

WATERBURY PUBLIC SCHOOLS

Meeting Agenda

Group/Team:	BOE Policy & Legislation Committee			
Location:	Date of Meeting:	Start Time:	Finish Time:	
Virtual Meeting via ZOOM 1-646-876-9923 Meeting ID: 928 8459 4733	Thursday September 24, 2020	5:30 p.m.		

Team Norms:

1. All meetings will start on time
2. All issues will be approached with a positive attitude
3. A specific agenda will be set for all meetings
4. All teams members will agree to stay on specific agenda topics
5. Decisions regarding future directions will be based upon actual data

Purpose of Meeting – Instructional Focus:

Agenda Items – (Items should reflect next steps from previous meeting.)

[illegible]



REPORTING OF CHILD ABUSE, NEGLECT AND SEXUAL ASSAULT: AN UPDATE

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UPDATE MAILING NO. 3

APRIL 17, 2020

In December of 2019, the Department of Children and Families (DCF) put in place new procedures pertaining to mandated reporters. DCF Policy 22-1-3 was revised to clarify that school district mandated reporters could now report electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a "non-emergent" situation without risk that they will be subject to a failure-to-report finding.

Public Act 18-67, "An Act Concerning Minor Revisions to the Statutes of the Department of Children and Families and Establishing a Pilot Program to Permit Electronic Reporting by Mandated Reporters" made several changes in laws related to DCF. The legislation allowed DCF to establish a pilot program to permit certain mandated reporters to submit reports of suspected child abuse and neglect electronically, and beginning on October 1, 2019, allows all mandated reporters and other individuals to file such reports electronically (§§4-7, 12).

Specifically, existing law prior to this legislation, required mandated reporters of child abuse or neglect to submit their initial report orally by telephone or in person to the DCF Commissioner or law enforcement within 12 hours of suspecting child abuse or neglect, and to submit a written report within 48 hours of submitting an oral report. The Act permitted DCF to establish, within existing appropriations, a pilot program to allow certain mandated reporters of child abuse and neglect to submit reports electronically, in a manner the Commissioner prescribes. Any such program had to begin on or after July 1, 2018, and end by September 30, 2019. The Act gives the DCF Commissioner the

discretion to choose which categories of mandated reporters may participate in the pilot program.

Beginning October 1, 2019, the Act allows all mandated reporters of child abuse and neglect to file their reports electronically in a manner the Commissioner prescribes. All electronic reports must include the same information currently required for oral and written reports. A reporter who electronically files an initial report must respond to further inquiries DCF makes



within 24 hours of receiving the report. In addition to required reporting, existing law allows mandated reporters acting outside of their professional capacity, or anyone else with reasonable cause to suspect child abuse or neglect, to make oral or written reports to DCF or law enforcement. Starting October 1, 2019, the act allows such reports to also be made electronically, in a manner the Commissioner prescribes.

DCF did implement the pilot program in 2019. Attorneys Natalia Sieira-Millan and Thomas B. Mooney reported in Shipman & Goodwin's publication of *School Law-Emerging School Law Issues*, "Online reporting was not used extensively through this pilot program, however, because school mandated reporters were cautioned that a decision to report an 'emergent' situation online could be considered a failure to report, subjecting the reporter to the risk of penalties, which could even include criminal prosecution."



REPORTING OF CHILD ABUSE, NEGLECT AND SEXUAL ASSAULT: AN UPDATE

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The online reporting program is no longer a pilot. Therefore, school employees may file reports online. DCF revised its policy 22-1-3, "Mandated Reporter's Failure to Report," to provide "On-line reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. A "non-emergent" situation is one in which a report is mandated but the child is not in immediate risk. Moreover, it will not be considered a failure to report if an online report is made and it is later determined that the report concerned an emergent situation. The reporter may be referred for further training regarding the appropriate use of online reporting."

In addition to the above change, DCF created two new special units dedicated exclusively to investigating allegations of abuse or neglect against school employees. Five social workers are assigned to each of these new units. This reorganization is expected to provide more state-wide uniformity in dealing with issues in the school setting.

Policy Implications

Policy #5141.4, "Reporting of Child Abuse, Neglect and Sexual Assault," pertains to this topic. These actions by DCF were viewed as an appropriate opportunity to update CAFE's existing model sample policies. The updated models follow. This is a mandated policy for inclusion in a district's policy manual. There are many Appendices to these policies which did not require updating and are available upon request.



CURRENT

Students

5141.4(a)

Reporting of Child Abuse, Neglect and Sexual Assault

Connecticut General Statutes Section 17a-101, et seq., requires all school employees of the Board of Education to report suspected child abuse and neglect. The Board of Education recognizes its legal obligations relating to mandated reporting and requires all persons applying for employment with the Board to submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired.

