individual child with a disability** versus a group of children in a grade
 - Statutes require that an individualized education [program (IEP) be developed to meet the *individual* needs of each child
- **Free appropriate public education (FAPE)** beginning at age 3 until age 21 or high school graduation, whichever occurs first
- **Least restrictive environment (LRE)**
- **Parental participation**
- **Procedural safeguards and Due Process** (parent/child rights, obtaining copies of records)
- **State Education Agency (SEA) Obligations for General Supervision, Monitoring, Surrogate Parents**



Individual Child

- Unique needs of the child
 - Individually designed evaluation/assessment to identify the child's educational needs
 - Evaluation/assessment designed by the child's planning and placement team (PPT)
- Individualized specialized instruction
 - Developed by the child's PPT
 - Based upon the child's individualized goals and objectives
 - Written on an individualized education program (IEP)
 - IEP describes the services, personnel, frequency, intensity
 - Based upon the general education curriculum and high expectations
 - Includes transition planning to post-secondary, career, job placement



Free Appropriate Public Education (FAPE)

- Education/Services must be provided at public expense, under public supervision, and without charge to parents
- Education/Services must be appropriate and individualized to meet the needs of each child with a disability, meet the standards of the State Education Agency (SEA) and the IDEA
- Education/Services must be part of the public education provided to all children and in conformity with a child's individualized education program (IEP)



Least Restrictive Environment (LRE)

- **Least Restrictive Environment (LRE)**
 - To the maximum extent appropriate, children with disabilities, in public or private institutions or other care facilities, are educated with children who are not disabled; and
 - Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.



Least Restrictive Environment (LRE)

- ❑ Program/placement/IEP made by a group of persons, including the parents, individuals knowledgeable about the child, the evaluation data on the child and in consideration of placement options = Planning and placement team (PPT)
- ❑ District obligation for a continuum of alternative placements: general education classroom, special education classroom, separate school, residential facility, home/hospital
- ❑ Appropriate age and grade placement, with supplementary aids, services and supports
- ❑ Includes participation in nonacademic and extracurricular services and activities



Least Restrictive Environment (LRE)

- Unless a child's IEP requires some other arrangement, the child is educated in the school they would attend if not disabled
- A child cannot be removed from general education solely due to need for supplementary aides and services
- Program/placement to be determined annually (e.g., Annual Review)
- Program/placement based upon child's IEP
- In selecting an LRE for a child, consideration is given to the harmful effect on the child or on the quality of services needed by the child



What Is Special Education?

- IDEA, Part B = Special Education = Education, namely instruction, “*a free appropriate public education (FAPE) is provided to **a child with a disability** who requires special education and related services.*”
- Special Education means “*specially designed instruction, at no cost to parents, to **meet the unique needs of a child with a disability** including instruction conducted in the classroom, in the home, in hospitals and institutions and in other settings.*”
- In Connecticut, Speech and Language Pathology is considered special education/specialized instruction if that is the only specialized service/support that a child requires.

