

Connecticut State Department of Education
Bureau of Special Education
Least Restrictive Environment (LRE) Self-Assessment
Regarding Significant Disproportionality Based on Race and Ethnicity

District Name:

District Contact Person:

The Individuals with Disabilities Education Improvement Act of 2004 (IDEA) 20 U.S.C. 1418(d) and Section 34 C.F.R. 300.646 , require states to collect and examine data on an annual basis to determine whether “significant disproportionality” based on race and ethnicity with respect to educational settings is occurring. The State must provide for the review and, if appropriate, revision of the policies practices and procedures used in the placement of children with disabilities, to ensure the policies, practices and procedures comply with the Act. This would occur for local education agencies (LEAs) that based on the numerical analysis, were identified as having significant disproportionality for placement. The purpose of this review is to determine if the policies, practices, and procedures are consistent with the requirements of the IDEA.

34 C.F.R. Section 300.114 LRE requires each public agency to ensure that—

- 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 nondisabled; 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.

In Connecticut, significant disproportionality by *race and placement* includes data from the following:

- 40% - 79% time with nondisabled peers
- Less than 40% time with nondisabled peers
- Separate schools/residential facilities

These data do not include students with disabilities who are homebound, hospitalized, or who attend correctional facilities, or who attend parentally-placed private schools. An LEA with a relative risk index of greater than or equal to 4.0 for two years in a row in the same race/ethnicity category and FAPE environment are required to review policies, procedures and practices. In addition, the LEA is required to reserve the maximum amount (15%) of the funds it receives under Part B of IDEA to provide for Coordinated Early Intervening Services (CEIS).

The self-assessment is designed to determine if the district is in compliance with the following regulatory provisions of IDEA:

Evaluation procedures (34 C.F.R. Section 300.304 and Section 300.310)

Development, review, and revision of IEP (34 C.F.R Section 300.114-300.117 and Section 300.321)

Responsibility of SEA and other public agencies (34 C.F.R Section 300.500)

Opportunity to examine records, parent participation in meetings (34 C.F.R Section 300.501)

Authority of school personnel (34 C.F.R Section 300.530)

Determination of setting (34 C.F.R Section 300.531)

Instructions:

All aspects of the following questions must be answered. The district will be contacted if more information is needed once the self-assessment is submitted.

Underline or **bold** only YES, or NO. Example for Section 1 a: **YES** All students with IEPs have had academic, cognitive, developmental history, observation based data collection/report, and if needed emotional/behavioral assessments, which are found in the cumulative record and special education file located at central office.

For the response, please provide applicable sections of your district's Policies and Procedures manual for review.

The Connecticut State Department of Education (CSDE) strongly encourages districts to gather information this self-assessment from special education and related services staff.