Mandated reporters include the superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, school paraprofessionals, coaches of intramural and interscholastic athletics, nurses, physicians, psychologists, social workers, and licensed behavior analysts either employed by the Board or working in one of the District Schools or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District Schools.

Such individual(s) who have reasonable cause to suspect or believe that a child under eighteen (18) years of age has been abused or neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, inflicted upon the child, is placed at imminent risk of serious harm or sexually assaulted by a school employee is required to report such abuse and/or neglect or risk and/or sexual assault in accordance with applicable state statutes. The mandated reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

A mandated reporter's suspicion may be based on factors including, but not limited to, observations, allegations, facts or statements by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

An oral report by telephone or in person shall be made as soon as possible but not later than twelve (12) hours to the Commissioner of the Department of Children and Families and to the Superintendent of Schools or his/her designee followed within 48 hours by a written report to the Department of Children and Families.

Any person who intentionally and unreasonably interferes with or prevents the making of a report pursuant to this section, or attempts or conspires to do so will be subject to criminal prosecution under law. State law also prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect.

The oral and written reports shall include, if known, (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to or maltreatment or neglect of the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect of a child and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist child.

Reporting of Child Abuse, Neglect and Sexual Assault

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation provided such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated report's written or oral report of abuse or neglect or if the Commissioner of the Department of Children and Families has reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, the Department of Children and Families is required to notify the school employee and the Superintendent and the Commissioner of Education of the investigation's results and shall provide records, whether or not created by the Department, concerning such investigation.

If the Department of Children and Families has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board shall provide to employees in-service training regarding the requirements and obligations of mandated reporters including training offered by the Department of Children and Families. Each school employee is required to complete an initial training program offered by DCF and, not later than three (3) years after completion of the initial training program, shall thereafter, retake such refresher training course at least once every three years.

This policy shall be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

The principal for each school under the District's jurisdiction shall annually certify to the superintendent that each school employee working at such school is in compliance with the requirements of the Department of Children and Families training.

The Board will establish a confidential rapid response team to coordinate with the Department of Children and Families to (1) ensure prompt reporting of suspected child abuse or neglect or 1st, 2nd, 3rd or 4th degree sexual assault, 1st degree aggravated sexual assault or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to the Department of Children and Families' investigation of such cases. The confidential response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer and (3) any other person the Board or the Superintendent deems appropriate.

Reporting of Child Abuse, Neglect and Sexual Assault

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on the Department of Children and Families' investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd or 4th degree sexual assault; 1st degree aggravated sexual assault or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education

The Board will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies whether or not an allegation of abuse, neglect or sexual assault has been substantiated.

Legal Reference: Connecticut General Statutes

- 10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)
- 10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)
- 10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)
- 17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)
- 17a-101 Protection of children from abuse. Reports required of certain professional persons. When child may be removed from surroundings without court order. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)
- 17a-101a Report of abuse or neglect by mandated reporters. (as amended by PA 02-106, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)
- 17a-102 Report of danger of abuse. (as amended by PA 02-106)
- 17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.
- 10-151 Teacher Tenure Act.
- P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.
- P.A. 15-205 An Act Protecting School Children.
- P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.

A sample of this mandated policy to consider.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (Version #1)

The Board of Education (Board) recognizes its legal and ethical obligations in the reporting of suspected child abuse, neglect and sexual assault. Any person applying for employment with the Board shall submit to a record check of the Department of Children and Families Child Abuse and Neglect Registry before the person may be hired. Mandated reporters include all school employees, specifically Superintendent, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, coaches of intramural and interscholastic athletics, as well as licensed nurses, physicians, psychologists and social workers and licensed behavior analysts either employed by the Board or working in one of the District schools, or any other person who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools. Such individual(s) who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee is required to report such abuse, neglect or risk and/or sexual assault.

A mandated reporter's suspicions may be based on factors including, but not limited to, observations, allegations, facts by a child, victim or third party. Suspicion or belief does not require certainty or probable cause.

Alternate Language: In furtherance of CGS 17a-101 et. seq., and its purpose, it is the policy of the Board of Education to require ALL EMPLOYEES of the Board of Education to report suspected abuse and/or neglect, or imminent risk of serious harm, in accordance with the procedures set forth in this policy.

Furthermore, the Board of Education requires all personnel who have reasonable cause to suspect or believe that a child, under the age of eighteen (18), except in the case of sexual assault by a school employee, has been abused, neglected, has had non-accidental physical injury, or injury which is at variance with the history given of such injury, is placed in imminent danger of serious harm or has been sexually abused by a school employee to report such cases in accordance with the law, Board policy and administrative regulations. The mandatory reporting requirement regarding the sexual assault of a student by a school employee applies based on the person's status as a student, rather than his or her age.

