INITIAL REFERRAL TO SPECIAL EDUCATION – The Partnership Begins!

Identification of Children below School-Age (3-5)

For children who are not involved in the Connecticut Birth to Three System even under the age of 3, the Fairfield Public Schools conduct on-going child find activities which include community screenings as well as individual child specific screenings to determine if a child requires further evaluation (and, to determine the eligibility of children age 3 and above for special education and related services.)

Through this process, children who may require special education services are referred to the Planning and Placement Team for consideration for further evaluation. Parents and other referring parties may also contact the special education department to refer a child to a PPT. In addition, for children who turn three outside the regular school year, a PPT will convene and determine whether the child requires extended school year services (ESY).

Identification of School Age Students (3-21 Years of Age)

- **Transfer Students**

  The principal or designee in each of our schools reviews the records of any new student transferring from another school system whether transferring from another school district within Connecticut or from out of state. If the records indicate that the student has been identified as a student with disabilities and that the student requires special education and related services, the student is immediately enrolled in school and, in consultation with parents, given an appropriate program including services ***comparable*** to those described on the student's IEP until the district holds a Planning and Placement meeting (PPT) to either adopt the child's IEP from the previous school district or to develop, adopt and implement a new IEP. For students transferring from another state, our district may also recommend conducting an evaluation if the PPT determines that conducting an evaluation is necessary to develop a new IEP.

- **Currently Enrolled Students**

  Students attending our district schools receive the ongoing attention of professional personnel to help support their successful learning. Students whose behavior, attendance, including truant behavior, or progress in school is considered unsatisfactory, at a marginal level of acceptance (i.e., potential drop-outs, truants), or are suspended repeatedly, are promptly referred to a PPT by completing the district's **Standard Referral Form** and notifying the parents within 5 school days of the referral by completing the **Notice of Referral to PPT**. A **PPT 1** is scheduled to review the referral concerns and if warranted, plan an evaluation. Such students who are referred for a PPT

1 by district personnel are identified through anecdotal records, including but not limited to report cards, attendance records, discipline records, classroom work samples and SRBI intervention and progress monitoring data, conversations with parents, individual performance records and standardized test results.

Alternative Procedures and Programs Prior to PPT Referral

Before our district personnel refer a student to a **Planning and Placement Team**, alternative procedures and programs in regular education are explored and implemented where appropriate. Each school in our district has a team that implements a variety of alternative strategies and interventions to the teacher and student. This team is called the Early Intervention Planning (EIP) Team or the Scientifically Research-Based Intervention (SRBI) Team. Parents are encouraged to collaborate with the teacher and other involved staff during this time. Parents or school personnel may request assistance from the school's EIP/SRBI Team. The team works collaboratively with the classroom teacher and parents to develop, implement, and measure the effect of research-based interventions and document strategies to assist the student within the regular education program. If the student's problems or difficulties persist or the rate of progress is insufficient, a prompt referral to a PPT is made.

If the school receives a referral to special education from a parent or other person, who is not a district personnel, the school district must:

1) accept the referral for an initial evaluation to determine if the child is a child with a disability
2) convene a PPT meeting to consider the referral and to determine if an evaluation is appropriate and
3) continue alternative procedures and programs in the general education.

Referral Form

A Standard Referral Form is used to document all referrals to the Planning and Placement Team. This form is available at the Special Education Department or in each of our district's schools. Concerned parents and/or staff may complete the form. Once the form is completed, it is given to the school administrator or his/her designee. The completion of this referral form initiates the Planning and Placement Team process and begins the 45 school day evaluation timeline from initial referral to implementation of the IEP (if the student is found eligible).

It is important to note that a parent is not required to submit the standard referral form for a referral for an initial evaluation to determine if a child is a child with a disability. The school district must accept as a referral a concern expressed in writing from the parent of a child that such child be referred for an initial evaluation. The date of referral is not the date the board's referral is filled out by the school district, rather the date of referral is the date district personnel received the referral. If any staff member receives such a written referral from a parent, the staff member should provide the referral to the principal or the student's teacher immediately so that a PPT 1 can be scheduled.

