
Chapter 6 — Individualized Education Programs (IEP's)

The District develops a written plan for each student requiring special education and related services. This plan is called an Individualized Education Program (IEP). Our PPT develops, reviews, and or revises the IEP to meet the needs of each student who requires special education and related services.

❖ District Responsibilities Regarding IEP's

Our District provides a free, appropriate public education for all students with disabilities aged 3 through 21 who require special education and related services, who have not graduated with a regular high school diploma or exceeded the age of eligibility including:

- students with disabilities who have been suspended or expelled from school for more than 10 school days in a school year;
- students suspended for less than 10 school days in a school year if services are provided to students without disabilities who have been similarly removed; and
- students who are advancing from grade to grade.

The District provides educational opportunity to all students with disabilities. An IEP is developed, implemented, maintained, reviewed, revised and evaluated for all special education students served by our District. This includes students placed in or referred to a private school or facility by our District. Special education and related services are provided in accordance with the student's IEP.

3-Year-Olds from Birth to Three System

An IEP is developed and implemented by the third birthday for each student eligible for special education and related services who is transitioning from the Birth to Three System. A free appropriate public education is available to each eligible student no later than the student's third birthday and an IEP is in effect by that date. If a child is scheduled to transition from Birth to Three programs to the LEA and the child turns three years of age during the summer months, the District will determine if the child is eligible for a free appropriate public education (FAPE) and whether the child requires extended school year services (ESY) prior to the student's third birthday. If the student is eligible for FAPE and requires ESY services, the District will implement the IEP by the student's third birthday, regardless of the fact that this occurs during the summer months. If the student is eligible for FAPE and does not require ESY services, the IEP will be implemented on the first day of school.

Private School

Before Hamden places a student with a disability in, or refers a student to, a private school or facility the District initiates and conducts a meeting to develop an IEP for the student.

A representative of the private school or facility attends the IEP meeting. If the representative cannot attend, the District uses other methods to ensure participation by the private school or facility, including individual or conference telephone calls. Compliance with IDEA Part-B and CGS Section 10-76 remains the responsibility of the District even in those instances where the District has a private facility implementing a student's IEP. This responsibility includes conducting PPT meetings to develop, review and revise the student's IEP and determine eligibility for special education services.

No placement is made unless it is in accordance with a student's IEP as developed by our District PPT. Placement in a private facility after a three-year period requires the annual approval of the State Department of Education, or annually, after two years if the placement is in an out of state facility.

Charter School, Inter-District Magnet School, and Regional Vocational Agricultural Centers

Students with disabilities, who attend charter schools, interdistrict magnet schools and regional vocational agricultural centers retain all rights under IDEA. For students with disabilities who are enrolled in any of these public choice programs, the LEA of residence (our District) will convene the planning and placement team (PPT) meeting for such student and invite representatives of the choice program to attend the PPT.

The responsibility for ensuring the provision of services to students in any of these choice programs belongs to the school in which the student is enrolled. If a student is attending a charter school, the District will discuss with representatives of the charter school how the services will be provided (by charter school staff or District staff). The District will pay the charter school, on a quarterly basis, an amount equal to the difference between the reasonable costs of special education and related services and the sum of the amount received by the charter school from federal, state, local and private sources calculated on a per pupil basis.

In the case of a student attending an interdistrict magnet school, the District shall pay the interdistrict magnet school an amount equal to the difference between the reasonable cost of special education and related services and the sum of the amount received from federal, state, and local and private sources calculated on a per pupil basis.

In the case of a student attending a vocational agricultural center who resides in our District, our District is responsible for the costs of special education and related services.

Open Choice and Connecticut Technical High Schools

Students with disabilities, who attend Open Choice schools and the CT Technical High Schools, retain all rights under IDEA. Students who attend Open Choice schools and the CT Technical High Schools "belong" to the receiving District. The receiving District convenes the Planning and Placement Team (PPT) meeting and develops the IEP for the student. For students in open choice schools, the LEA of residence is invited to attend the PPT/IEP meetings. It is the responsibility of the District of residence to pay the receiving District an amount equal to the difference between special education and related service costs and the sum of the amount received by the receiving District for the state open choice program.

