QUICK REFERENCE ON SPECIAL EDUCATION: 
West Haven Public Schools

DETERMINING ELIGIBILITY FOR SPECIAL EDUCATION
- Initial Referral: In CT, a person in a care giving position, or any person in a professional can refer a student to be evaluated for special education.
- Evaluation: Upon receipt of referral the school district must schedule a PPT with the parent/guardian. The PPT will discuss the referral as well as if an evaluation is warranted. If an evaluation is appropriate, the team will identify the evaluations to be completed and list them on the consent for Initial Evaluation form, which must be signed by the parent/guardian. The consent for evaluation must be signed and returned to the district before any evaluation can be conducted. After receipt of consent form, the school district has 45 school days to complete and review the evaluations as a PPT team. The parent/guardian may request copies of the written reports as well as a debriefing with the evaluators prior to the PPT. Copies must be provided at least two days prior to the team meeting. Once a student is identified as eligible for special education services the district is required to re-evaluate students every three years.
- Eligibility Determination Team Meeting: This meeting must be held within 45 school days of the district’s receipt of signed consent for evaluation. At the meeting, the team will review evaluations and ask questions related to student ability to access the general education curriculum. If it is determined that the student requires specialized instruction and/or related services to access the general education curriculum then the student will be found eligible for special education services and classified based on disability. NOTE: The district must ensure that the IEP Team includes the parents/guardian of student, an administrator with the knowledge and ability to discuss school resources, an individual able to interpret test results, a special education teacher as well as a regular education teacher. Each member is an equal and important part of the team, if one member does not agree with proposed services/plan, the team is not in agreement. A student is invited to attend their PPT team meetings as of the age 15.
- Finding of No Eligibility: A parent/guardian can reject a finding of ineligibility. This should be done in writing within five days of receipt of IEP determining ineligibility. Parents or guardians may request an IEE (Independent Educational Evaluation), go to mediation or file an appeal to the Bureau of Special Education.
- Request for an Independent Educational Evaluation: If a parent/guardian is in disagreement with the district’s evaluations, the parent/guardian may request that the district fund an Independent Educational Evaluation. A parent/guardian must request an IEE in writing within 16 months after the date of the district evaluation.

PLACEMENT
- A special education placement is the setting where the student will receive his special education services.
- Placement should be determined AFTER the team determines what services the student needs to make effective progress.
- If the parent does not consent to change in placement and evoke their right to due process stay put rights will be instituted and student will remain in last accepted placement until disagreement is resolved.

INDIVIDUALIZED EDUCATION PROGRAM
- A written document which details evaluation results, current performance levels, goals based on specific areas of the curriculum and specific services and modifications (page 8) to be provided to the student. Students may also receive accommodations for standardized testing (SBAC, CTAE, CMT/CAPT Science) any testing accommodations must mirror the accommodations provided for on page 8 of the IEP.
- An IEP is created at a team meeting (PPT). The parent can reject the IEP and/or placement up to five days of them receiving the document. Once an IEP is accepted services should be put in place.

BASIC RIGHTS OF SPECIAL EDUCATION STUDENTS
- All students deemed eligible for special education have a right to a free, appropriate public education in the least restrictive environment (FAPE in the LRE)
- FAPE: Special education services that allow a student to access public education. Services must be provided through an Individualized Education Program (IEP) that enables the student to make academic progress and that must be designed to develop the student's educational potential.
- LRE: to the maximum extent of appropriate, student with disabilities should be educated with typical peers and according to the statewide curriculum. Special classes or separate schooling should occur only when the nature or severity of the disability is such that education in the regular education environment with use of classroom supports and services cannot be achieved satisfactorily.
MANIFESTATION DETERMINATION
-A manifestation determination meeting must be held if school personnel impose a change of placement or suspensions amounting to more than 10 consecutive school days or if removed from school for more than a total of 10 school days in a school year if the behaviors are “substantially similar”. This meeting must be conducted not later than 10 days after disciplinary action.
-It is a process conducted by the IEP team (along with other necessary qualified personnel) to investigate whether there is a relationship between the student’s action(s) of concern and his/her disability. The team must decide whether the student’s action(s) were a reflection of his/her disability or perhaps the result of it.
-If there is no relationship, the student may be disciplined (including suspension & “expulsion”...services must still be provided) in the same manner as non-disabled students. However the school district must provide FAPE (free and appropriate publicly funded education)
-If parents disagree, an expedited due process hearing must be arranged (student remains in IAES during hearing) unless the parents and school agree on another setting.

504 PLANS
-For students not in need of an IEP, 504 plans allow for accommodations to give a student with a disability, that impacts one or more major life activities, equal access to school and curriculum.
-Authorized under Section 504 of the Americans with Disabilities Act.
-To be eligible for a 504 plan a student must have a physical or mental impairment that substantially limits one or more major life activities.
-Major life activities include walking, learning, concentrating, communicating, thinking, speaking etc.
-504 plans do not provide specially designed or modified curriculum such as an IEP. 504 plans only provide accommodations.
-No stay put rights exist under a 504 plan.

TRANSITION PLANNING
-When a student on an IEP turns 15 a district must provide the student with transition services and invite him/her to take part in Team meetings
-Transition services: a coordinated set of activities focused on improving academic and functional achievement...to facilitate the child's movement to post secondary education and or employment. 34 CFR 300.4 (2006).
-The IEP should include Transition goals and objectives, which describe the student’s post secondary goals and the skills needed to achieve those goals.
-A referral must be completed, by the parent, to the appropriate agency if the student will require services beyond the age 21(DDS, DMHAS, BRS etc.).

ADDITIONAL RESOURCES
•Bureau of Special Education - www.sde.ct.gov
•The State Education Resource Center - http://ctserc.org
•Department of Developmental Services - www.ct.gov/dds
•Bureau of Rehabilitation Services - www.ct.gov/brs
•Division of Mental Health and Addiction Services - www.ct.gov/dmhas
•211 Connecticut - www.211ct.org

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