A mandated reporter shall make an oral report, by telephone or in person, to the Commissioner of Children and Families or a law enforcement agency as soon as possible, but not later than twelve (12) hours after the mandated reporter has reasonable cause to suspect ~~the~~ or believe that a child has been abused, ~~or~~ neglected or placed in imminent risk of serious harm. In addition, the mandated reporter shall inform the building principal or his/her designee that he/she will be making such a report. Not later than forty-eight hours of making the oral report, the mandated reporter shall file a written or electronic report with the Commissioner of Children and Families or his/her designee. (The Department of Children and Families has established a 24-hour Child Abuse and Neglect Hotline, "Careline" at 1-800-842-2288 for the purpose of making such oral reports.)

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

A mandated reporter may make the required oral report electronically in the manner prescribed by the Commissioner of Children and Families. An employee making an electronic report shall respond to further inquiries from the Commissioner of Children and Families or designee made within twenty-four hours. Such employee shall inform the Superintendent or his/her designee as soon as possible as to the nature of the further communication with the Commissioner or designee.

Online reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. A non-emergent situation is one in which a report is mandated but the child is not in immediate risk. *(Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a "non-emergent" situation, can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)*

The oral and written reports shall include, if known: (1) the names and addresses of the child and his/her parents/guardians or other persons responsible for his/her care; (2) the child's age; (3) the child's gender; (4) the nature and extent of the child's injury or injuries, maltreatment or neglect; (5) the approximate date and time the injury or injuries, maltreatment or neglect occurred; (6) information concerning any previous injury or injuries to, or maltreatment or neglect of, the child or his/her siblings; (7) the circumstances in which the injury or injuries, maltreatment or neglect came to be known to the reporter; (8) the name of the person(s) suspected to be responsible for causing such injury or injuries, maltreatment or neglect; (9) the reasons such person or persons are suspected of causing such injury or injuries, maltreatment or neglect; (10) any information concerning any prior cases in which such person or persons have been suspected of causing an injury, maltreatment or neglect of a child; and (11) whatever action, if any, was taken to treat, provide shelter or otherwise assist the child. (For purposes of this section pertaining to the required reporting, a child includes any victim under eighteen years of age educated in a technical high school or District school. Any person who intentionally and unreasonably interferes with or prevents the making of the required report or attempts to conspire to do so shall be guilty of a class D felony, unless such individual is under eighteen years of age or educated in the technical high school system or in a District school, other than part of an adult education program.)

If the report of abuse, neglect or sexual assault involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or by a law enforcement agency.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

The Board recognizes that the Department of Children and Families is required to disclose records to the Superintendent of Schools in response to a mandated reporter's written or oral report of abuse or neglect or if the Commissioner of Children and Families has reasonable belief that a school employee abused or neglected a student. Not later than five (5) working days after an investigation of child abuse or neglect by a school employee has been completed, DCF is required to notify the school employee and the Superintendent and the Commissioner of Education of the investigation's results. If DCF has reasonable cause, and recommends the employee be placed on DCF's Child Abuse and Neglect Registry, the Superintendent shall suspend such employee.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations, shall provide to each employee in-service training regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. Each school employee is required to complete a refresher training program, not later than three years after completion of the initial training program and shall thereafter retake such refresher training course at least once every three years.

The Principal of each school in the district shall annually certify to the Superintendent that each school employee working at such school has completed the required initial training and the refresher training.

State law prohibits retaliation against a mandated reporter for fulfilling his/her obligations to report suspected child abuse or neglect. The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

(This paragraph is optional) It is mandated that policy and procedure development include three major components: Education, Intervention and Evaluation. The Education component requires that school personnel be provided with ongoing education (staff development) related to the recognition and reporting of suspected child abuse, neglect and sexual assault. Intervention requires that "at risk" students be identified and that suspected child abuse, neglect and sexual assault be reported. Evaluation is essential in order to determine whether policy and procedures are effective and appropriately updated to incorporate changes in knowledge, personnel, student and family needs, community resources and law. Such evaluation should take place annually, or more frequently as needed.

In accordance with the mandates of the law and consistent with its philosophy, the Board in establishing this policy directs the Superintendent of Schools to develop and formalize the necessary rules and regulations to comply fully with the intent of the law.

