









Programming and Oversight Responsibilities for Students Placed in CSDE Approved Private Special Education Programs


The provision of special education services at approved private special education programs (APSEPS) involves distinct roles and responsibilities for families, Local Education Agencies (LEAs), the Connecticut State Department of Education (CSDE), and APSEPS. Below is an overview of these responsibilities, including financial obligations, contracts, accreditation, progress reporting, Planning and Placement Team (PPT) processes, Individualized Education Program (IEP) implementation, curriculum development, and restraint and seclusion training and reporting.

Responsibility Area	CSDE/Bureau of Special Education	Local Education Agency (LEA)	Approved Private Special Education Program (APSEP)	Parent/Family
 General Oversight & Compliance	<p>Inform LEAs, APSEPs and parents of IDEA requirements and the responsibilities of LEAs to ensure a Free and Appropriate Public Education (FAPE) for students with disabilities.</p> <p>Establish and enforce standards for the review and approval of private special education programs to ensure they meet state requirements.</p> <p>Approve and accredit APSEPs through a cyclical, standards-based program review process; engage in off-cycles reviews as needed.</p> <p>Maintain a publicly available list of APSEPs</p> <p>Monitor compliance with state and federal special education laws and regulations.</p> <p>Provide guidance and intervene in instances of noncompliance if determined.</p> <p>Maintain IEP data system, containing real time student data.</p>	<p>Maintain a contract for each student enrolled in an APSEP that identifies the terms of the provision of services, including financial arrangements and service provision for each student placed by the LEA in the APSEP.</p> <p>Monitor the implementation of the student's IEP within the APSEP to ensure compliance and effectiveness.</p> <p>Periodic program review/on-site visits to observe student programming</p>	<p>Apply for approval from CSDE to operate as an APSEP and undergo periodic reviews to retain approval status.</p> <p>Maintain compliance with the CSDE "Principles, Procedures, and Standards for Connecticut APSEPs."</p>	<p>Advocate for adherence to special education laws.</p> <p>Report concerns about program compliance and student well-being.</p>

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 Funding & Financial Responsibilities	<p>Allocate state and federal funding to LEAs.</p> <p>Provide Excess Cost Reimbursement in accordance with State Law.</p> <p>Monitor financial compliance and use of funds by LEAs and APSEPs.</p> <p>Review funds allocated in LEA IDEA grant budgets for the education of students in APSEPs.</p>	<p>Pay tuition and other costs outlined in the contract for students in APSEPs when placed in the APSEP by the LEA.</p> <p>Submit excess cost to CSDE.</p> <p>Review invoices for accuracy and alignment with IEP services.</p> <p>Review student population for excess cost thresholds.</p>	<p>Follow state and federal funding regulations.</p> <p>Submit required financial reports to LEAs and the CSDE, including the APSEP's most current financial audit as part of the approval/ reapproval application.</p>	<p>Understand LEA funding responsibilities and parent/ student rights.</p> <p>Advocate for appropriate use of special education resources.</p>
 IEP Development & Implementation	<p>Ensure LEA policies, procedures and practices are compliant with IEP development and placement decisions for students enrolled in APSEPs.</p> <p>Include review of students enrolled in APSEPs in audits of LEA IEPs.</p>	<p>Convene and facilitate PPT meetings; Ensure that all required participants, including representatives from the APSEP, are present.</p> <p>Ensure IEP services are properly implemented at APSEPs.</p>	<p>Attend and contribute to PPT meetings; provide information on student progress and collaborate on any necessary adjustments to the IEP, including change in placement.</p> <p>Deliver services and supports as outlined in each student's IEP, adhering to the goals and objectives specified.</p> <p>Ensure APSEP staff understand and implement IEPs.</p> <p>Submit to the LEA the "Provision of Service Verification" form for all related services provided.</p> <p>If a revision is needed to the IEP, communicate in writing to the LEA to request the revision.</p> <p>Develop and implement curricula that align with state standards and are tailored to meet the unique needs of each student.</p>	<p>Participate in the development, review, and revision of their child's IEP.</p> <p>Provide input on educational decisions including services, accommodations, and placement.</p> <p>Provide informed consent for the initiation of special education services and student evaluations, while maintaining the right to revoke consent at any time.</p> <p>Communicate any concerns or requests for changes.</p> <p>Participate in training and/or consultations as specified in the IEP.</p>

