



BUREAU BLOG

September 14, 2006

SY 06-07 B-2

*From Nancy M. Cappello, Ph.D.,
Interim Bureau Chief
and Blogger*

Welcome to the second monthly Blog from the Bureau of Special Education. The purpose of the blog is to consolidate, in a monthly format, the information and requests that all LEAs receive from the Bureau of Special Education. We are hopeful that you will find this format useful. We will continue to contact selected LEAs, outside of the monthly blog, in reference to information that is usually related to our monitoring activities and responsibilities.

Future plans are to post each monthly blog on the website so that, in keeping with the purpose of a blog, you will be able to go to the blog as opposed to the blog going to you.

There is a plethora of information contained in this September blog so please review it carefully. Some of the information requires an LEA response to Bureau staff. Other items are

Public Act 06-18 – An Act Concerning Special Education

During the 2006 session of the General Assembly, the State Legislature revised several provisions of the state special education statutes to conform to the IDEA 2004 revisions. Please see [Attachment One](#)

IDEA 2004 Resources

The IDEA 2004 website was created to provide a "one-stop shop" for resources related to IDEA and its implementing regulations, released on August 3, 2006. A copy of the regulations and topic briefs can be downloaded from this website at <http://www.ed.gov/policy/speced/guid/idea/idea2004.html>.

The National Association of State Directors of Special Education (NASDSE) has recently published an IDEA comparison guide. You may purchase it at <http://www.nasdse.org/>.

Office of Special Education Programs Implementation Visit

The Federal Office of Special Education Programs (OSEP) will be conducting a monitoring visit in Connecticut on October 3, 4, 5, 2006. The purpose of the visit is to review our system of general supervision and monitoring, verify our systems of data collection to ensure accuracy of data, review our state system of student assessment, and review our State Performance Plan and targets, including LEA specific data. A report will be issued after the visit identifying any findings of non-compliance. OSEP will not be conducting district based visits nor talking with LEAs during this visit. The outcome of the visit will determine if they return to conduct a more in depth review at the LEA level.

Update on Focused Monitoring

The Focused Monitoring Steering Committee has identified a new key performance indicator for the 2006-07 school year. The new key performance indicator will be to *decrease the number of students in all disability categories who are suspended or expelled as defined by Connecticut General Statute (Sec. 10-233a (b)): "exclusion from regular classroom activities beyond 90 minutes."*

Thirty districts have received correspondence from the Bureau requesting an analysis of suspension and expulsion data. From these responses, the Bureau will be identifying 9 districts who will be receiving a focused monitoring site visit this year. These districts will be notified by the end of September. Site visits are scheduled to begin the week of November 13, 2006. Additionally, all districts will receive a copy of their suspension and expulsion data, and a copy of the data maps used to display statewide data on suspension and expulsion in the next few weeks. The department will be hosting a conference on suspension and expulsion to selected school districts on November 20, 2006. More details will follow.

The monitoring team for each district includes a volunteer special education/pupil personnel director from a district not receiving a monitoring visit. If you are interested in participating on a monitoring team please e-mail Deborah Richards at deborah.richards@ct.gov. Deb will contact you regarding your availability during the scheduled visits.

informational and designed to assist you in your work with students with disabilities. We welcome all positive comments.

On behalf my colleagues in the Bureau of Special Education, I wish you a successful year as we work together to improve educational outcomes for students with disabilities.



Personnel News:

Ruth Nenortas retired August 31st after contributing 20 years to the work in the due process office. She will be greatly missed. Lisa Spooner has transferred to the due process office and will be supporting the work of that unit which includes investigating complaints, conducting mediations, overseeing due process hearings and other legal matters.

Dr. Lynn Toper, in addition to her other responsibilities, is the contact person for issues surrounding students with disabilities and choice programs in Connecticut. If you have questions about serving students with disabilities

Identification of Specific Learning Disabilities and Response to Intervention (RtI)

The reauthorized Individuals with Disabilities Education Act (IDEA) added procedures for identifying children with specific learning disabilities (SLD). **Attachment Two** contains important information about regulatory changes including the requirement that states must not require the use of a severe discrepancy between intellectual disability and achievement for SLD eligibility and must permit the use of a process based on the child's response to scientific, research-based intervention.

