

OMB NO. 1820-0030
Expires: 8/31/2021

**ANNUAL STATE APPLICATION UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FOR FEDERAL FISCAL YEAR 2019**

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS**

Washington, DC 20202-2600

Public Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. There are 60 respondents who, under PL 108-446, are required to submit the IDEA Part B Annual State Application in order to receive a grant award under Part B of the IDEA. The data burden is expected to require an average of 14 hours per respondent, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The burden estimate is 840 hours.

Respondents are required to submit information for Sections I-IV of the Annual State Application in order to receive a grant under Section(s) 611 and/or 619 of the Individuals with Disabilities Education Act. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, 400 Maryland Ave., SW, Washington, DC 20202-4536 or email ICDocketMgr@ed.gov and reference the OMB Control Number 1820-0030. Note: Please do not return the completed *Annual State Application under Part B of The Individuals with Disabilities Education Act as Amended in 2004* to this address.

Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

- ☒ 1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A of this Application.
- ☐ 2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2020. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

- ☐ 3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A:

- ☐ a. Section II.A provides documentation of completion of all issues identified in the FFY 2018 conditional approval letter.
- ☐ b. As noted in Section II.A, the State has not completed all issues identified in the FFY 2018 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- ☐ a. The State previously submitted documentation of completion of all issues identified in the FFY 2018 conditional approval letter.
- ☐ b. The State is attaching documentation of completion of all issues identified in the FFY 2018 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- ☐ c. The State has not completed all issues identified in the FFY 2018 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

Section II

A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

| Yes (Assurance is given.) | No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.) Check and enter date(s) as applicable | Assurances Related to Policies and Procedures |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| X | | 1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108. |
| X | | 2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110) |
| X | | 3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111. |
| X | | 4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.324, except as provided in §§300.300(b)(3) and 300.300(b)(4). (20 U.S.C. 1412(a)(4); 34 CFR §300.112) |
| X | | 5. To the maximum extent appropriate, children with disabilities, including children 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 when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be |

| Yes (Assurance is given.) | No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.) Check and enter date(s) as applicable | Assurances Related to Policies and Procedures |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | | achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120. |
| X | | 6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121. |
| X | | 7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122) |
| X | | 8. Agencies in the State comply with 34 CFR §§300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123) |
| X | | 9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124) |
| X | | 10. Agencies in the State, and the SEA if applicable, comply with the requirements of 34 CFR §§300.130 through 300.148 (relating to responsibilities for children in private schools), including that to the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148) |

| Yes (Assurance is given.) | No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.) Check and enter date(s) as applicable | Assurances Related to Policies and Procedures |
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| X | | 11. The State educational agency is responsible for ensuring that the requirements of Part B are met including the requirements of 34 CFR §§300.113, 300.149, 300.150 through 300.153, and 300.175 and 300.176 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149) |
| X | | 12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(1)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during the pendency of any dispute under §300.154(a)(3). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154. |
| X | | 13. The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155) |
| X | | 14. The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E), as amended by the Every Student Succeeds Act; 34 CFR §300.156. |
| X | | 15. The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C), as amended by the Every Student Succeeds Act; 34 CFR §300.157. |
| X | | 16. All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized |

| Yes (Assurance is given.) | No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.) Check and enter date(s) as applicable | Assurances Related to Policies and Procedures |
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| | | education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); as amended by the Every Student Succeeds Act; 34 CFR §300.160. |
| X | | 17. Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162. |
| X | | 18. The State will not reduce the amount of State financial support for special education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year, unless a waiver is granted, in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §§300.163 through 300.164. |
| X | | 19. Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165) |
| X | | 20. In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166) |
| X | | 21. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169. |
| X | | 22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170. |
| X | | 23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility |

| Yes (Assurance is given.) | No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.) Check and enter date(s) as applicable | Assurances Related to Policies and Procedures |
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| | | Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172. |
| | | 23b. (Note: Check either "23b.1" or "23b.2" whichever applies. |
| X | | 23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to: <ul style="list-style-type: none"> require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172) |
| | | 23b.2 The State educational agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172) |
| X | | 24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173) |
| X | | 25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174. |