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 Data Collection, Reporting, & Progress Monitoring	<p>Maintain statewide data systems on compliance and outcomes for students with IEPs, including students enrolled in APSEPs.</p> <p>Produce federal and state accountability reports that reflect the progress and performance for students with IEPs, including students enrolled in APSEPs.</p>	<p>Review progress reports for students placed in APSEPs.</p> <p>Quarterly, collect and review reports from APSEPs on the implementation of services for placed students.</p> <p>Monitor student performance and APSEP program effectiveness and compliance.</p>	<p>Maintain student attendance, behavior and educational progress data; maintain records of the provision of IEP services.</p> <p>Submit student progress reports to both the LEA and parents in accordance with the frequency identified in the IEP; reports must detail the student's advancement toward IEP goals.</p>	<p>Review progress reports and assessments.</p> <p>Communicate concerns about student progress.</p>
 Restraint & Seclusion Reporting	<p>Oversee state laws and compliance regarding the use of restraint and seclusion in all schools and programs, including APSEPs.</p> <p>Collect restraint and seclusion data from all schools and programs, including APSEPs.</p>	<p>Ensure APSEPs report incidents of restraint/seclusion.</p> <p>Review restraint/seclusion reports and behavioral interventions.</p> <p>Convene PPT meetings to review restraint and seclusion occurrences (4 incidents in 20 days)</p>	<p>Establish policies and procedures governing the use of physical restraint and seclusion, ensuring they comply with state laws and regulations.</p> <p>Report each instance of restraint or seclusion to the SEA.</p> <p>Ensure that staff members receive training in restraint and seclusion, including safety, laws and regulations, and reporting requirements.</p>	<p>Stay informed about incidents involving restraint/seclusion.</p> <p>Advocate for positive behavior supports instead of restrictive interventions.</p>
 Student Placement & Transition Planning	<p>Ensure state policies support appropriate placements and transitions.</p>	<p>The PPT is responsible for developing the IEP and identifying a placement to implement the IEP.</p> <p>Develop and monitor transition plans (return to public school or postsecondary).</p>	<p>Plan and support student transitions back to public schools, community settings, or post-secondary programs.</p> <p>Provide life skills training, vocational support, and independent living instruction as indicated in the student's IEP.</p>	<p>Engage in transition planning.</p> <p>Ensure long-term goals are being met.</p> <p>Advocate for services that support independence.</p>

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 Dispute Resolution & Compliance Enforcement	<p>Conduct complaint investigations.</p> <p>Determine and enforce corrective actions.</p> <p>Oversee due process and mediation procedures.</p>	<p>Provide families with dispute resolution options if disagreements arise regarding their child's placement.</p> <p>Collaborate with APSEP to ensure compliance with due process and mediation requirements.</p> <p>Collaborate with APSEP in the implementation of corrective actions.</p>	<p>Respond to compliance concerns, including cooperating with complaint investigations.</p> <p>Collaborate with LEAs to ensure compliance with due process and mediation requirements.</p> <p>Collaborate with LEAs in the implementation of corrective actions.</p>	<p>Utilize dispute resolution processes (state complaints, mediations, due process hearings).</p> <p>Seek advocacy support when needed.</p>
 Parent & Family Engagement	<p>Provide guidance, training and resources to families regarding their rights with respect to their child's education and placement.</p> <p>Inform families about dispute resolution options if disagreements arise regarding their child's IEP and/or placement.</p>	<p>Communicate regularly with families about placement, services, and progress.</p> <p>Offer parent training and informational resources.</p>	<p>Maintain open communication with families.</p> <p>Offer parent training, workshops, and engagement opportunities.</p> <p>Provide progress updates and involve parents in decision-making.</p>	<p>Engage in school meetings, workshops, and advocacy efforts.</p> <p>Maintain ongoing communication with APSEP staff and LEA contacts.</p>

