

**P.J. Settlement Agreement Determination Process  
2005-06 through 2009-10**

The *P.J. et al. v. State of Connecticut, Board of Education, et al. Settlement Agreement* has served as a blueprint and road map toward appropriate identification and education of students with an intellectual disability. This Settlement Agreement has focused efforts to increase these students' participation and progress in their home school, general education environments and extracurricular activities with their non-disabled peers. As the Settlement Agreement applies to all districts, it will continue to serve as a tool for continuous improvement and establish sustainability of the results toward the principles articulated in the goals and text of the Settlement Agreement.

In order to assure continuous improvement and sustain progress to date, the Department will be identifying the level of concern and need for each district with respect to the Settlement Agreement. There are four categories of determinations that districts may be assigned into:

- A) *Meets Requirements;*
- B) *Needs Assistance;*
- C) *Needs Intervention; or*
- D) *Needs Substantial Intervention.*

The Department used data for the following goals found in the *P.J. et al. v. State of Connecticut, Board of Education, et al. Settlement Agreement* for making district determinations based on data and performance:

- Goal 1-Regular class placement- percent of students with intellectual disability who are placed in regular classes, as measured by the federal definition of regular class placement as eighty (80) percent or more of the school day with non-disabled students.
- Goal 3-Mean time with non-disabled peers (TWNDP) - percent of the school day that students with intellectual disability spend with non-disabled students.

### Criteria Used

The Department used the following criteria to make determinations:

#### **Meet Requirements**

- The district either met target on both goals, OR
- The district made progress on both goals OR
- The district had one goal meeting the target AND one goal making progress.
  - Progress for Goal 1 means the district percent of regular class placement for students with intellectual disability is greater than or equal to 40% AND the district made a 10% gain from the district's prior year of percent of regular class placement for students with an intellectual disability.
  - Progress for Goal 3 means the district made 10% gain from the district's prior year of mean percent time with non-disabled peers for students with an intellectual disability; OR the district is within 5% of the target and makes any improvement.

**Needs Assistance**

- The district did not achieve “Meets Requirements” on one or both of the goals for one to two years of data.

**Needs Intervention**

- The district did not achieve “Meets Requirements” on one or both of the goals for three years of data.

**Needs Substantial Intervention**

- The district did not achieve “Meets Requirements” on one or both of the goals for four to five years of data.

**Enforcement Actions Pertaining to PJ Settlement Agreement Data**

<b><u>Determination</u></b>	<b><u>Year</u></b>	<b><u>Possible Enforcement Actions</u></b>
Needs Assistance	1 <sup>st</sup> Year	<ul style="list-style-type: none"> <li>• Advise program of available sources of technical assistance to address areas on which the program needs assistance and</li> <li>• Require the program to analyze data and prepare and implement a plan of action to address the identified goal area(s)</li> </ul>
	2 <sup>nd</sup> Year	<ul style="list-style-type: none"> <li>• Advise program of available sources of technical assistance to address areas on which the program needs assistance and</li> <li>• Require the program to prepare and implement a plan of action to address the identified goal area(s) regarding the most recent data in response to State question and/or and</li> <li>• Require the program to provide up to date, state identified data elements, on students with ID three times per year in SEDAC</li> </ul>
Needs Intervention	1 <sup>st</sup> year	<ul style="list-style-type: none"> <li>• Require the program to provide up to date, state identified data elements, on students with ID three times per year in SEDAC and</li> <li>• Review the SEDAC data report as a result of this submission and</li> <li>• Prepare and implement a plan of action based on this data and</li> <li>• Progress reports will be requested from the Department</li> </ul>
Needs Substantial Intervention	1 <sup>st</sup> or 2 <sup>nd</sup> year	<ul style="list-style-type: none"> <li>• Require the program to provide up to date, state identified data elements, on students with ID three times per year in SEDAC and</li> <li>• Review the SEDAC data report as a result of this submission and</li> <li>• Prepare and implement a plan of action based on this data and</li> <li>• Progress reports will be requested from the Department and</li> <li>• Require the program to participate in monitoring, training and technical assistance activities prescribed by the State</li> </ul>