

MEMORANDUM

Division of Educational Programs
and Services
25 Industrial Park Road
Middletown, Connecticut, CT 06457
Telephone: (860) 638-4000
FAX: (860) 632-1854

TO: Directors of Special Education and Pupil Services
Directors of Private Approved Special Education Facilities

FROM: Leslie M. Averna, Acting Associate Commissioner

DATE: December 12, 1996

SUBJECT: Update #4

The staff in the bureau join me in wishing you a festive holiday season and an upcoming year filled with blessings and good health. I appreciate the notes some of you have sent encouraging the continuation of the updates and am pleased you find these useful. We are making great progress in our self-study venture and are hopeful to complete the State Board Report for the February meeting. Thanks to those of you who have been participating in our task forces and providing feedback as we field test our recommendations. Change is trying, at best, but a worthwhile pursuit if life is better after its effective implementation. Now for the updates:

Long Lane Reductions

The Department of Children and Families (DCF) is currently increasing the number of residential/educational treatment facilities available in Connecticut in response to Governor John Roland's directive to reduce the Long Lane population by 50%.

As a first step in this process, approximately 20 female clients will be reassigned from Long Lane to one of the newly developed private residential treatment facilities in the near future.

Presently, school age students at Long Lane receive educational programming through the DCF's Unified School District # II. Local school districts are not responsible for the education costs associated with these students. When DCF discharges a student from Long Lane and places the student into a residential treatment facility for non-educational reasons, local school districts, in accordance with Section 10-76 d(e)(2) of the Connecticut General Statutes, are required to pay

2-1/2 times their prior year's average per pupil cost. The State Board of Education will pay, on a current year basis, any costs in excess of the local districts basic contribution. This action does not represent any change in Connecticut's current regulatory requirements or funding statutes.

School Based Child Health Services Medicaid Program

Updated forms and instructions for the Medicaid Program 1995-96, Annual Activity Report and 1995-96, Timestudy Summary Worksheets have been mailed to participating school districts. Monitoring site visits by Bureau and Department of Social Services staff to the seven participating LEAs are being scheduled to verify that required documentation of School Based Child Health Services (SBCHS) is in place.

State Agency Placements

The State Agency Task Force has continued to meet on a regular basis. At this time, the following recommendations are being reviewed by the Task Force:

- Eliminate the nexus-no-nexus scheme for providing special education and related services to children placed by state agencies: the town in which the child is placed assumes both educational and financial responsibility for the student;
- For placements made by an agency in either a public or private residential facility, the agency which made the placement assumes both educational and financial responsibility for the student, both regular and special needs students; and
- Develop an "impact aid" grant for those towns in which facilities, i.e., foster homes, group homes, are located. In combination with this, develop a financial system in which towns from which children are removed by an agency contribute a per pupil cost towards the education of these students. The state would distribute this money to towns where there is an impact.

Due Process Activities Update

- Hearing officer training sessions were held on October 15, 24 and 25 and November 21 and 22, 1996. An additional seven sessions are scheduled through April with presenters being Bureau staff, Colin Tait of UCONN Law School and Art Cernosia of Trinity College of Vermont.
- Each hearing officer will have access to LRP- Net.
- The new procedures went into effect November 1, 1996, with gradual implementation over the course of the next few months. All forms used by the Due Process Unit or hearing officers have been revised or developed in order to facilitate the implementation of the new procedures.

Private Schools

The Private School Approval Task Force met twice to discuss changes to the standards for the approval of private special education facilities and the procedures for monitoring the private schools. Members of the task force included representatives from CAPSEF, (Marilyn Robinson, Meg Walsh), CONNCASE (Tony Bivona, Jacqueline Wasta), Superintendents (Jacqueline Jacoby), and DCF, (Roger Wehage and Dolores Woodward). Details of the recommendations to the State Board of Education will be forthcoming.

IDEA-Part B Entitlement Program

FY 1996-98 IDEA-Part B, Section 611 (serving children aged 3-21) and Section 619 (preschool) entitlement grants have been awarded to all eligible districts and agencies. Approximately \$27,600,000 was distributed through those grants. Grant recipients are reminded that the payment of IDEA-Part B funding is initiated by the monthly filing of the ED-111 form, usually submitted by your district's/agency's business office. If necessary, amendments to your FY 1996-97 IDEA-Part B grants can be initiated through the IDEA-Part B program managers: Maria Synodi (Section 619) and Patrick Shaughnessy (611). Amendments to your **FY 1996-98** projects may be made until **May 1, 1997**. You are also reminded that amendments to your **FY 1995-97** projects may be made until **February 1, 1997**.