Beginning on July 1, 2012, Connecticut statute § 10-76d(a)(8)(B) requires that:

Upon request by a parent (or guardian, surrogate parent, or eligible student), the responsible board of education shall provide such parent an opportunity to meet with a member of the PPT designated by such board prior to the referral PPT meeting (PPT 1) at which the assessments and evaluations of the child who requires or may require special education is presented to such parent for the first time. Such meeting shall be for the sole purpose of discussing the planning and placement team process and any concerns such parent has regarding the child who requires or may require special education.

Forms:

- Standard Referral Form
- Referral Information Meeting Letter/Notification
- Post Referral Meeting Letter

PPT 1

Purpose: To review referral and, if warranted, plan an evaluation (The evaluation planned MUST be sufficiently comprehensive to determine eligibility in ALL suspected areas of disability). Eligibility is defined as both meeting the criteria established in IDEA for one or more of 13 disability categories **AND** needing specially designed instruction in order to receive educational benefit.

Required Membership:

- The **Parent/Legal Guardian** of the child with a suspected disability
- An **Administrator/designee** - A representative of the school district 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 curriculum and about the availability of resources of the school district;
- A **General Education Teacher** (MUST be a teacher teaching the child or proposed to teach the child)
- A **Special Education Teacher**
- A **Pupil Services Provider** (for example, a school psychologist, school social worker or guidance counselor, and/or School Nurse);
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team members other than the parent);
- If appropriate, the child with a disability (all students over the age of 15 SHOULD be invited to attend and participate UNLESS there is compelling evidence to the contrary); and
- At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel.

Procedures:

- Review **Procedural Safeguards** Clarify and Define referral questions.
- Review Scientifically Research-Based Interventions
- Review **Standard Referral form**
- Review **Appropriate Instruction Worksheets for Math, Writing, and/or Reading** All information regarding district or state assessments, curriculum-based assessments, classroom performance and educational history will be shared, reviewed and discussed.
- Share information from Student Record Review
- Discuss additional information required to determine whether student is eligible and what is the suspected disability category (you may suspect more than one).
- Plan a comprehensive, multidisciplinary evaluation. This will include both standardized and curriculum based measures, and a formal classroom observation performed by someone other than the child's regular education teacher.
- Parent/student (if over 18) must sign **Permission for Initial Evaluation Form.** *****Parents please note that failure to sign the evaluation consent within ten school days from the date of notice to the parent shall be construed as parental refusal of consent to conduct such evaluation.
- Explain timeline for evaluation to parents (Please note-An evaluation **must** be completed and reported at PPT 2, and IEP implemented within 45 school days from

the time the referral was made (minus the time it takes to get permission to evaluate).

- ❑ Set date/time for PPT 2 and adjourn.

PPT 1 Required Documents

- ❑ **Cover Page** (IEP page 1)
- ❑ **Meeting Summary** IEP page 1A)
- ❑ **Prior Written Notice** (IEP page 2)**
- ❑ **Standard Referral Form**
- ❑ **Appropriate Instruction in Reading, Writing, and/or Math Worksheets**
- ❑ Signed **Permission for Evaluation** Form

**NOTE: If the parent's native language or other mode of communications is not a written language, the district must take steps to ensure that 1) the notice is translated orally, 2) that the parent understands the content of the notice AND 3) there must be written evidence that the requirements of prior written notice were met.