Responsibility Area	CSDE/Bureau of Special Education	Local Education Agency (LEA)	Approved Private Special Education Program (APSEP)	Parent/Family
 Staff Qualifications & Training	<p>Establish and enforce state licensing and certification requirements for APSEP administrators, teachers and related service providers.</p> <p>In the context of approval visits, conduct personnel file reviews to ensure the staff are meeting certification and training requirements.</p> <p>Provide technical assistance and professional development resources to educators.</p>	<p>Communicate with APSEP administrator to ensure the IEP is being implemented with fidelity (Staff responsible/Staff Implementer)</p> <p>Collaborate with APSEP administrator to ensure staff training and support meet students' needs.</p>	<p>Hire and maintain appropriately licensed and certified teachers and related service providers.</p> <p>Maintain detailed training logs and certification records for all staff; Ensure all personnel meet CSDE certification requirements.</p> <p>Ensure that all staff members have appropriate Connecticut certification and/or licensure.</p> <p>Ensure all staff receive training in the implementation of IEPs, curriculum delivery, and the appropriate use of behavioral interventions, including restraint and seclusion safety training, laws and regulations, and reporting requirements.</p> <p>Conduct performance reviews in alignment with Connecticut professional standards for educators.</p> <p>Inform parent and LEAs when vacancies exist.</p>	

Applicable State and Federal Statutes

- **20 U.S.C. § 1400 et seq. (IDEA)**

The Individuals with Disabilities Education Act (IDEA) mandates that the LEA is responsible for ensuring that all eligible students receive FAPE, even when placed in an APSEP.

- » This means that the LEA must monitor and ensure that the APSEP is implementing the IEP appropriately.

- **34 C.F.R. § 300.325**

The LEA retains responsibility for the development, review, and implementation of the student's Individualized Education Program (IEP).

While an APSEP provides services, the LEA must:

- » Ensure that the APSEP is following the IEP.
- » Conduct periodic reviews and evaluations.
- » Make necessary adjustments based on progress reports.

- **34 C.F.R. § 300.201; Conn. Gen. Stat. § 10-76d**

Even when a student is placed in an out-of-district private special education setting, the LEA continues to fund the placement.

LEAs must:

- » Ensure tuition and service costs are covered as required by law.
- » Maintain oversight to ensure funding is used appropriately.

- **Conn. Gen. Stat. § 10-76d-17(e); 34 C.F.R. § 300.149**

The LEA is responsible for monitoring the student's progress at the APSEP.

The LEA must:

- » Collect quarterly or periodic progress reports from the APSEP.
- » Ensure that assessments and evaluations occur on schedule.
- » Make placement adjustments if the student is not making progress.

- **34 C.F.R. § 300.149; Conn. Gen. Stat. § 10-76h**

The LEA is legally responsible for ensuring that any APSEP placement meets all federal and state special education regulations.

If an APSEP fails to comply, the LEA is ultimately accountable and must take corrective actions. LEAs must also ensure that restraint and seclusion data are properly reported and investigated when necessary.

- **34 C.F.R. § 300.507; Conn. Gen. Stat. § 10-76h**

If a parent disputes services or placement, the LEA is the entity that must respond, not the APSEP.

LEAs are responsible for due process hearings, mediation, and complaint resolution when disagreements arise. The LEA, not the APSEP, bears the legal burden in any dispute regarding FAPE.

- **34 C.F.R. § 300.320(b); Conn. Gen. Stat. § 10-76d**

The LEA must:

- » Ensure that transition services are included in the IEP by age 14 or 16, as required.
- » Determine when a student meets graduation requirements.
- » Oversee post-secondary planning for students placed in an APSEP.

- **Title 10 — Education and Culture Chapter 164 — Educational Opportunities**

Section 10-91g — Audits of private providers of special education services.