The CT Technical High Schools are responsible for the provision of services for students with disabilities. Pursuant to Section 10-76q(c) of the Connecticut General Statutes, if the Planning and Placement Team of one of the CT Technical High Schools determines that a student requires special education and related services which precludes such student's participation in the program offered by a technical high school, the student shall be referred to the board of education in the town in which the student resides for the development of an IEP and such board of education shall be responsible for the implementation and financing of such program.

IEP Development and Timelines

The services and placement needed by each student with a disability to receive FAPE are based on the student's unique needs and not on the student's disability.

An IEP is in effect before special education and related services are provided to an eligible student. The District implements each IEP within 45 school days of the initial referral, exclusive of time required to obtain parental consent, for in-district placements and 60 school days, exclusive of time required to obtain parental consent, for out-of-district placements.

At the beginning of each school year, an IEP is in effect for each student with a disability and who requires special education and related services for whom the District is educationally responsible. Throughout the school year, changes to the IEP will be implemented as agreed upon following a PPT in which the IEP is reviewed or revised.

IEP Access

The student's IEP is accessible to each regular education teacher, special education teacher, related services provider and other service provider who is responsible for its implementation. Each regular education teacher, special education teacher, related services provider and other service provider is informed of her/his responsibilities related to implementing the IEP and specific accommodations, modifications and supports that must be provided in accordance with the IEP.

A full copy of the IEP is given to parents at no cost within five school days after the PPT meeting.

❖ IEP Components

Our District uses a standard IEP form. This form has numerous legally required components that help guide the team in the development, review, revision and implementation of the student's program. These various components are listed and described in this section of the procedures.

Present Levels of Academic and Functional Performance

Present Levels of Academic and Functional Performance include a description of how a student is currently performing in many important academic, behavioral, vocational and adaptive areas. In addition, Present Levels of Academic and Functional Performance include a description of strengths, concerns and needs that require specialized instruction and a description of how the student's disability impacts their involvement and progress in the general education curriculum (the same curriculum as for nondisabled children) or appropriate preschool activities. The

Hamden Public Schools – Chapter 6 – Individualized Education Program

Present Levels of Academic and Functional Performance directly ask for parent and student input and concerns as part of the planning process.

Services Provided to the Student

The IEP will include a statement of the special education and related services and supplementary aids and services based upon peer reviewed research to the extent practicable to be provided to the student or on behalf of the student and a statement of the program accommodations and modifications and supports for school personnel that will be provided so that the student will:

- advance appropriately toward attaining the annual goals;
- be involved and progress in the general curriculum;
- participate in extracurricular activities and other nonacademic activities; and
- be educated and participate with students with and without disabilities.

The IEP will specify supplementary aids and services provided to or on behalf of the student, program accommodations and modifications and supports for school personnel, as appropriate:

- The specific required accommodations and modifications including assistive technology devices and services as appropriate,
- The location and duration of the accommodations and modifications that will be included, and,
- The frequency and duration of supports for school personnel to implement the IEP.

The IEP will include a description of the extent to which the student will participate in general education. For special education and related services related to specific annual goals and objectives, the IEP will specify:

- The frequency of the service;
- The responsible staff and service implementer;
- The start and end date of the services provided;
- The location of these services; and
- If needed, a description of the instructional service delivery.

Nonacademic and Extracurricular Activities/Services

Our District takes steps to provide nonacademic and extracurricular services and activities to students with disabilities. These may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the District and assistance in making outside employment available, in such manner as is necessary to afford students with disabilities an equal opportunity for participation in those services and activities.