Students

Reporting of Child Abuse, Neglect, and Sexual Assault (continued)

This policy will be distributed annually to all employees. Documentation shall be maintained that all employees have, in fact, received the written policy and completed the required initial and refresher training related to mandated reporting of child abuse and neglect as required by law.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

Hiring Prohibitions

The Board of Education will not employ anyone who was terminated or resigned after a suspension based on DCF's investigation, if he or she has been convicted of (1) child abuse or neglect or (2) 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student who is not enrolled in adult education.

The Board of Education will not employ an individual who was terminated or resigned, if he or she (1) failed to report the suspicion of such crimes when required to do so or (2) intentionally and unreasonably interfered with or prevented a mandated reporter from carrying out this obligation or conspired or attempted to do so. This applies regardless of whether an allegation of abuse, neglect, or sexual assault has been substantiated.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. ~~Reports required of certain professional persons. When child may be removed from surroundings without court order.~~ Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse, neglect by ~~mandated reporters~~ or injury of child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of Chief State's Attorney. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15 and PA 18-17)

17a-101b Report by mandated reporters. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when a staff member suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports.

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to Office of the Chief State's Attorney. Penalty.

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

Legal Reference: Connecticut General Statutes (continued)

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of child. Investigation. Notice, entry of recommended finding. Referral to local law enforcement authority. Home visit. Removal of child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

17a-101i Abuse or neglect by school employees or staff member of public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

17a-102 Report of danger of abuse. (as amended by PA 02-106)

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act.

DCF Policy 22-1-3 Mandated Reporter's Failure to Report.

~~P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.~~

~~P.A. 15-205 An Act Protecting School Children.~~

~~P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.~~

Policy adopted:

rev 7/18

rev 6/18

rev 5/19

rev 4/20

Another version of this mandated policy to consider.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (Version #2)

The Board of Education recognizes that a student's mental and physical health will have an effect on the student's ability to obtain the most benefit from attending school. In order to increase the student's ability to learn while in school, the Board of Education realizes the importance of identifying students who may be suffering from abuse, neglect, placed in imminent danger of serious harm or sexually assaulted by a school employee. Pursuant to Connecticut General Statutes 17a-101, as amended, all school employees, including the Superintendent of Schools, administrators, teachers, substitute teachers, guidance counselors, school counselors, paraprofessionals, psychologists and social workers, coaches of intramural or interscholastic athletics, as well as school nurses, physicians, working in the school system, or any other person, including licensed behavior analysts who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in District schools, who suspects child abuse, neglect or sexual assault by a school employee must first report it to the Department of Children and Families or to a law enforcement agency. When a school employee suspects child abuse, neglect or that a child has been placed in imminent risk of serious harm or has been sexually assaulted, he/she shall ~~within twelve (12) hours~~ not later than twelve (12) hours after the mandated reporter has reasonable cause to suspect or believe that a child has been abused, neglected, or placed in imminent risk of serious harm, make an oral report by telephone or in person to the Commissioner of Children and Families or his/her designee, or a law enforcement agency, followed within 48 hours with a written report. The Building Principal shall be notified immediately after the oral report has been made and the Principal in turn will notify the Superintendent of Schools and the child's parents. The written report prepared and submitted by the mandated reporter shall also be submitted to the Principal.

Online reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. A non-emergent situation is one in which a report is mandated but the child is not in immediate risk. *(Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a "non-emergent" situation, can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)*

Any school personnel who has reasonable cause to suspect that a district employee is abusing, neglecting, or sexually assaulting a student shall orally report that suspicion as soon as possible but no later than twelve (12) hours by telephone or in person to the Commissioner of Children and Families or his/her designee followed no later than 48 hours of making the oral report with a written report to the Department of Children and Families. The Superintendent of Schools or supervising agent may be notified immediately after the oral report has been made. The Commissioner of Children and Families or his/her designee, is required to notify the school employee and the head of a school, except when that person is the alleged perpetrator. The Superintendent or supervising agent must: 1) immediately notify parent(s) of the alleged abuse that a report has been made; and 2) immediately notify the Police Department of the alleged abuse.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

In addition, the Superintendent or supervising agent must submit a written report of suspected child abuse, neglect or sexual abuse by a school employee who has been entrusted with the care of a child to the Commissioner of Education or his/her representative. The Commissioner of the Department of Children and Families has a similar obligation. The Superintendent shall suspend a District employee when the DCF investigation results in a finding of reasonable cause that the employee abused, neglected, or sexually assaulted a child and recommends the employee be placed on the DCF Child Abuse and Neglect Registry. The Department of Children and Families is required to send to the State Department of Education a copy of the report. Within seventy-two (72) hours after such suspension the Superintendent shall notify the Board of Education and the Commissioner of Education or his/her representative of the reasons for and conditions of the suspension.