State Performance Plan (SPP) Information

Reminder – the evaluation timeline data collection and resolution session data collection for the SPP **is due on September 15, 2006**. If you have questions regarding the evaluation timeline data collection contact Deborah Richards at deborah.richards@ct.gov. If you have questions regarding the resolution session data collection contact Gail Mangs at gail.mangs@ct.gov.

In accordance with IDEA, each state must have in place a performance plan that evaluates the state's efforts to implement the requirements and purposes of the law and describe how the state will implement this law. It is a six year plan that describes the State's performance on 20 indicators across early intervention and special education. Targets for each year and improvement activities are contained in the SPP. An Annual Performance Report of SPP activities and data are due to the U.S. Department of Education in February 2007. Additionally, the state is required to report annually to the public on the performance of each school district on indicators 1-14. The district level report will be titled "Annual Performance Report on Connecticut's State Performance Plan" and will be individualized with data for each school district. This report is anticipated to be disseminated to the public and to districts in November 2006. If you have questions about the SPP, contact Dana Colon, Education Consultant at (860)713-6944 or email her at dana.colon@ct.gov.

PJ Class Members Mailing List

The Bureau needs to update the mailing list of PJ class members. You should be receiving a data disc in the mail in the next week or so. Please update the list of class members and provide current mailing addresses for all students on the list. This should be the last time we need to collect this information, as our new state wide data collection system will include addresses in the future.

Special Education Data Application and Collection (SEDAC)

The New Special Education Data Application and Collection (SEDAC) is coming soon. You should have received communication from Mary Keenan regarding upcoming training for special education directors and other SEDAC users. **Attachment Three** contains information on additional in-depth follow-up trainings being offered for SEDAC contacts. Please know, in the spirit of the Bureau Blog, we will work diligently to avoid sending emails regarding SEDAC. In order to facilitate communication regarding SEDAC the Connecticut State Department of Education (CSDE) will create a public website containing all pertinent information regarding alerts, notifications, trainings and FAQ's. It will be the responsibility of Directors, district IT coordinators and SEDAC contacts in the LEA to visit the site regularly to learn of important new documents, instructions and training opportunities. The web address for the SEDAC Public Information Site will be: <http://www.csde.state.ct.us/public/help/sedac/>. We expect this site to be active on or before September 25th, 2006, and are looking forward to a new school year with an exciting and more user-friendly data application!

in charters, magnets,
open choice programs,
CT technical high
schools and the
vocational/agricultural
center. You may contact
Lynn at
lynn.toper@ct.gov.



Additional Resources:

Parent Training and
Information center
(PTI)
CPAC
1-800-445-2722
(860) 739-3089
V/TDD
www.cpacinc.org

For professional
development and
technical assistance
offerings contact
State Education
Resource Center
(SERC)
(860) 632-1465
www.ctserc.org

Compliance for FAPE at Age 3

CSDE recently followed up with a number of school districts on the 2004-05 PCI data regarding the compliance indicator addressing a free appropriate public education (FAPE) no later than age three for children transitioning from the Connecticut Birth to Three System. Please refer to **Attachment Four** for more information.

Collection of Early Childhood Assessment Data

In October 2006, the Bureau of Special Education will begin collecting Early Childhood Outcomes (ECO) data from every school district throughout the State. The ECO data is comprised of child specific information obtained from the Brigance Inventory of Early Development II (IED-II). As a reminder, school districts are federally required to collect entry and exit information on children with disabilities receiving preschool special education. Each school district is responsible for collecting child specific information for every preschool-age child that entered special education on or after May 1, 2006 and is responsible for collecting exit information thereafter on those same children at any point of exit. As explained at several training sessions conducted by the Bureau this past spring, school districts are responsible for assessing each preschool-age child with an IEP using several identified IED-II sub-tests. The selected sub-tests align with the federally required ECO indicators. The IED-II information collected by school districts will be used by the Bureau to report aggregate data to the U.S. Department of Education, Office of Special Education Programs (OSEP) in the federally required Annual Performance Report (APR). Please know that although the Bureau had originally anticipated being able to collect the ECO data from school districts via a secure web based system beginning this fall, such a system could not be developed in sufficient time for federally reporting the ECO data in the APR for the 2005-06 year. As a result, in October 2006, each school district will receive a floppy disc in the mail. The floppy disc will contain a Microsoft Access electronic form. The IED-II assessment results for each child will need to be entered into the electronic form and will be automatically saved back onto the disc. The CSDE expects every school district to input their ECO data for each preschool-age child who entered on or after May 1st, 2006 up until September 30, 2006. Specific instructions on how to use the electronic form will accompany the disc. The disc is to be returned to the CSDE approximately 4 weeks after receipt. Further submission information will be forthcoming along with the disc and instructions for inputting the ECO data.

