Placement of Special Education Students (Out-of-District)

In accordance with Connecticut law, when proper placement in local schools is not possible, the Bethany Public School District (District) will provide financial support and transportation for students with disabilities to attend approved out-of-district special education programs.

Placement of students with disabilities in out-of-district special education programs that, according to state and/or federal law, require financial support from the District will be based upon the student's individualized education plans (IEP). The specific placement will be recommended by the Planning and Placement Team (PPT) in consultation with the Director of Special Services, parent(s)/guardian(s), and District and/or non-District diagnosticians.

The Superintendent or designee shall provide the Board of Education (Board) with a monthly report on the number of students placed outside the District.

Private Providers of Special Education

A "private provider of special education services" means any private school or private agency or institution, including a group home, that receives any state or local funds as a result of providing special education services to any student with an IEP or for whom an individual services plan has been written by the District responsible for educating such student.

The District, if it has entered into an agreement or contract pursuant to Connecticut General Statutes § 10-76d or § 10-91j, as amended, with a provider of special education services, shall submit to an audit conducted by the Auditors of Public Accounts for the purposes of examining the District's monitoring of student attendance at such provider of special education services to ensure that proper services are being provided and costs are controlled. The District will provide access to all records and accounts necessary to said auditors for purposes of conducting the audit.

Any agreement entered into or amended pursuant to Connecticut General Statutes § 10-76d, as amended, between the District and a private provider of special education services shall include an explanation of how the tuition or costs for services provided under the agreement or contract are to be calculated. Any such agreement or contract may include the following provisions:

1. a requirement that such private provider of special education services submit monthly or quarterly reports to the District regarding the specific services and frequency of such services being provided by such private provider of special education services to students under the agreement or contract, and
2. authorization for the District to:
    a. review and reconcile such reports to the contracted services described in the agreement or contract, or
    b. conduct periodic site visits at the location where such private provider of special education services provides services.

The District shall not be eligible for reimbursement pursuant to Connecticut General Statutes § 10-76g for any costs of special education paid by the District to a private provider of special education services unless the District has entered into a written contract with the private provider of special education services for the provision of special education services. The IEP of a child shall not be considered a contract between the District and a private provider of special education services. Nothing in this section of the policy shall be construed to limit or interpret the provision of special education and related services to a child by a Board of Education or private provider of special education services.

Legal References: Connecticut General Statutes § 10-76a
Connecticut General Statutes § 10-76b
Connecticut General Statutes § 10-76c
Connecticut General Statutes § 10-76d, as amended
Connecticut General Statutes § 10-76e
Connecticut General Statutes § 10-76f
Connecticut General Statutes § 10-76g
Connecticut General Statutes §§ 10-76d-1 to 10-76d-19
Connecticut General Statutes §§ 10-76h-1 to 10-76h-2
Connecticut General Statutes § 10-76l-1
Connecticut General Statutes § 10-91j
Connecticut General Statutes § 10-145a-24 to 10-145a-31
Connecticut General Statutes § 10-264l
34 C.F.R. 3000
42 U.S.C. § 12101, et seq.
20 U.S.C. § 1400 et seq.
29 U.S.C. § 794
Public Law 108-446

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