B. Other Assurances

The State also makes the following assurances:

| Yes | Other Assurances |
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| X | 1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705. |
| X | 2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.) |
| X | 3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702) |
| X | 4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations. |

C. Certifications

The State is providing the following certifications:

| Yes | |
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| X | 1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i> , is on file with the Secretary of Education. With respect to the <i>Certification Regarding Lobbying</i> , the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers. |
| X | 2. The State certifies that certification in the Education Department General Administrative Regulations (EDGAR) at 34 CFR §76.104 relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State. |
| X | 3. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154 (or 20 U.S.C. 1412(a)(12)(A)); 34 CFR §300.154(a) are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171. |

D. Statement

I certify that the State of Connecticut can make the assurances checked as 'yes' in Section II.A and II.B and the certifications required in Section II.C of this application. These provisions meet the requirements of the Part B of the Individuals with Disabilities Education Act as found in PL 108-446. The State will operate its Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2020. (34 CFR §76.104)

I, the undersigned authorized official of the

Connecticut State Department of Education
(Name of State and official name of State agency)

am designated by the Governor of this State to submit this application for FFY 2019 funds under Part B of the Individuals with Disabilities Education Act (IDEA).

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| Printed/Typed Name and Title of Authorized Representative of the State: Dr. Dianna R. Wentzell, Commissioner of Education | |
| Signature: | Date: |

Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act—20 U.S.C. 1411(e)(5); 34 CFR §300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the FFY 2019 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7)) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2).¹ The dollar amounts **listed in the Excel Interactive Spreadsheet** by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State's Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State's application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR §300.704)

A public notice was printed in all daily newspapers in the State of Connecticut informing all residents of Connecticut of the availability to review the Annual State Application under Part B of the Individuals with Disabilities Education Act as amended in 2004 for Federal Fiscal Year 2019. The plan was on file for public notice/input during the period March 4, 2019 through May 3, 2019. Print copies were available at the Regional Education Service Centers: ACES, 350 State Street, North Haven; CREC, 111 Charter Oak Avenue, Hartford; CES, 25 Oakview Drive, Trumbull; EASTCONN, 376 Hartford Turnpike, Hampton; Ed Connection, 355 Goshen Road, Litchfield; and LEARN, 44 Hatchetts Hill Road, Old Lyme. Print copies are also available at the Connecticut Parent Advocacy Center (CPAC) CPAC, 338 Main Street, Niantic and the library at the State Educational Resource Center (SREC) Library 100 Roscommon Drive, Middletown, CT. The public was notified as to the specific individual at the Bureau of Special Education, Connecticut State Department of Education where written comments could be directed. Two public hearings for comment on April 10th from 1:00–3:00pm at the State Education Resource Center Library at 100 Roscommon Drive, Middletown, CT, and April 9th from 1:00–3:00pm at the New England Assistive Technology Center at 121 Holcomb Street, Hartford, CT.

Additionally, the application, including the amounts set-aside for administration and other state level activities, was shared with the executive board of ConnCASE (Connecticut Council of Administrators of Special Education) and the State Advisory Council (SAC) for their input.

¹ Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or \$800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or \$35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) \$800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

- (1) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title;
- (2) identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and
- (3) minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local education agencies in writing of such State-imposed rules, regulation or policy. (20 U.S.C. 1407(a); 34 CFR §300.199)

Connecticut General Statutes (C.G.S) and Regulation of Connecticut State Agencies (R.C.S.A.)
As of July 1, 2017

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| Section 10-76a-1 | Definition of child requiring special education includes gifted and talented Definition of planning and placement team Definition of "Board of education" or "board" Definition of "Child" and "Parents" Definition of "A child with a disability" Definition of "A child" Definition of "Extended school day or extended school year services" Definition of "Independent evaluation" Definition of "Private special education program" |
| Section 10-76b-1 | Authority for compliance with the IDEA for the provision of a free appropriate public education to children with disabilities |
| Section 10-76b-4 | Compliance related to monitoring and compliance procedures |
| Section 10-76a-2 | Definition of extraordinary learning ability, gifted and talented and outstanding talent in the creative arts |
| Section 10-76b-5 to Section 10-76b-11 | Use of and reporting physical restraint and seclusion in public schools requirements |
| Section 10-76d-1 | Special education and related services with general requirements, provision, arrangement and payment of services. |
| Section 10-76d-2 | Special Education Personnel including aides, consultation and personnel development. Special Education personnel is explained. |
| Section 10-76d-3 | Length of school day and year with the requirement to consider ESY early enough to allow parents to challenge unless clearly not feasible to do so. |