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
Section 1. Development and Implementation of IEPs -Placement			
a. The LEA uses a variety of assessment tools and strategies to gather relevant functional developmental and academic information about the child, including information provided by the parent. {34 C.F.R. §300.304(a)(1)}	YES NO		
b. The public agency must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty. {34 C.F.R. §300.310(a)}	YES NO		
c. Assessments and other evaluation materials are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally unless it is clearly not feasible to do so. {34 C.F.R. §300.304}	YES NO		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
d. The public agency must ensure that the IEP Team for each child with a disability includes the parents of the child. { 34 C.F.R. §300.321(a)(1) }	YES NO		
e. The public agency must ensure that the IEP Team for each child with a disability includes not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment). { 34 C.F.R. §300.321(a)(2) }	YES NO		
f. The public agency must ensure that the IEP Team for each child with a disability includes not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child. { 34 C.F.R. §300.321(a)(3) }	YES NO		
g. The public agency must ensure that the IEP Team for each child with a disability includes a representative of the public agency who is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities and is knowledgeable about the general education curriculum; and is knowledgeable about the availability of resources of the public agency. { 34 C.F.R. §300.321(a)(4) }	YES NO		
h. The public agency must invite transition services participants and child with a disability to attend the child's IEP Team meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the child and the transition services needed to assist the child in reaching those goals. If the child does not attend the IEP Team meeting, the public agency must take other steps to ensure that the child's preferences and interests are considered. { 34 C.F.R. §300.321(b) (1,2) }	YES NO		
i. Each public agency must ensure that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. { 34 C.F.R. §300.115(a) }	YES NO		
j. The continuum must include the alternative placements listed in the definition of special education under Sec. 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions). { 34 C.F.R. §300.115(b)(1) }	YES NO		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
k. The placement decision is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. {34 C.F.R. § 300.116 (a)(1)} Families are informed that general education is the first consideration.	YES NO		
l. The child's placement is determined at least annually. {34 C.F.R. § 300.116 (a)(2)}	YES NO		
m. The child's placement is based on the child's IEP. {34 C.F.R. § 300.116 (b)(2)}	YES NO		
n. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled. {34 C.F.R. § 300.116 (c)}	YES NO		
o. In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs. {34 C.F.R. § 300.116 (d)}	YES NO		
p. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. {34 C.F.R. § 300.116 (e)}	YES NO		
q. The IEP for each child with a disability must address how the child will be involved and progress in the general curriculum. {34 C.F.R. § 300.347(a)(1)(2) }	YES NO		
r. Each public agency must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. {34 C.F.R. § 300.117}	YES NO		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
<p>s. The public agency provides for instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to develop an awareness of the environment in which they live; and provides the supports for the student to learn the skills necessary to move effectively and safely from place to place within that environment (e.g., in school, in the home, at work, and in the community). {34 C.F.R. §300.39}</p>	<p>YES NO</p>		
<p>t. In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child’s IEP. {34 C.F.R. §300.324(a)(2)(ii)}</p>	<p>YES NO</p>		
Section 2: Discipline-Placement			
<p>a. School personnel consider unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct. {34 C.F.R. §300.530(a)}</p>	<p>YES NO</p>		
<p>b. Students with disabilities who are removed from their current placement are provided services in another setting in order to continue to participate in the general education curriculum and to progress toward meeting IEP goals. {34 C.F.R. §300.530(d)(1)(i)}</p>	<p>YES NO</p>		
<p>c. The district takes steps to remedy any deficiencies in the student’s IEP or placement as identified by the manifestation team. {34 C.F.R. §300.530(e)(3)}</p>	<p>YES NO</p>		
<p>d. The student is returned to the placement from which the student was removed if a determination is made that the conduct was a manifestation of the student’s disability, unless the parent and the school district agree to a change of placement as part of the modification of the behavioral intervention plan. {34 C.F.R. §300.530(f)(2)}</p>	<p>YES NO</p>		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
<p>e. Students with disabilities are removed to an alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability if the child:</p> <ul style="list-style-type: none"> • Carries a weapon to or possesses a weapon, • Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, and/or • Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. <p>{34 C.F.R. §300.530(g)}</p>	<p>YES NO</p>		
<p>f. When a student has been removed for more than 10 days and the student’s conduct is a manifestation of the student’s disability, the IEP Team conducts a functional behavioral assessment and implements a behavioral intervention plan.</p> <p>{34 C.F.R. §300.530(f)(1)(i)}</p>	<p>YES NO</p>		
<p>g. As appropriate, a functional behavioral assessment and behavioral intervention services and modifications are designed to address the behavior violation so that it does not recur for a child with a disability who is removed from the child’s current placement.</p> <p>{34 C.F.R. §300.530(d)(1)(ii)}</p>	<p>YES NO</p>		
Section 3: Assistive Technology including accessible instructional materials (AIM) -Placement			
<p>a. Each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in Sec. 300.5 and 300.6, respectively, are made available to a child with a disability if required as a part of the child's special education, related services, and or supplementary aids and services.</p> <p>{34 C.F.R. §300.105(a)}</p>	<p>YES NO</p>		
<p>b. Funds are provided to support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities.</p> <p>{34 C.F.R. §300.704(b)(4)(v)}</p>	<p>YES NO</p>		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
<p>c. In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.</p> <p>{ 34 C.F.R. §300.324(a)(2) (iii) }</p>	<p>YES NO</p>		
<p>d. Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.</p> <p>{ 34 C.F.R. §300.324(a)(2)(iv) }</p>	<p>YES NO</p>		
<p>e. The IEP Team considers whether the child needs assistive technology devices and services.</p> <p>{ 34 C.F.R. §300.324(a)(2)(v) }</p>	<p>YES NO</p>		
<p>f. A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate positive behavioral interventions and supports and other strategies for the child; and supplementary aids and services, program modifications, and support for school personnel consistent with Sec. 300.320(a)(4).</p> <p>{ 34 C.F.R. §300.324(a)(3) }</p>	<p>YES NO</p>		

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
<p>g. (1) As part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, must enter into a written contract with the publisher of the print instructional materials to—</p> <p>(i) Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or</p> <p>(ii) Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats.</p> <p>(2) Provide instructional materials to blind persons or other persons with print disabilities in a timely manner.</p> <p>{ 34 C.F.R. §300.172(c) and 300.210(a) }</p>	<p>YES NO</p>		
Section 4. Procedural Safeguards			
<p>a. The district establishes, maintains, and implements procedural safeguards.</p> <p>{ 34 C.F.R. §300.500 }</p>	<p>YES NO</p>		
<p>b. If neither parent can participate in a meeting in which a decision is to be made regarding the educational placement of the child, the district uses other methods to ensure parent participation, including individual or conference calls or video conferencing.</p> <p>{ 34 C.F.R. §300.501(c)(3) }</p>	<p>YES NO</p>		
<p>c. If a placement decision is made by a group without the involvement of a parent, the district maintains a record of the attempts to ensure their involvement. { 34 C.F.R. §300.501(c)(4) }</p>	<p>YES NO</p>		
<p>d. The district notifies the parent on the date in which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct and provides the parents with the procedural safeguards notice.</p> <p>{ 34 C.F.R. §300.530(h) }</p>	<p>YES NO</p>		
Section 5. Institutional Practices			
Adapted from Kozleski, E.B. & Zion, S. (2006) NCCREST. Preventing Disproportionality by Strengthening School District Policies and Procedures – An Assessment and Strategic Planning Process.			
<p>a. The District engages in in-depth efforts to help teachers and administrators understand the ways in which <i>race, ethnicity, culture, social class, ability and language</i> influence learning and achievement for all students.</p>			

Related Regulations	Response	Provide an example or sample. Cite evidence from policies, procedures and practices.	DO NOT COMPLETE for CSDE use
b. <i>Describe</i> the professional development and support provided by the district in areas of differentiated instruction and general education supports. How have these efforts increased access to the general curriculum for all students?			
c. <i>Describe</i> opportunities to collaborate that exist within the district. How does the district promote collaboration among general and special educators at the prevention and intervention levels?			
d. How are district and school wide data on disproportionality integrated with district and school analysis of achievement, placement, discipline and school completion issues for diverse students?			

Section 6. Are there any other factors that the district believes contribute to the district’s significantly discrepant data in the placement of students with disabilities?

COMPILED BY: _____
 (Name and Title) Date

REVIEWED BY: _____
 (Superintendent of Schools) Date

 (District)