Speech and Language Services

Prior to, and during, the annual convention of the American Speech-Language-Hearing Association in Seattle in November, Carolyn Isakson was able to meet with several other SLPs who are involved in state and national efforts to develop eligibility criteria for speech and language services. Carolyn shared the work that has been going on in this area in our state and had the opportunity to participate in discussions on critical issues related to developing criteria. Hot topics included the need to move away from exclusive reliance on standardized testing and from formulas that call for a significant discrepancy between cognitive and language measures. Dr. Ken Appel, from the Western Washington University, Dr. Julie Masterson, of Southwest Missouri State University and Dr. Wayne Secord, Chair of the Communication Disorders Department at Northern Arizona University, and speech and language consultants from other state departments of education gave Carolyn very positive feedback on the directions our state project has taken to date. Colleagues were impressed with the underlying philosophical premises that have been developed. These include the expectation that: SLPs will have significant involvement at the pre-referral level; efforts will be made to sort children who are experiencing communication difficulties related to inadequate opportunities to develop communication in their native language or English from those experiencing disorders; children will not be admitted for speech and language services solely on the basis of standardized tests; findings on standardized tests must be corroborated by functional assessments; cognition-language discrepancy formulas will not be used as the basis for determining eligibility; and just because a child is determined to need speech and language services does not mean that the SLP has to be the sole or primary service provider. Another aspect of Connecticut's project that generated considerable interest is the effort to simplify report writing requirements by developing a computerized template that

integrates this task with the paperwork related to eligibility determination. Carolyn is working to complete the narrative for the document and to refine the forms and decision making process. Feedback from special education directors, among other interested parties, will be sought. Carolyn is particularly interested to hear whether you think it would be more useful to pilot the criteria, with editing before final release, or to release the document in winter-spring as a working draft for all districts, with accompanying training sessions, and editing to follow comments. Please complete attachment A and return by fax to Carolyn at (860) 638-4231 or mail to 25 Industrial Park Rd., Middletown, CT 06457.

OSEP Monitoring Update

We received notice that a federal team will be returning to Connecticut for a follow-up visit during the week of January 27, 1997. We have not been advised as to how this follow-up visit will be conducted. Prior to this visit the bureau must, at the very least, have: begun our own follow-up in those five districts visited by OSEP during their initial visit; and reviewed those 18 districts with separate special education schools. I will be in Washington on December 13, 1996 to request a postponement of this visit, and will keep you informed on the status of this.

DCF Data Collection Project

DCF reviewed 8,500 student files and by eliminating duplicates has reduced the total number to 7,257. At this point they are reconciling the file information, that is, verifying where the students are, and entering all the reconciled information into the database so that a report may be generated. We will cross-walk this data with the December 1st PC-ISSIS data to generate a report outlining "who is where".

Federal SED Grant

Karen Halliday has written a grant in response to a federal RFP, which will be submitted to Washington on or before December 13, 1996.

We are requesting \$166,500 of federal funds. This will be matched by IDEA discretionary funds of \$166,500. Funds will be utilized to develop and implement comprehensive secondary programs for youth identified as having serious emotional disturbance (SED), beginning in Grade 8 and continuing through high school graduation. Through the development of a Grade 9-12 curriculum, the completion of a program needs assessment and intensive staff training, it is anticipated that systemic change will occur in the provision of secondary programs for all students. In addition, 90 students will receive intensive services and supports through case management and crisis intervention, as well as mentors and summer programming. The foundation of these comprehensive secondary programs will be based upon the four year work of the Department of Education's Task Force on Students with Serious Emotional Disturbance and the guidelines set forth in their 1996 document titled, "Self Evaluation of Program and Services for Students with Serious Emotional Disturbance". Three priority school districts will serve as demonstration sites. Two grants will be awarded nationally.

Updated Guide

Enclosed please find a copy of the 1996-1997 "Connecticut Resource Guide for Individuals with Disabilities in Adult Education Programs"

Update Of Secondary Transition Contact Personnel Directory

Karen Halliday is in the process of updating the 1994 - 1995 Secondary Transition Contact Personnel Directory. The purpose of this Directory is two-fold: to assure that all materials, information and training activities developed through our federal grant are disseminated directly to on-line staff as well as Directors of Special Education; and to encourage networking and resource sharing among personnel involved in transition planning efforts. Karen would like to include a staff member or members in your school district **most directly** responsible for activities relating to transition planning. This may be your Transition Coordinator, Work-Study Coordinator, a classroom teacher or a guidance counselor. **Please do not include your name, as Special Education Directors will always receive copies of any materials developed.** Please contact Karen at (860) 638-4242 if you have any questions and return the form by December 27, 1996.