The Pro-Bono School Expulsion Project

The Pro Bono School Expulsion Project seeks to address the unmet need of legal assistance for low income students in expulsion hearings. There are state and federal procedural protections for disabled and non-disabled children, yet most of these children -- predominantly low income children -- are not represented at these proceedings. For more information about the project, please see **Attachment Five and Attachment Six**.

Paraprofessional Study – Hearing and Public Briefing

The Legislative Program Review & Investigations Committee has been conducting a study on paraprofessionals in CT. The study is focused on whether the State of Connecticut should establish statewide minimum standards for public school paraprofessionals who perform instructional tasks and whether different categories should be established for different duties. Findings and recommendations from this study will be made available in mid December. **Attachment Seven and Attachment Eight** contain the complete approved scope of the study and a recent update to the study. A briefing about the study will be held on September 26 at



Connecticut State
Department of
Education
Bureau of Special
Education
165 Capitol Avenue
Hartford, CT 06106
Phone: 860-713-6910
Fax: 860-713-7051

Mailing address:
P.O. Box 2219, RM 369
Hartford, CT 06145-2219

Visit us on the web at:
www.state.ct.us/sde

10:00 followed by a public hearing at 1:00. These meetings will be held in room 1D at the Legislative Office Building. If you have questions regarding this study, please direct them to Perri Murdica at (860) 713-6942 or perri.murdica@ct.gov

Secondary Transition Planning

Attachment Nine contains a form requesting the name, address, telephone number and email address of the staff member in your district, **most directly responsible** for transition planning at the secondary level. This may be your transition coordinator/specialist, work-study coordinator, and classroom teacher or guidance counselor. You may wish to identify more than one transition contact person per district. This database will be utilized to disseminate appropriate training activities and materials to staff in your high schools (predominately via email with some mailed information). Please do not include your name, as special education directors will always receive copies of any announcement or materials that are disseminated.

Funding Resource:

The CVS/pharmacy Community Grants program accepts proposals for public school programs targeting children with disabilities (under age 18) that address any of the following: health and rehabilitation services; public schools promoting a greater level of inclusion in student activities and extracurricular programs; or creating opportunities or facilities that give greater access to physical movement and play. Deadline: October 31, 2006.

http://www.cvs.com/corpInfo/community/community_grants.html

TBI conference in October

This intra-agency, multidisciplinary conference addresses the complexities of traumatic brain injury (TBI), the implications of identification, intervention and outcomes across the lifespan. See **Attachment Ten** for registration.

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Public Act 06-18

An Act Concerning Special Education

During the 2006 session of the General Assembly, the State Legislature revised several provisions of the state special education statutes to conform to the IDEA 2004 revisions. The state provisions addressed in the public act include the following:

Section 1 of the Public Act revises Section 10-76d concerning the provision of special education. School districts are prohibited from requiring a student to obtain a prescription for a substance covered by the Controlled Substance Act as a condition of attending school, receiving an evaluation or receiving special education services.

Section 4 of the Public Act revises Section 10-76h concerning the state due process procedures:

- Parental requests for hearings are made directly to the school district with a copy of the request sent to the SDE.
- If a school district requests a hearing, a copy of the notice and request provided to the parents must be submitted to the SDE.
- The timeline for hearings has been changed to accommodate the IDEA 2004 requirements for challenging the sufficiency of the hearing request, amending the hearing request and utilizing alternative means to resolve the dispute such as the resolution session or mediation.
- Clarifies the authority of the hearing officer to order reimbursement for a student placed in a private school by the parents.
- Deletes the requirement that mediation must be conducted within 30 days after receipt of the request for mediation. The IDEA 2004 revisions require a longer timeframe for dispute resolution.

Section 6 of the Public Act revises Section 10-76ff concerning special education evaluations:

- Assessments and other evaluation materials used to assess a child must be administered in a language and form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is not feasible to so provide or administer;
- Assessments of children with disabilities who transfer from one school district to another in the same academic year are coordinated with the child's prior and subsequent schools, as necessary and as expeditiously as possible to ensure prompt completion of full evaluations;
- A district may not find a child eligible for special education if the dominant factor for determining eligibility is a lack of instruction in reading, including the essential components of reading instruction, as defined in Section 1208(3) of the Elementary and Secondary Education Act of 1965;
- A reevaluation is no longer required prior to a student graduating with a regular high school diploma or aging out of special education. The district is required to provide a summary of academic achievement and functional performance which

includes recommendations on how to assist the child in meeting the child's postsecondary goals.