PPT 2

Purpose: To review evaluations, determine eligibility, and, if eligible, develop and complete Individualized Educational Plan (IEP)

Required Membership:

- The **Parent/Legal Guardian** of the child with a suspected disability
- An **Administrator/designee** - A representative of the school district 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 curriculum and about the availability of resources of the school district;
- A **General Education Teacher** (MUST be a teacher teaching the child or proposed to teach the child)
- A **Special Education Teacher**
- A **Pupil Services Provider** (for example, a school psychologist, school social worker or guidance counselor, and/or School Nurse);
- **ALL** professionals who performed any part of the comprehensive evaluation;
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team members other than the parent);
- If appropriate, the child with a disability (all students over the age of 15 SHOULD be invited to attend and participate UNLESS there is compelling evidence to the contrary); and
- At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel.

Procedures:

- Review **Procedural Safeguards**
- Review all evaluations
- Review any reports or input provided by the parents.
- Answer any questions the parent may have regarding the reports. Seek and obtain consensus that the information obtained in the evaluation represents a fair and valid assessment of the child's present levels of educational performance.
- Fill out the **Multidisciplinary Team Evaluation Form** (available for LD or ED). Use available guidelines for Speech and Language, Intellectual Disability, OT/PT etc. as the basis for decision-making.
- If the child is found ineligible for services as a child with a disability under IDEA, adjourn the PPT and reflect this on the prior written notice page.
- If the student IS eligible, discuss and propose goals and objectives including a discussion of success criteria and progress monitoring procedures that are valid and reliable measures of overall achievement in the area of concern. Goals and objectives should be directly linked to the areas of disability described by the current levels of performance. *What does the team want the student to know or be able to do in the next twelve months?*
- Discuss and propose services needed to reach the goals and objectives *What services are needed to get him/her there?*

- If it is the recommendation of the team that the student be removed from typical peers for greater than 60% of the school day, the team MUST fill out the **Least Restrictive Environment Checklist**
- If eligible for special education under IDEA, Parent must sign **Permission for Initial Placement** before services may be implemented.
- Parents please note that failure of the parent to sign the consent form within ten school days will be construed as parental refusal of consent to special education placement.

PPT 2 Required Documents
Must be sent in packet to parents within **5** school days:

- **Procedural Safeguards** (if not given at meeting)
- Complete **IEP** (Pages 1-8)
- **Multidisciplinary evaluation form** (signed by all PPT members-dissenting opinions with explanation noted)
- Signed **Permission for Initial Placement**
- Copies of all reports used to make the eligibility decision. (These reports must include curriculum-based measures, standardized test data, observations, and reports from general education staff.

Annual Review

Purpose: To review progress in the previous year's program and plan for the upcoming year.
Required Membership:

- The **Parent/Legal Guardian** of the child with a suspected disability
- An **Administrator/designee** - A representative of the school district 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 curriculum and about the availability of resources of the school district;
- A **General Education Teacher** (MUST be a teacher teaching the child or proposed to teach the child)
- A **Special Education Teacher**
- A **Pupil Services Provider** (for example, a school psychologist, school social worker or guidance counselor, and/or School Nurse);
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team members other than the parent);
- If appropriate, the child with a disability (all students over the age of 15 SHOULD be invited to attend and participate UNLESS there is compelling evidence to the contrary; and
- At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel.

Procedures:

- Review **Procedural Safeguards**

- Review student's progress toward all goals and objectives set forth in current IEP.
- Review of student's current levels of performance - *Where is the student now?*
- Discuss and propose goals and objectives including a discussion of success criteria and evaluation procedures. Closing the achievement gap should ALWAYS be the goal. *What does the team want the student to know or be able to do in the next twelve months?*
- Discuss and propose levels of service - *What services are needed to get him/her there?*
- *Discuss any and all accommodations required in the general education setting*
- *Determine need for extended year services – Link to SDOE Topic Brief*

Annual Review Required Documents

Must be sent in packet to parents within 5 school days:

- **Procedural Safeguards** (if not given at meeting)
- Complete **IEP** (Pages 1-8)
- Fully annotated **IEP** from previous year indicating progress or lack of progress
- All Progress Monitoring graphs, charts, reports to parents, reports from staff (signed and dated)
- **Permission for Re-Evaluations** (if necessary)

Triennial Review (Can be done either in conjunction with or apart from the annual review)

Purpose: To establish continuing eligibility for special education and related services – This process must be done every 3 years, but may be done sooner if student is experiencing success and eligibility is in question or if the team feels that additional data is necessary to clarify needs.