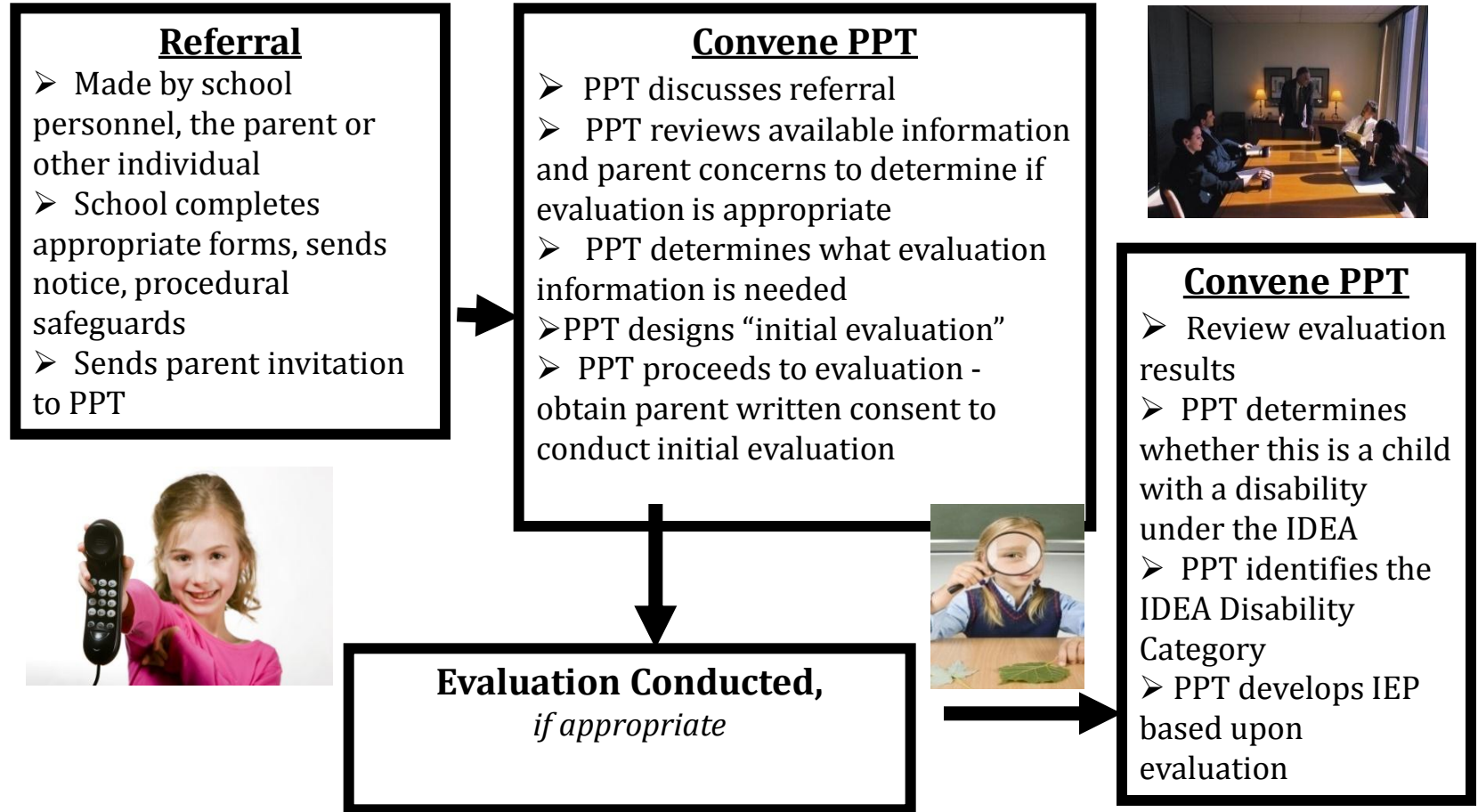
What are Related Services?

Related services include transportation and developmental, corrective and other supportive services as required to assist a child with a disability to benefit from special education, and can include:

- Speech-language pathology
- Audiology
- Physical and occupational therapy
- Interpreting services
- Counseling
- Mobility services
- Social work services in schools
- Parent counseling and training



Referral, Evaluation, Eligibility, IEP



Students & Students Receiving Special Education

- Student Population Kindergarten – Grade 12:
 - 537,595 general education students
- Special Education Population Kindergarten – Grade 12:
 - 65,100 students receiving special education (12.1%)
- Special Education Population Age 3-21 (pre-K to Grade 12)
 - 69,730 students receiving special education 3-21
 - 61,705 students 6-21 (K through Grade 12)
 - 8,025 students ages 3 through 5 (pre-K and K)
 - 3,926 students ages 18 (n = 2,259) through 21

Who Is Receiving Special Education?

Child is determined to have a disability and that disability requires that the child receive special education.

- ❖ Intellectual Disability: 2,355 students, 3.38%
- ❖ Hearing Impairment, including deafness: 641 students, 0.92%
- ❖ Speech or Language Impairment: 11,857 students, 17.0%
- ❖ Visual Impairment, including blindness: 185 students, 0.27%
- ❖ Emotional Disturbance: 5,243 students, 7.52%
- ❖ Multiple Disabilities: 2812 students, 4.03%
- ❖ Autism: 7,365 students, 10.56%
- ❖ Orthopedic Impairment: 78 students, 0.11%
- ❖ Traumatic Brain Injury: 117 students, 0.17%
- ❖ Other Health Impairment: 12,980 students, 18.61%
- ❖ Specific Learning Disability: 21,682 students, 31.09%
- ❖ Deaf-Blindness: 20 students, 0.03%
- ❖ **DEVELOPMENTAL DELAY** (for children 3 through 5): 4394, 6.30%
- ❖ Note: In 2012-13 = 69,730 students received special education

Who Is Responsible for Providing Special Education?

- In Connecticut, school districts are responsible for the provision of special education and related services to the eligible population of children with disabilities ages 3-21
- In IDEA, school districts are referred to as LEAs – local educational agencies
- In Connecticut, there are approximately:
 - 169 towns
 - school districts
 - regional school districts
 - 3 state school districts





What Funds Support Special Education?