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| Section 10-76d-4 | Physical facilities and equipment or assistive technology |
| Section 10-76d-5 | Class size and composition |
| Section 10-76d-6 | Eligibility and identification for services for parentally placed private school children or children educated at home by their parents. |
| Section 10-76d-7 | Referral; referrals from a physician, clinic or social worker permitted provided the parent allows it; standard referral form to be provided; school districts required to provide information understandable to the public concerning the procedures for requesting an initial evaluation of a child, including an explanation of general education interventions, one person in each school building must be identified for parents or professional staff to talk to about special education referrals and interventions, interventions in regular education shall be explored before a referral to special education is made; children who are suspended repeatedly or whose behavior, attendance or progress in school, including children who are truant, is considered unsatisfactory or at a marginal level of acceptance must be referred |
| Section 10-76d(a)(8)(F) | The statute requires notification to parents at each initial planning and placement team meeting of the state laws relating to the use of physical restraints and seclusion with children requiring special education |
| Section 10-76d-8 | The regulation for notice and consent to include written notice and detailed description of when notice is required. Allows notice to be given at PPT meeting. Consent: if the parents fail to respond to a request for consent where consent is required, the LEA shall construe that as refusal of consent |
| Section 10-76d(a)(2)-(6) and (9) | The statute determining Medicaid eligibility for the receipt of Medicaid grants <i>Bill 1502- requires the Planning and Placement Team to determine Medicaid status</i> |
| Section 10-76d(b) | The statute that LEA's may make agreements with a private school, agency or institution to provide necessary preschool education programs |
| Section 10-76d(d) | The statute for LEA's to receive state reimbursement for LEA initiated private placements, the private school, agency or institution must be approved for special education by the Commissioner of Education; placement priorities may be ignored if the private school placement is less expensive than the public school placement, as long as the program is appropriate |
| Section 10-76d-9 | The regulation of evaluation, independent educational evaluation, determining the existence of a learning disability and identification and evaluation of children who may be gifted or talented. |
| Section 10-76d(e)(2) and (5) | State agency placements of children eligible for special education: apportionment of educational and residential costs; grants to LEAs; responsibility of placing agency |
| Section 10-76d(e)(3) | Grants for LEAs who educate eligible children who reside on state-owned or leased property |
| Section 10-76d(e)(4) | Department of Mental Health and Addiction Services (DMHAS) must provide regular and special education to eligible residents in facilities operated by DMHAS |