Section 7 of the Public Act revises Section 10-76i concerning the State Advisory Council to include such members as may be required by the IDEA as amended from time to time.

Section 8 of the Public Act revises Section 10-94g concerning the appointment of Surrogate Parents to require the appointment of a surrogate parent when a child is an unaccompanied and homeless youth.

Other provisions included in the Public Act are technical in nature, for example, substituting the word "appropriate" for the word "suitable".

If you have any questions about the revisions, please contact Theresa C. DeFrancis at (860) 713-6933.



STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



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To: Directors of Special Education

From: Nancy M. Cappello, Ph.D., Interim Chief
Bureau of Special Education

Connecticut State Department of Education (CSDE)

Date: September 12, 2006

Re: **Response to Intervention (RtI)**

The reauthorization of the *Individuals with Disabilities Education Improvement Act* (IDEA 2004), states: 1) a local education agency *shall not be required* to take into consideration whether the child has a severe discrepancy between achievement and intellectual ability; and 2) in determining whether a child has a specific learning disability, a local education agency *may use a process* which determines if a child responds to scientific, research based intervention. Furthermore, IDEA 2004 permits districts to use up to 15% of their special education funds to develop and implement coordinated, early intervening services for students in K through 12 who have not been identified as needing special education or related services, but who need additional academic and behavioral support to succeed in the general education environment. These three changes provide an opportunity for districts to develop a unified system of education for all students. An IDEA topic brief on the identification of students as learning disabled is available at <http://idea.ed.gov/explore/view/p/%2Croot%2Cdynamic%2CTopicalBrief%2C23%2C>. Other topic briefs are available at <http://idea.ed.gov/explore/home>.

Not unlike NCLB, IDEA 2004 has set high goals for all school districts, but has provided limited direction as to how to precisely achieve these goals. One strategy that has been suggested is the utilization of a Response to Intervention (RtI) model. By definition, RtI is the practice of providing high-quality instruction/intervention matched to student needs using learning rates over time and level of performance to make important educational decisions (National Association of State Directors of Special Education). RtI is based on principles that the Connecticut State Department of Education (CSDE) has embraced for several years, including: universal screening, high quality instruction, early intervention, regular and frequent monitoring of student progress, and utilization of data to make instructional decisions. In an RtI model, support to students is provided based on student need and are not premised on a particular label, program, or place.

The *Guidelines for Identifying Children with Learning Disabilities*, developed by the Connecticut State Department of Education in 1999, have laid the groundwork for RtI. Though not identified by the current term, the concept of RtI was integral in the writing of the previous guidelines ensuring all students were receiving appropriate instruction in the areas of reading and mathematics. Connecticut took a proactive approach to disability identification in its guidelines for students suspected of having a specific learning disability (SLD). The reading and math worksheets were developed knowing that students with severe discrepancy may meet the criterion for learning disabilities for a number of reasons (e.g., lack of participation in consistent, high quality instruction; lack of focus on appropriate skill acquisition; lack of implementation fidelity or intensity, frequency and/or duration, of intervention; or lack of instructional time due to interruptions in learning because of behavioral issues, second language acquisition, mobility, etc.).

IDEA 2004 regulations, Section 300.309(b) state “To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation described in 34 CFR Sections 300.304 through 300.306: (1) Data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and (2) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child’s parents...” In addition, in determining the existence of SLD, consideration must be given to the child’s response to interventions and if, prior to referral, the child’s response to general education interventions did not result in adequate progress, after an appropriate period of time, the public agency must promptly request parental consent to evaluate the child to determine if the child needs special education and related services.

IDEA 2004 has surfaced volumes of literature and research criticizing use of the discrepancy formula, such as: inconsistencies in identification exist due to significant variations in the use of discrepancy formulas from state to state and district to district; the statistical phenomenon of regression to the mean and differences in the construction of tests make computation of discrepancies complicated and some believe invalid; strict adherence to discrepancy formulas leave no room for clinical judgment which could eliminate some students from service who may, in fact, have a learning disability; and the difficulty to find a severe discrepancy in the early grades, leading to a “wait and fail” model of identification.