Justification for Removal from Regular Education

For each student who is removed from regular education for any portion of her/his school day, a justification for that removal is indicated on the IEP. Additionally, an explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class and in extracurricular and other nonacademic activities, will be included in the IEP.

Length of School Day and Year

The IEP will specify the length of the school day and school year. The length of the school day and year for students requiring special education and related services is the same as for students in the regular education program, unless otherwise specified in the IEP.

Extended school year services (ESY) are available as necessary to provide a free appropriate public education. Our District provides extended school year services only if the PPT that develops the student's IEP determines, on an individual basis, that the services are necessary for the provision of FAPE. The District does not limit extended school year services to particular categories of disabilities and does not unilaterally limit the type, amount, or duration of those services.

Transportation

The District provides, as a related service, safe and appropriate transportation as needed to implement the IEP for each student requiring special education and related services. Total travel time does not exceed one hour each way to and from a special education facility and all decisions relating to travel time shall take into account the nature and severity of the student's exceptionality and the student's age. If an appropriate placement cannot be made without exceeding the one-hour travel time limit, written parental consent is obtained prior to implementing the transportation service. Transportation services are specified on the IEP.

Physical Education

The IEP will specify the physical education services for the student. Physical education services, specially designed if necessary, are made available to every student with a disability receiving a free, appropriate public education in our District. Each student with a disability has the opportunity to participate in the regular physical education program available to nondisabled students. This is the case unless the student is enrolled in a separate facility or the student needs specially designed physical education as prescribed in the student's IEP. Students enrolled in a separate facility receive appropriate physical education services, including specially designed services, if necessary.

Assistive Technology

Assistive technology (AT) devices or services or both are made available to a student with a disability as required to assist the student to benefit from special education. In such cases, assistive technology may be a part of one or more of the following: special education, related services, and/or supplementary aids and services. The District provides the AT devices in all settings specified in the student's IEP, including school, home and community work sites.

Hamden makes efforts to ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly. In addition, the District will ensure that the external components of surgically implanted medical devices are functioning properly.

The IDEA, adopted the National Instructional Materials Accessibility Standard (NIMAS) for the purpose of increasing the availability and timely delivery of textbooks and other core instructional

materials in accessible formats to blind or other persons with print disabilities in elementary and secondary schools.

1. Our District will coordinate with the National Instructional Material Access Center (NIMAC) to assure the timely provision of instructional material for blind or other persons with print disabilities. Our District requires the publisher to submit a NIMAS file sent to the NIMAC, or we may purchase instructional materials from the publisher that are produced in, or may be rendered in specialized formats. However, our District remains responsible for ensuring that accessible specialized formats are provided to students with print disabilities in a timely manner.

Vocational Education

All students requiring special education and related services have access to all career and vocational education services available to students in general education. Vocational services are provided for each student whose IEP requires such services; and such vocational services shall contain an academic component. Vocational education services are specified in the IEP.

Secondary Transition

Beginning not later than the first IEP to be in effect when a child is 16 or younger, if deemed appropriate by the PPT, and updated annually thereafter, the IEP must include appropriate measurable postsecondary goals. These goals must be based upon age-appropriate transition assessments related to training, education, employment and where appropriate, independent living skills and the identification of the transition services (including courses of study) needed to assist the child in reaching those goals.

Transition services are a coordinated set of activities for a student with a disability that is designed to be a results-oriented process, focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post-school activities, including:

- Postsecondary education;
- Vocational education;
- Integrated employment (including supported employment);
- Continuing and adult education;
- Adult services [e.g., Bureau of Rehabilitation Services (BRS), Department of Mental Retardation (DMR), Board of Education and Services for the Blind (BESB), Department of Mental Health and Addiction Services (DMHAS)];
- Independent living; and/or
- Community participation.

Transition services, written as goals and objectives in the IEP, are based on the individual needs of each child, taking into account the child's strengths, preferences and interests and include activities in the areas of:

- Instruction and related services;
- Community experiences;
- The development of employment and other post-school adult living objectives; and

- If appropriate, the acquisition of daily living skills and provision of a functional vocational evaluation.