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| Section 10-76d(f) | Out-of-state placements |
| Section 10-76d(g)(2) | State Board of Education (SBE) to approve out-of-state placements annually if such placement continues beyond three years |
| Section 10-76d-10 | Planning and Placement Team, referral, evaluation of child with a disability, determination of eligibility, meeting and re-evaluations. |
| Section 10-76d-11 | IEP components; short term instructional objectives, list of individuals implementing the IEP, indication if residential placement is being recommended for other than educational reasons, and the specifics of the child's transportation needs placed on the Department of Education's IEP form. |
| Section 10-76d-12 | Transfer of rights: inclusion of a procedure for decision making to remain with the child's parents for children who reach the age of majority and the parental participation with exceptions noted. |
| Section 10-76d-13 | Timelines: if a referral is made during the academic year, the IEP must be implemented within 45 school days of referral, exclusive of the time necessary for parental consent; if the PPT recommends an out-of-district or private placement, the IEP shall be implemented within 60 school days of the date of referral, exclusive of the time necessary for parental consent; a full copy of the IEP shall be provided to parents within five school days after the PPT meeting; |
| Section 10-76d-14 | Trial placement for diagnostic purposes: a PPT may use a trial placement for diagnostic purposes: a structured program of no more than 40 school days, with written goals and objectives and the PPT shall meet at least once every ten school days unless waived to review the placement; five days before the end of the diagnostic placement, the PPT reconvenes to write the child's IEP based on the findings made during the placement. The trial placement is an evaluation and is not considered the child's current placement for purposes of due process unless the parents and school district otherwise agree. |
| Section 10-76d-15 | Homebound and hospitalized instruction: required to be provided when a child will be absent from school for medical reasons; conditions to be met include provision of doctor's note indicating length of absence from school (length of absence may be consecutive days of absence or repeated short-term absences) and anticipated date of return; instruction to begin no later than two weeks from the first date of absence; preschool children receive services as determined by the PPT, children in K-6 receive at least 5 hours of instruction a week; 7-12, at least 10 hours. Resolution process if school district and parent disagree about the child's need for homebound; parent required to provide consent so child's physician may speak to appropriate school staff about the need for homebound. Services required for children who are pregnant or who has given birth and cannot attend school for medical reasons. |
| Section 10-76d-17 | Approval standards, requirements and procedures for private facilities and a private program with a school or facility. |
| Section 10-76d-18 | Education records; access rights include the right to one free copy of the record; right to copy of the record limited by copyright laws, but not right to review and inspect record if it meets the definition of education record found in FERPA |
| Section 10-76d-19 | Transportation; travel time not to exceed one hour each way; in-service training of operators of vehicles required; all vehicles shall meet DMV requirements; |

transportation aides as are appropriate; if LEA requests parent transports a child, parent shall be reimbursed, rate of reimbursement to be two round trips to drop off and pick up child.

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| Section 10-76e | School construction grants for cooperative regional special education facilities is repealed substituted in lieu thereof (Effective July 1, 2017) |
| Section 10-76f | Definition of terms used in formula for state aid for special education |
| Section 10-76g | State aid for special education |
| Section 10-76h-1 | Definition of "Business day" Definition of "Commissioner" Definition of "Day" Definition of "Department" Definition of "Due Process Unit" Definition of "Party" Definition of "Public Agency" Definition of "Pupil" |
| Section 10-76h(a)(2) | The LEA must request a due process hearing in the event the parent refuses or revokes consent for placement in a private facility, provided placement in the private facility is not the initial receipt of special education services |
| Section 10-76h(c)(1) | State Department of Education (SDE) to provide training for special education hearing officers |
| Section 10-76h(d)(1) | The hearing officer, or board, may order an initial evaluation or re-evaluation without the consent of the parent, or pupil, in certain instances and the hearing officer may include in the final decision and order a comment on the conduct of the proceedings |
| Section 10-76h(d)(2) | Enforcement authority of the SDE with respect to hearing decisions |
| Section 10-76h(d)(3) | If ordered by the hearing officer, the LEA may conduct an initial evaluation or reevaluation or place a child in a private facility (if not the initial receipt of education services) without the consent of the parent. |
| Section 10-76h(d)(4) | The SBE must provide, free of charge, transcripts in the event the hearing decision is appealed |
| Section 10-76h-3 | Hearing request; content of hearing request. |
| Section 10-76h-4 | The statute of limitations shall be two years to request a hearing but does not apply to evidentiary considerations. |
| Section 10-76h-5 | Mediation |
| Section 10-76h-6 | Advisory opinion process; dispute resolution alternative to mediation and full hearing |
| Section 10-76h-7 | Prehearing conference to clarify issues in dispute, establish hearing dates, review the possibility of settlement, organize the submission of exhibits, identify witnesses and address other administrative matters as are appropriate; scheduling may be over consecutive days; identification of length of case; |

hearing officer has sole discretion to determine length of hearing; specific extension of the 45-day timeline at the request of a party to the hearing, except for expedited hearings