Understanding the contextual variables that shape and influence how decisions are made is critical in working toward improved identification methods for accurate SLD determination. Some potential compounding factors include: a desire to get services for students, using multiple criteria for eligibility decisions, low-achievement versus specific learning disability, contributions of multi-disciplinary teams on classification, and the use of clinical judgment.

States and districts are strongly encouraged to approach this process in thoughtful manner. The current *Guidelines for Identifying Children with Learning Disabilities*, with a focus on appropriate instruction, interventions, and monitoring of student progress, should be used as a key component of the identification process while further guidance is being developed. In the meantime, the State Education Resource Center (SERC) will be offering a variety of professional development opportunities throughout the coming year regarding the implementation of RtI in relation to the following topics: Universal Screening, Progress Monitoring, Implementation Fidelity, and Multi-Tiered Interventions. In addition, the RtI state leadership team, along with stakeholders throughout the state, will move forward in their efforts to operationalize RtI in a way that meets the needs of Connecticut students.

If you have questions regarding RtI, please feel free to contact either of the two CSDE Education Consultants listed below:

Perri Murdica
(860)713-6942
perri.murdica@ct.gov

Nancy Aleman
(860)713-6937
nancy.aleman@ct.gov



STATE OF CONNECTICUT
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TO: Directors of Special Education and SEDAC Contacts
FROM: Mary M. Keenan, SEDAC Data Collection Manager
DATE: September 07, 2006
SUBJECT: SEDAC Follow-up Training Opportunities

I will conduct 18 Follow-up Training sessions about the Special Education Data Application and Collection (SEDAC) in October and November. Follow-up Training is for SEDAC users and will only be offered on-line via WebEx meetings.

- SEDAC Follow-up Training will provide the SEDAC user with a more in-depth discussion of SEDAC. Some examples are what screens will look like, viewing the student roster and selecting only certain cases, entering special education information, saving records, running reports, discussion of special cases such as Service Plan Students and using the case manager field. There will also be a discussion of the SEDAC – Grants (SEDAC-G). The sessions will not be hands-on but the user should gain a better understanding of SEDAC.
- Training materials with printing instructions will be available prior to WebEx Meeting or at the SEDAC Home page. Participants will be responsible for printing training materials.

WebEx Follow-up Training Meetings (encouraged for all SEDAC users)

- **IMPORTANT:** Districts that plan to attend a WebEx Meeting, must register ahead of time to get set up. After you have emailed me with your training selection at mary.m.keenan@ct.gov, you will receive an email from WebEx. You must open this email and follow the instructions to ensure you can participate. You should do this as soon as you receive the email and before the actual meeting to ensure that your system is ready. This process takes less than 5 minutes, but must be done prior to the meeting itself.
- In addition to signing on to the on-line meeting, you will join a conference call at the meeting time to enable you to participate in the audio portion of the meeting. Instructions for the conference call will be included in your registration email.
- It is helpful to have headsets or a quiet room so you don't disturb office mates.
- If more than one person from a district attends we encourage you to use a quiet conference room where you can have several people around one computer and a telephone on speaker phone so you can hear the auditory part of the presentation.
- You will be able to ask questions. There is a chat page so questions can be directed to everyone in the meeting or privately between participants.

- WebEx Follow-up Training sessions will generally last for one hour and a half, once you have logged into the meeting. Plan to login 5 minutes prior to the meeting start time.

WebEx Follow-up Meeting Date	Morning Session 1	Morning Session 2	Afternoon Session 1	Afternoon Session 2
October 24, 2006	9:00 – 10:30	11:00 – 12:30	1:00 – 2:30	3:00 – 4:30
October 26, 2006	9:00 – 10:30	11:00 – 12:30	1:00 – 2:30	3:00 – 4:30
October 27, 2006	9:00 – 10:30	11:00 – 12:30		
November 2, 2006	9:00 – 10:30	11:00 – 12:30	1:00 – 2:30	3:00 – 4:30
November 7, 2006	9:00 – 10:30	11:00 – 12:30	1:00 – 2:30	3:00 – 4:30

To register, or if you have any questions, contact me at mary.m.keenan@ct.gov.

I look forward to using this new way of meeting to do training with you, which I know will be a learning experience for all.

MMK:mmk