If the contract of employment of a school employee who possesses a certificate, permit or authorization issued by the State Board of Education is terminated, or if such certified school employee resigns his/her employment, as a result of an investigation which reveals that child abuse, neglect or sexual assault has occurred, the Superintendent shall notify the Commissioner of Education within 72 hours of such termination or resignation.

If the report of abuse or neglect involves an employee of the District as the perpetrator, the District may conduct its own investigation into the allegation, provided that such investigation shall not interfere with or impede any investigation conducted by the Department of Children and Families or of law enforcement agencies.

The Superintendent shall maintain records of allegations, investigations and reports that a child has been abused or neglected by a school employee. Such records will be maintained in the District's Central Office. The records shall include any reports made to the Department of Children and Families. Such Department is to have access to all such records.

The Board, recognizing its responsibilities to protect children and in compliance with its statutory obligations shall provide in-service regarding the requirements and obligations of mandated reporters. District employees shall also participate in training offered by the Department of Children and Families. In addition, all District employees shall complete a training program pertaining to the accurate and prompt reporting of abuse, neglect and sexual assault made available by the Commissioner of Children and Families. Also, all employees must complete a refresher program at least once every three years.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Students

Reporting of Child Abuse, Neglect and Sexual Assault (continued)

This policy will be distributed annually to all employees. Documentation shall be maintained by the Principal of each school and reported to the Superintendent that all employees have, in fact, received the written policy and completed initial training and refresher training related to mandated reporting of child abuse, neglect and sexual assault as required by law.

The Board shall not retaliate against any mandated reporter for his/her compliance with the law and Board policy pertaining to the reporting of suspected child abuse and neglect.

Establishment of the Confidential Rapid Response Team

The Board of Education shall establish a confidential rapid response team to coordinate with DCF to (1) ensure prompt reporting of suspected child abuse or neglect; or 1st, 2nd, 3rd, or 4th degree sexual assault; 1st degree aggravated sexual assault; or 3rd degree sexual assault with a firearm of a student not enrolled in adult education by a school employee and (2) provide immediate access to information and individuals relevant to DCF's investigation of such cases.

The confidential rapid response team shall consist of (1) a local teacher and the Superintendent, (2) a local police officer, and (3) any other person the Board of Education deems appropriate.

DCF, along with a multidisciplinary team, is required to take immediate action to investigate and address each report of child abuse, neglect or sexual abuse in any school.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

Legal Reference: Connecticut General Statutes (continued)

17a-101 Protection of children from abuse. ~~Reports required of certain professional persons. When child may be removed from surroundings without court order.~~ Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse, neglect by ~~mandated reporters~~ or injury of child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of Chief State's Attorney. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15 and PA 18-17)

17a-101b Report by mandated reporters. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when a staff member suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to Office of the Chief State's Attorney. Penalty.

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of child. Investigation. Notice, entry of recommended finding. Referral to local law enforcement authority. Home visit. Removal of child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

17a-101i Abuse or neglect by school employees or staff member of public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

Students

Reporting of Child Abuse, Neglect, and Sexual Assault

Legal Reference: Connecticut General Statutes (continued)

~~17a-102 Report of danger of abuse. (as amended by PA 02-106)~~

17a-106 Cooperation in relation to prevention, identification and treatment of child abuse/neglect.

10-151 Teacher Tenure Act.

DCF Policy 22-1-3 Mandated Reporter's Failure to Report.

~~P.A. 11-93 An Act Concerning the Response of School Districts and the Departments of Education and Children and Families to Reports of Child Abuse and Neglect and the Identification of Foster Children in a School District.~~

~~P.A. 15-205 An Act Protecting School Children.~~

~~P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.~~

Policy adopted:

rev 11/15

rev 6/16

rev 7/18

rev 4/20

A succinct version of this mandated policy, leaving all detail for placement in an administrative regulation.

Students

Reporting Child Abuse, Neglect and Sexual Assault (Version #3)

Connecticut General Statutes §17a-101, as periodically amended, and 15-205 requires all school employees including the Superintendent of Schools, school teachers, substitute teachers, administrators, school guidance counselors, school counselors, school paraprofessionals, licensed nurses, physicians, psychologists, social workers, behavior analysts, coaches of intramural or interscholastic athletics, or any other person, who in the performance of his/her duties, has regular contact with students and who provides services to District students, who have reasonable cause to suspect or believe that a child has been abused, neglected, placed in imminent risk of serious harm, or sexually assaulted by a school employee to report such abuse, neglect and sexual assault in compliance with applicable state statutes.

An oral report by telephone or in person shall be made as soon as possible but ~~no~~ not later than 12 hours to the Commissioner of Children and Families or a law enforcement agency, and to the Superintendent of Schools or his/her designee followed ~~within~~ not later than 48 hours by a written report to the ~~Department~~ Commissioner of Children and Families or his/her designee.