- The IDEA provides two federal grants to states to support the excess cost of providing special education
 - The IDEA 611 grant is for the education of children 3 through 21
 - The IDEA 619 grant is for the education of children 3 through 5
- The Education Cost Sharing Grant (ECS) to municipalities
- Local tax dollars
- State provides an “Excess Cost Grant” for high-need, high-cost students
- Breakdown of expenditures: 30.20% state dollars, 62.39% of local dollars and 7.39% of federal dollars



Key Aspects of Special Education

- **Child Find:** To identify, locate and evaluate children, birth-21, who may require special education
- **Decision-making:** A group of professionals called a “Planning and Placement Team” (PPT) which includes the child’s parents
- **Response to Intervention (RtI or SRBI):** activities and interventions prior to referral to special education
- **Comprehensive Evaluation:** to identify all of a child’s educational needs
- **Individualized Education Program (IEP):** Identifying goals, personnel, services
- **Progress Monitoring:** To help ensure services are appropriate and effective

Education of Students Receiving Special Education & LRE

- 69,730 students receiving special education in Grades Pre-K to12
 - 49,178 students (70.53%) spend 80-100% time with non-disabled peers
 - 15,552 students (22.30%) spend 41-79% time with non-disabled peers)
 - 5,000 students (7.17%) spend 0-40% time with non-disabled peers
- * Note: *Highlights the import of all staff being prepared and able to instruct students with disabilities*

Education of Students Receiving Special Education & LRE

- 4,739 students (6.80%) are educated in private/other educational settings
 - APSEP = 2756 students (58.16%)
 - RESC Special Education Programs = 1322 students (27.9%)
 - Homebound = 202 students (4.26%)
 - USD II (DCF) = 118 students (2.49%)
 - Other Non-Public = 215 students (4.54%)
 - Out-of-State = 17 students (0.36%)
 - Other = 109 students (2.30%)



Approved Private Special Education Programs (APSEP)

- The child's PPT develops the child's IEP, determines that the child's needs and IEP cannot be met in district
- School districts 'place' a child at an approved special education school for their public education if the school cannot meet the child's IEP in district and the private school is determined to be an appropriate placement and can meet the child's needs and IEP
- School districts contract with approved private special education schools to implement a child's IEP

Approved Private Special Education Programs (APSEP)

- Upon submission of an application, the State Department of Education is the entity that approves private special education programs/schools
- The private school must submit a written application
- To apply for approval, schools must have at least 10 children and be in operation for at least a year
- Consultations and site visits are conducted as a part of the approval process
- The cycle of approval for each approved school is between three to five years
- Currently, the Department has 56 approved private special education schools
- Approximately 2,756 children are served by an approved non-public



Parentally Placed Private School Children

- District in which the private school is located is responsible for 'child find' and the possibility of a 'service plan'
- Child find is the obligation to locate and identify children requiring special education who are placed by parents in private schools
- No requirement that the district pay for private school if the district made an appropriate IEP available
- Children attending a private or parochial school who would be or are eligible for special education receive the benefits of a proportionate share of federal IDEA funds through a 'service plan' which may or may not provide direct services to a child



General Supervision

- IDEA and state law identifies that the State Education Agency (SEA) is responsible for ‘general supervision’ and ‘implementation of procedural safeguards’
- General supervision includes the assurance that a free appropriate public education is provided a child
- Maintaining State eligibility for federal funds
- Monitoring of school districts (e.g., record review, analysis of data, site visits, Focused Monitoring, State Performance Plan and Annual Performance Report)
- Investigates possible violations of special education law



Procedural Safeguards

- Due Process rights afforded the child
 - Filing a complaint, Department investigates
 - Requesting mediation, if the parties agree, Department provides the mediators
 - Requesting a hearing with a hearing officer, Department contracts with hearing officers
 - Option of participating in a resolution session, if the parent requests a hearing
 - Includes 'notice requirements' such as procedural safeguards notice, timeline requirements, discipline and manifestation determination and transfer of rights at age of majority

Due Process Data [7/01/2012-6/30/2013]

Due Process Options	Requested	Disposition
Hearings	203 requests	<ul style="list-style-type: none"> ✓ 10 fully adjudicated hearing decisions issued (7 district, 2 parents, 1 dismissed) ✓ 149 withdrawn ✓ 47 pending
Mediations	314 requests	<ul style="list-style-type: none"> ✓ 223 mediations held ✓ 149 agreements reached on day of mediation ✓ 32 withdrawn or other ✓ 60 pending
Complaints	218 complaints filed	<ul style="list-style-type: none"> ✓ 92 reports identified findings of non-compliance ✓ 32 reports identified no non-compliance ✓ 85 withdrawn or dismissed ✓ 9 pending
Resolution Sessions	56 sessions convened in relation to parent hearing request	<ul style="list-style-type: none"> ✓ 32 resulted in settlement agreement

Resources and Links

- State Department of Education, Special Education:
<http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&Q=320730>
- Directory of Approved Private Special Education Schools:
http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Special/Priv_SpEd_Progs.pdf
- Parent's Guide to Special Education in Connecticut:
http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Special/Parents_Guide_SE.pdf
- IEP Manual and Forms:
<http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Special/IEPManual.pdf>

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Questions?



Thank You