For children with disabilities, who are convicted as adults under state law and incarcerated in adult prisons, transition planning and services do not apply if their eligibility under Part B will end (due to age) before they are released from prison (based on their sentence and eligibility for early release).

When a child's eligibility for special education and related services is ending due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility the District will provide the student with a summary of his or her academic achievement and functional performance, which will include recommendations on how to assist the student in meeting their postsecondary goals. This information is included in the Summary of Performance (ED 635) and is not a formal part of the IEP but is required under IDEA.

When appropriate, and with the consent of the parent or eligible student, the District will invite to the PPT meeting a representative of any participating agency that is likely to be responsible for providing or paying for transition services. If the participating agency fails to provide the transition services described in the IEP, the District will reconvene the PPT to identify alternate strategies to meet the transition objectives in the IEP.

Measurable Annual Goals and Short-Term Objectives

Measurable annual goals and short-term objectives are in the IEP and relate to meeting:

- the needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum (i.e., the same curriculum as for nondisabled students) or for preschool students, as appropriate, to participate in appropriate activities; and
- the other educational needs that result from the student's disability.

In order to determine on a regular basis whether the student's short-term objectives are achieved, the District includes additional information in the IEP: performance criteria; evaluation procedures; evaluation schedule; and a statement of how the student's progress toward the annual goals will be measured.

Progress Reporting

The IEP includes information on when parents will be periodically informed of the student's progress toward meeting the annual goals and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the school year.

Exit Criteria

A statement of the criteria that would be necessary to consider a student no longer eligible for special education and related services is included in the IEP.

Assessment

Students with disabilities must be included in state and district-wide assessment programs, with appropriate accommodations, where necessary. The PPT determines for each individual special education student the need for accommodations to the Connecticut Mastery Test (CMT) and the Connecticut Academic Performance Test (CAPT). District staff and families should reference the *Assessment Guidelines* (www.csde.state.ct.us/public/cedar/assessment/agl/index.htm) to determine what accommodations are allowable and the conditions under which they may be used.

It is also the PPT's responsibility to determine if a student will be assessed with an alternate assessment. Every state must have an alternate assessment available for those students with disabilities who are unable to participate in the standard grade level assessment, even with accommodations. Only students with significant cognitive impairments may participate in an alternate assessment. In Connecticut, the alternate assessment is the CMT/CAPT Skills Checklist. There are seven Checklists, one for each grade 3-8 and 10 and students must be assessed with the Checklist that corresponds to their enrolled grade.

If the PPT determines that a student will not participate, even with accommodations, in the standard administration of a district-wide assessment of achievement, or will not participate in any part of a district-wide assessment, the IEP must include a statement explaining why that assessment is not appropriate for the student and how the student will be assessed. In this case only, the PPT will determine the procedure for the alternate assessment.

Age of Majority

Beginning at least one year before the student reaches age 18, a statement is set forth in the IEP that the student has been informed of her/his rights under IDEA Part B (i.e., those included in the procedural safeguards document) and that rights will transfer to the student upon reaching age 18.

Agreement to Change an IEP without Convening a PPT Meeting [ED 634]

In making changes to a child's IEP after the annual PPT meeting for a school year, our District and the parent of a child with a disability may agree not to convene a PPT meeting to make those changes through the use of Form ED 634 (see appendix to this chapter). In that situation, the IEP may be amended (without redrafting the entire IEP) by attaching to Form ED 634 pages 1 and 2 of the IEP, as revised, the Prior Written Notice page and those pages of the IEP that will be different as a result of the changes made, and attaching these pages to the *front* of the original IEP. Other members of the PPT shall be informed of the changes made to the IEP. Upon request, the parent will be provided with a revised copy of the IEP with the amendments incorporated.