The Department of Children and Families (DCF) has a 24-hour Child Abuse and Neglect Hotline, "Careline" at 1-800-842-2288, for the purpose of making such oral reports.

The Board of Education will post the telephone number of the Department of Children and Families' child abuse hotline, Careline, and the Internet web address that provides information about the Careline in each District school in a conspicuous location frequented by students. Such posting shall be in various languages most appropriate for the students enrolled in the school.

Online reports may be made to the Careline by mandated reporters if the report is of a non-emergent nature. A non-emergent situation is one in which a report is mandated but the child is not in immediate risk. *(Note: Mandated reporters reporting electronically when they reasonably suspect that a child has been abused, neglected or placed at risk of imminent harm in a "non-emergent" situation, can do so without risk that they will be subject to a failure to report finding and subsequent penalties.)*

Reporting suspected abuse and/or neglect of children or sexual assault, in addition to the requirements pertaining to staff training, record keeping and dissemination of this policy, shall be in accordance with the procedures established and set forth in the Administrative Regulation 5151.4.

(cf. 4112.6/4212.6 – Personnel Records)

(cf. 5145.511 – Sexual Abuse Prevention and Education Program)

Students

Reporting Child Abuse, Neglect and Sexual Assault

Legal Reference: Connecticut General Statutes

10-220a Inservice training. Professional development committees. Institutes for educators. Cooperating teacher program, regulations (as amended by PA 11-93)

10-221d Criminal history records check of school personnel. Fingerprinting. Termination or dismissal (as amended by PA 11-93)

10-221s Investigations of child abuse and neglect. Disciplinary action. (as amended by PA 16-188)

17a-28 Definitions. Confidentiality of and access to records; exceptions. Procedure for aggrieved persons. Regulations (as amended by PA 11-93 and PA 14-186)

17a-101 Protection of children from abuse. ~~Reports required of certain professional persons. When child may be removed from surroundings without court order.~~ Mandated reporters. Educational and training program. Model mandated reporting policy. (as amended by PA 96-246, PA 00-220, PA 02-106, PA 03-168, PA 09-242, PA 11-93, PA 15-205, PA 18-15 and PA 18-17)

17a-101a Report of abuse, neglect by ~~mandated reporters~~ or injury of child or imminent risk of serious harm to the child. Penalty for failure to report. Notification of Chief State's Attorney. (as amended by PA 02-106, PA 11-93, and PA 15-205, PA 18-15 and PA 18-17)

17a-101b Report by mandated reporters. Notification of law enforcement agency when allegation of sexual abuse or serious physical abuse. Notification of person in charge of institution, facility or school when a staff member suspected of abuse or neglect.

17a-101c Written or electronic report by mandated reporter.

17a-101d Contents of reports.

17a-101e Employer prohibited from discriminating or retaliating against employee who makes a good faith report or testifies re child abuse or neglect. Immunity from civil or criminal liability. False report of child abuse. Referral to Office of the Chief State's Attorney. Penalty.

Students

Reporting Child Abuse, Neglect and Sexual Assault

Legal Reference: Connecticut General Statutes

17a-101g Classification and evaluation of reports. Determination of abuse or neglect of child. Investigation. Notice, entry of recommended finding. Referral to local law enforcement authority. Home visit. Removal of child in imminent risk of harm. Family assessment response program. Development of service plans and plans of care. Monitoring. Disclosure of information to community providers. Annual report.

17a-101i Abuse or neglect by school employees or staff member of public or private institution or facility providing care for children. Notice. Adoption of policy. Employee training program.

17a-101o School employee failure or delay in reporting child abuse or neglect. Policy re delayed report by mandated reporters.

~~17a-102 Report of danger of abuse. (as amended by PA 02-106)~~

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10-151 Teacher Tenure Act.

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~~P.A. 14-186 An Act Concerning the Department of Children and Families and the Protection of Children.~~

Policy adopted:

rev 6/16

rev 7/18

rev 4/20

Individualized Education Program/Special Education Program

Any child, whether a student of the school district, of pre-school age, or between the ages of three and the student's 21st year-years-of-age, inclusive, but not attending district schools, who is identified as being in need of a special program shall be referred to a "special education planning and placement team" (PPT) which shall make an evaluative study to determine whether the child is a child with a disability as defined in state and federal statutes and if special education is required and to establish the scope of the special education program.