Required Membership:

- The **Parent/Legal Guardian** of the child with a suspected disability
- An **Administrator/designee** - A representative of the school district 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 curriculum and about the availability of resources of the school district;
- A **General Education Teacher** (MUST be a teacher teaching the child or proposed to teach the child)
- A **Special Education Teacher**
- A **Pupil Services Provider** (for example, a school psychologist, school social worker or guidance counselor, and/or School Nurse);
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team members other than the parent);
- If appropriate, the child with a disability (all students over the age of 15 SHOULD be invited to attend and participate UNLESS there is compelling evidence to the contrary; and
- At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel.

Procedures:

- Review **Procedural Safeguards**
- Review student's progress toward all goals and objectives set forth in current IEP.
- Review of student's current levels of performance - *Where is the student now?*
- Review all evaluations
- Answer any questions the parent may have regarding the reports.
- Fill out the **Multidisciplinary Team Evaluation Form** (available for LD or ED). Use available guidelines for Speech and Language, Intellectual Disability, OT/PT etc. as the basis for decision-making.
- If the child is found ineligible for services as a disabled child under IDEA adjourn the PPT.
- If the child is found eligible for and in need of services under IDEA discuss and propose goals and objectives including a discussion of success criteria and evaluation procedures. *What does the team want the student to know or be able to do in the next twelve months?*
- Discuss and propose services - *What services are needed to get him/her there?*
- Complete **IEP pages 4A-8** of the IEP (I.E. STANDARDIZED TESTS, EXTENDED YEAR SERVICES, TRANSITION, BEHAVIOR PLANNING)

Forms:

- **Procedural Safeguards** (if not given at meeting)
- Complete **IEP** (Pages 1-8) to be sent to parents within 5 school days
- Fully annotated **IEP** from previous year indicating progress or lack of progress (if doing annual and triennial at the same time)
- **Multidisciplinary evaluation form** (signed by all PPT members-dissenting opinions with explanation noted)
- Copies of all reports used to make the eligibility decision.

Manifestation Determination

Purpose: When a disciplinary action involving a change of placement (i.e. in-school suspension, out of school suspension, expulsion) for more than 10 school days (consecutive or cumulative) in a school year is contemplated for a student with a disability, because he/she engaged in behavior that violated any rule or code of conduct of the district that applies to all children a Planning and Placement Team must conduct a Manifestation Determination. Immediately, if possible, but in no case later than 10 school days after the date on which the decision to take disciplinary action is made (unless mutual agreement to extend is obtained), a review shall be conducted of the relationship between the child's disability and the behavior subject to the disciplinary action. This review MUST consider whether or not the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; OR whether or not the conduct in question was the direct result of the district's failure to implement the IEP.

Required Membership:

- The **Parent/Legal Guardian** of the child with a suspected disability
- An **Administrator/designee** - A representative of the school district 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 curriculum and about the availability of resources of the school district;
- A **General Education Teacher** (MUST be a teacher teaching the child or proposed to teach the child)
- A **Special Education Teacher**
- A **Pupil Services Provider** (for example, a school psychologist, school social worker or guidance counselor, and/or School Nurse);
- An individual who can interpret the instructional implications of evaluation results (who may be one of the previously listed team members other than the parent);
- If appropriate, the child with a disability (all students over the age of 15 SHOULD be invited to attend and participate UNLESS there is compelling evidence to the contrary; and
- At the discretion of the parent or the school, other individuals who have knowledge or special expertise regarding the child, including related services personnel.

Procedures:

- Review Procedural Safeguards.