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| Section 10-76h-8 | Motion practice: motion to recuse, dismiss, consolidate, clarify the findings or decision of the hearing officer and other motions as may be appropriate |
| Section 10-76h-9 | Postponements and extensions: explicit requirements for requesting, conditions under which hearing officer may grant or deny request |
| Section 10-76h-11 | Hearing rights: allows out-of-state attorneys to appear in special education due process hearings with a sponsoring Connecticut attorney |
| Section 10-76d-12 | Exhibits, documents presented at the hearing, witnesses: presentation and appearance of exhibits and documents described |
| Section 10-76d-13 | Conduct of hearings: authority of the hearing office to manage hearings, including exclusion of disruptive parties or other participant; securing interpreters for the hearing |
| Section 10-76d-14 | Burden of proof is in all cases on the LEA; party who filed for the case has the burden of going forward with the evidence; hearing officer authority to bifurcate hearing re: unilateral placement |
| Section 10-76d-15 | Evidence; introduction of and management by hearing officer; hearing officer has subpoena powers over witnesses; hearing officer may take administrative notice of facts, may receive stipulations from the parties and may additional evidence |
| Section 10-76h-16 | Decision, implementation, rights of appeal |
| Section 10-76h-18 | Default or dismissal of hearing requests |
| Section 10-76i | Advisory Council for Special Education: includes members not stipulated in IDEA |
| Section 10-76ii | Provision for applied behavior analysis services |
| Section 10-76dd | Special education supervisory personnel: provides reimbursement to LEAs for supervisory personnel |
| Section 10-76ee | Administrative representative at PPT meeting need not be the principal of the school |
| Section 10-76ff | In determining eligibility for special education, the LEA may not find the child eligible if the dominant factor for determining eligibility is evidence that the child's behavior violates the school's disciplinary policies or evidence that is derived from the contents of the disciplinary records |
| Section 10-94g | Surrogate parent program; surrogate parents may be appointed for children exited from special education but receiving services pursuant to a Section 504 plan |
| Section 10-94h | Boards of Education to annually provide to state auditors the number of students receiving special education Public Act – 17-173 Audits and Monitoring of Private Special Education Programs |

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| Public Act 14-39 | Dyslexia will be added as "SLD - Dyslexia" under "Specific Learning Disabilities" in the "Primary Disability" section of the individualized education program form used by planning and placement teams for the provision of special education and related services to children requiring special education and related services. |
| C.G.S. 17a-65 | Department of Children and Families and Court Support Services Division shall ensure that all facilities and school programs run or contracted for by the department and the division are able to meet the academic and related service needs of enrolled children and youth. |
| Section 10-76d(a) | Paraprofessionals assigned to a child have a right to be present and participate at the PPT meeting |
| Section 10-74k | Establishes increased regulation over alternative education schools and programs with identification and organization code to each alternative education school or program to monitor those schools in the public school information systems. |
| Section 10-74n | Transition resources, services and programs to be coordinated between state agencies. |
| Section 10-145a(f) | Expands the regulations around Dyslexia Public Act 17-3 Dyslexia Training |
| Section 10 – 76b Section 10-236b | Expands the regulations around seclusion and physical restraint. Clarifies the need for training regarding seclusion and physical restraint <i>Public Act 18-51 clarifies the definitions of seclusion and physical restraint</i> |
| Section 10-76d(a)(8)(D) Section 10-76 b Section 10-76 II | The statute for transition planning, program and services need to be safeguarded through notification of rights |
| Section 10-234 aa C.G.S 17-200 | The statute Concerning Student Data Privacy Student Data Privacy and re-establishes a task force <i>Public Act 18-125 clarifies contract language and allows for vendor exceptions if IEP delineates a need with team and parent approval</i> |
| Section 10-91h Section 10-280c | Contracts with Private Providers of Special Education Services and Transportation to Nonpublic Schools <i>Public Act 18-183 clarifies provider agreements and contracts</i> |
| Public Act 17-82 | The statute addresses services for Gifted and Talented Services |

Section V

Maintenance of State Financial Support

Pursuant to the authority established in IDEA section 618(a)(3), each applicant for funds under section 611 must provide the following State fiscal data with a certification of its accuracy by the State budget office or an authorized representative thereof. Amounts should be shown in whole dollars and are for the State fiscal year.

| Total Amount of State Financial Support Made Available for Special Education and Related Services for Children with Disabilities | |
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| SFY 2017 | 768,019,267 |
| SFY 2018 | 782,235,750 |

State Budget Officer or Authorized Representative (Printed Name)

Signature of State Budget Officer or Authorized Representative

Date