A parent/guardian of a child, the State Department of Education, other state agencies available to District may initiate a request for an initial evaluation to determine if the child is a child with a disability. Initial evaluations using a variety of assessment tools and measures to gather relevant functional, developmental, and academic information, must be completed within the 60-calendar-days-of-the-state required number of days of receipt of written parental consent, for the initial evaluation; or implement the student's IEP within 45 school days of a referral, (not counting the time necessary to obtain written parental consent to conduct the initial evaluation or to begin providing special education). The 45 school day requirement begins after the District receives a completed and signed PPT referral form or letter requesting a referral to the PPT process or per a timeline determined by the State. Exceptions to this timeframe include children moving between school districts and parental refusal to make a child available for evaluation, as provided by law. Assessments for disabled children who are transfer students shall be coordinated between the sending or receiving district in an expeditious manner.

The timeline for implementation of an IEP must occur within 60 school days of the PPT referral in those situations in which a student's IEP requires an out-of-district or private placement (not including the time it takes to obtain written parental consent).

The District will provide parents/guardians with State Department of Education information and resources relating to IEPs as soon as a child is identified as requiring special education.

Planning and Placement Team or Individualized Education Program Team

The term "individualized education program team" or "IEP Team" means a group of individuals composed of –

- (i) the parents/guardians of a child with a disability;
- (ii) not less than one regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- (iii) not less than one special education teacher, or where appropriate, not less than one special education provider of such child;
- (iv) a representative of the local educational agency who -
 - (I) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - (II) is knowledgeable about the general education curriculum; and

Individualized Education Program/Special Education Program, continued

- (III) is knowledgeable about the availability of resources of the local educational agency.
- (v) an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in clauses (ii) through (vi);
- (vi) at the discretion of the parent/guardian or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
- (vii) the school paraprofessional, if any, assigned to such child, and
- (viii) whenever appropriate, the child with a disability.

NOTE: An IEP Team member is not required to attend all or part of an IEP meeting if the parents/guardians and District agree that the team member's participation is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. If the meeting does involve a modification or discussion of the member's area of the curriculum or related services, parents/guardians and the District can agree to excuse the member from attending all or part of the meeting if the member submits written input to the parent/guardian and the IEP Team prior to the meeting. Parental consent in writing is required in either case.

In addition to the above, the special education specialist, school psychologist, school nurse, school social worker, counselor, or other student service worker who has conducted an assessment of the student shall participate whenever the results or recommendations based on such assessment are significant to the development of the student's individualized education program and placement. Where the student is limited or non-English speaking, a district representative who is fluent in the student's primary language and who is knowledgeable about the process of second-language acquisition and competent in the assessment of limited English and non-English speaking individuals should be included.

The parent/guardian or surrogate parent shall be given at least five (5) school days' prior notice of any PPT meeting and shall have the right to be present and participate in all portions of such meetings at which an educational program for their child is developed, reviewed or revised. In addition, parents/guardians or surrogate parents have the right to be present at and participate in all portions of the PPT meeting at which an educational program for their child is developed, reviewed or revised. In addition, the parent/guardian/surrogate shall have advisors and the child's assigned paraprofessional, if any, be present at and participate in all portions of the PPT meeting in which the child's educational program is developed, reviewed or revised.

The District shall offer to meet with the student's parents/guardians, upon the request of the parents/guardians, after the student has been assessed for possible placement in special education and before the Planning and Placement Team (PPT) meets. The sole purpose of such meeting is to discuss the PPT process and any concerns the parent/guardian has about the student. The meeting will involve a member of the PPT designated by the District before the referral PPT

Individualized Education Program/Special Education Program, continued

meeting at which the student's assessments and evaluations will be discussed for the first time. This applies to students under evaluation for possible placement in special education.

Upon request of a parent/guardian, the District will provide the results of the assessments and evaluations used in the determination of eligibility for special education of a student at least three (3) school days before the referral PPT meeting at which such results of the assessment and evaluations will be discussed for the first time.

Parents/Guardians and the District may agree to conduct IEP meetings, and other meetings, through alternative means, such as including but not limited to, videoconferences or conference calls.

(a) **General.** The IEP for each child must include -

- (1) An accurate statement of the child's present levels of academic achievement and functional performance based upon parental provider information, current classroom-based, local, state assessments and classroom-based observations, including -
 - (i) How the child's disability affects the child's involvement and progress in the general education curriculum; or
 - (ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
- (2) A statement of measurable annual academic and functional goals that aim to improve educational results and functional performance for each child with a disability, related to -
 - (i) Meeting the child's needs that result from the child's disability to enable the child to be involved in and progress in the general education curriculum;
 - (ii) Meeting each of the child's other educational needs that result from the child's disability; and
 - (iii) Providing a meaningful opportunity for the child to meet challenging objectives.