- Review behavior and/or incident reports for which the district seeks to impose disciplinary action
- Review student's disciplinary record
- Review Functional Behavioral Analysis/Positive Behavioral Support Plan(PBSP) (if applicable)
- Review the nature of the student's disability
- Review all relevant data regarding student's present levels of performance
- Determine whether or not the conduct in question was caused by or had a direct and substantial relationship to the student's disability.
- Determine whether the IEP being implemented as written.
- Please note that if the PPT determines that the conduct in question WAS a manifestation of the disability, OR the school failed to implement the IEP in any way NO DISCIPLINARY ACTION may be taken.

Manifestation Determination Required Forms: **Must** be sent in packet to parents within **5** school days:

- **Procedural Safeguards** (if not given at meeting)
- Complete **IEP** (Pages 1-8) to be sent to parents within 5 school days - Prior Written Notice should indicate the final decision as to whether or not the conduct was a manifestation of the child's disability.

RESPONDING TO A REQUEST FOR AN INDEPENDENT EDUCATIONAL EVALUATION (IEE) AT PUBLIC EXPENSE

Definition: An **Independent Educational Evaluation (IEE)** is an evaluation conducted by a qualified examiner who is NOT employed by the Fairfield Public Schools (FPS), when the FPS have already conducted (or have refused to conduct) an evaluation of the student and the parent/guardian disagrees with the evaluation conducted by the district.
School/District Rights: The Fairfield Public Schools have both the responsibility and the right to conduct an evaluation on any and all students when a disability is suspected.

Parent/Guardian Rights: State and federal special education law grant parents/legal guardians the right (see Procedural Safeguards) to obtain an IEE at public expense **IF** the district has conducted an evaluation of the student by personnel employed or designated by the district, AND the parent disagrees with the evaluation conducted. Please note that parents/guardians have the right to conduct independent evaluations at their expense at any time and that all such evaluations MUST be considered by the PPT team.

Requests for an IEE at public expense: A request for an IEE at public expense should be made at a Planning and Placement Team (PPT) meeting. If the request is made outside of a PPT meeting, for example, in the form of a written request, the district may wish to convene a PPT meeting to review the parent or guardian's request.
Upon the request for an IEE at public expense the district will respond in one of the following ways:

1. FPS staff will explain that the parent/guardian is not entitled to an IEE at public expense because the district has not yet evaluated (or has not yet refused to evaluate) the student and is entitled to conduct its own evaluation of the student
2. FPS staff will explain that the parent/guardian is not entitled to an IEE at public expense because the parent/guardian has already obtained an IEE at public expense as a result of a previous disagreement with the same district evaluation
3. FPS staff will review the evaluation that the parent disagrees with, determine whether the evaluation is appropriate and explain to the parent that the district will be initiating a due process hearing to defend the appropriateness of its evaluation, or
4. FPS staff will agree to provide an IEE at public expense (if the FPS staff agrees to provide an IEE at public expense then a copy of the IEE criteria willbe presented to the parent

Requirement to file for a Due Process Hearing: If the district has evaluated (or has refused to evaluate) the student and denies the parent's request for an IEE at public expense, either

1. because the district's evaluation was appropriate, or
2. because the evaluation obtained by the parent does not meet the district's criteria, the district **MUST** file for a due process hearing to show that its evaluation is appropriate or that the evaluation obtained by the parent did not meet its criteria.

If the parent or guardian is not entitled to an IEE at public expense, either because the conditions for an IEE at public expense have not been met, or because a hearing officer determines that the district's evaluation was appropriate, the parent or guardian may still obtain an independent evaluation, but it will be at their expense. The district is entitled to evaluate the student in the first instance, prior to a parent request for IEE. A request for IEE when the district has not yet had an opportunity to evaluate the student in the disputed area may be deferred until after the district has had an opportunity to evaluate the student. A parent or guardian is entitled to only one IEE at public expense in response to each district evaluation.