Required Amendments To Special Education Policies/Procedures

- **PROCESS OUTLINE - SECURING WRITTEN APPROVAL FROM THE CONNECTICUT STATE DEPARTMENT OF EDUCATION FOR CHANGES TO ALL LEA SPECIAL EDUCATION POLICIES AND PROCEDURES - PRIOR TO THEIR IMPLEMENTATION**

In March 1995, The United States Department of Education's Office of Special Education Programs (OSEP) issued its final monitoring report of its review of the Connecticut State Department of Education's (CTSDE) special education program.

In that report, the CTSDE was directed to develop a Corrective Action Plan (CAP) to address and correct findings of non-compliance with Part B of the Individuals With Disabilities Education Act (IDEA), as identified by the OSEP during its special education program review in Connecticut.

During September 1996 workshops, LEAs were informed of an OSEP-approved process for ensuring that LEA special education policies and procedures were in continuing compliance with all applicable federal and state requirements, not only for the year in which those LEAs underwent a special education program review, but also for the years between those reviews. A copy of the policy letter addressing the specifics of that process was distributed to all LEAs. A copy of that policy letter is enclosed.

The policy direction mandates that **before** any revised special education policy or procedure (including forms) are implemented by an LEA, they must receive **prior** written approval

from the CTSDE. This policy applies to all changes to special education policies and/or procedures, whether those changes are mandated by the CTSDE or proposed by individual LEAs.

The process described has been in effect since July 1, 1996.

- **AMENDING SELECTED LEA SPECIAL EDUCATION POLICIES AND PROCEDURES AS DIRECTED BY THE OSEP**

There is an identified set of special education policies/procedures which must be revised by all LEAs - as determined by the OSEP during their review of the CTSDE special education program. Those policies/procedures are identified topically as follows:

Procedural Safeguards
Written Notice
Continuum of Placements
LRE
PPT Meetings

Each LEAs must (1) revise its special education policies in the identified topical areas, (2) forward those revised policies to the Bureau of Special Education and Pupil Services (BSPPS) for review and approval, (3) receive written approval of those policies from the BSEPS, (4) subsequent to BSEPS approval of those policies, incorporate those revised and approved policies into its special education policy manuals and (5) upon incorporation of those policies into its policy manual, commence implementation of those revised policies.

The sole exception to this process involves those LEAs undergoing Special Education Program Reviews in FY 1996-97. Their special education policies will be brought into total compartment with applicable requirements as a component of their Special Education Program Review process conducted in FY 1996-97.

Descriptions of special education policies which must be revised by all LEAs are outlined in materials reviewed during workshop sessions conducted in September. A copy of materials included under the topic of “**Monitoring**” (Attachment C) is enclosed. The “**Monitoring**” document contains all special education policies which must be revised. Policies which must be revised are enclosed in “**boxes**” in the “**Monitoring**” document. Within each “**box**,” specific language which must be incorporated into each LEA’s special education policy manual is identified with an “**arrowhead**.”

It is **strongly suggested** that LEAs duplicate verbatim (without additions or deletions) policy language outlined for each of the policies requiring revision, as identified in the “**Monitoring**” document. By doing so, LEAs can be assured that all required revisions to special education policies are in compartment with applicable requirements.

In summary, all LEAs, with the sole exception of LEAs undergoing Special Education Program Reviews in FY 1996-97, need to do the following:

- submit copies to the BSEPS pages from their special education policy manuals which reflect all necessary policy revisions. These pages will serve as documentation of the inclusion of revised special education policies in LEA manuals.
- await written approval for all revisions to special education policies from the BSEPS;
- immediately subsequent to the incorporation of all revised special education policies into their special education manuals and receipt of CTSDE approval of those policies, commence implementation of those policies.

On/before February 1, 1997, please forward your LEA's revised special education policies as indicated to:

**Patrick Shaughnessy
Bureau of Special Education and Pupil Services
25 Industrial Park Road
Middletown, Connecticut 06457**

Note: Your LEA's revised and approved special education policies will be maintained at the Bureau and are components of your LEA's special education policies/procedures manual on file at the CTSDE.

Attachments

cc: Theodore S. Sergi, Commissioner, Department of Education
Rosemary Baggish, CAPSEF
Edward Prenata, Council on Developmental Disabilities
Bonnie Moran, Special Education Advisory Council