Alternate Assessments

- (iii) A statement of "benchmarks or short-term objectives" is required only with respect to students with disabilities who take alternate assessments aligned with alternate achievement standards.

If a child will participate in alternate assessments based on either general or alternate achievement standards, the IEP must explain why the child cannot

Individualized Education Program/Special Education Program, continued

participate in the regular assessment and why the alternate assessment selected is appropriate for the child.

The IEP/PPT Team may only recommend appropriate accommodation or use of alternate assessment, but may not exempt students with disabilities from the state assessment.

- (3) A statement of the special education and related services and supplementary aids and services to be provided to the child, or on behalf of the child and a statement of the program modifications or supports for school personnel that will be provided for the child -
 - (i) To advance appropriately toward attaining the annual goals;
 - (ii) To be involved and progress in the general curriculum in accordance with paragraph (a)(1) of this section and to participate in extracurricular and other nonacademic activities; and
 - (iii) To be educated and participate with other children with disabilities and non-disabled children in the activities described in this paragraph;
- (4) A school must offer an IEP that is "reasonable calculated to enable a child to make progress appropriate in light of the child's circumstances." The child's educational program must be appropriately ambitious in light of his/her circumstances and every child should have the chance to meet challenging objectives. The IEP Team, in determining whether an IEP is reasonably calculated to enable a child to make progress should consider the child's:
 - Previous rate or academic growth,
 - Progress towards achieving or exceeding grade-level proficiency,
 - Behaviors, if any, interfering with the child's progress, and
 - Parent's/Guardian's input and any additional information provided by such parents.
- (5) An explanation of the extent, if any, to which the child will not participate with non-disabled children in the regular class and in the activities described in paragraph (a) (3) of this section;
- (6) A statement of any individual modifications in the administration of State or district-wide assessments of student achievement that are needed in order for the child to participate in the assessment; and

Individualized Education Program/Special Education Program, continued

- (7) The projected date for the beginning of the services and modifications described in paragraph (a)(3) of this section, and the anticipated frequency, location, and duration of those services and modifications; and
 - (8) A statement of -
 - (i) How the child's progress toward the annual goals described in paragraph (a)(2) of this section will be measured; and
 - (ii) How the child's parents/guardians will be regularly informed (through such means as periodic report cards), at least as often as parents/guardians are informed of their non-disabled children's progress, of -
 - (A) Their child's progress toward the annual goals; and
 - (B) The extent to which that progress is sufficient to enable the child to achieve the goals by the end of the year
 - (9) Reevaluation of a student's progress may not occur more than once a year unless agreed to by the parents/guardians and the District. Reevaluation must occur at least once every three years unless the parent/guardian and District agree that it is unnecessary.
- (b) **Transition services.**
- (1) The IEP must include -
 - (i) For each student beginning not later than the first IEP to be in effect when the child is sixteen, and younger if appropriate, and updated annually, thereafter, appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
 - (ii) For each student beginning not later than the first IEP to be in effect when the child is sixteen, (or younger, if determined appropriate by the IEP Team), a statement of needed transition services for the student, including courses of study, needed to assist the child in reaching these goals:
 - (iii) For each student, who is at least fourteen years of age, and diagnosed with autism spectrum disorder, beginning not later than the date on which the first IEP takes effect, a statement of transition service needs which shall include appropriate transition assessments related to training, education, employment and where appropriate, independent living skills. In addition, the statement of transition needs shall include the transition services, including courses of study, needed to assist a child in reaching those goals. Such IEP shall be updated annually.

Individualized Education Program/Special Education Program, continued

- (iv) For a student no longer eligible for services due to graduation from high school with a regular diploma or for a student who exceeds the age of eligibility under State law, a summary of the student's academic achievement and functional performance including recommendations on how to assist the student in meeting his/her postsecondary goals.
- (2) If the IEP team determines that services are not needed in one or more of the areas specified in §300.27(c)(1) through (c)(4), the IEP must include a statement to that effect and the basis upon which the determination was made.
- (c) ***Transfer of rights.*** Beginning not later than one year before a student reaches the age of majority under State law, the student's IEP must include a statement that the student has been informed of his or her rights under this title if any, that will transfer to the student on reaching the age of majority, consistent with §615(m)
- (d) ***Students with disabilities convicted as adults and incarcerated in adult prisons.*** Special rules concerning the content of IEP's for students with disabilities convicted as adults and incarcerated in adult prisons are contained §612(a)(5)A.
- (e) ***Students with disabilities identified as deaf or hearing impaired.*** For a child identified as deaf or hearing impaired, the PPT shall develop an IEP which includes a language and communication plan which shall address;
 - (i) the child's primary language or mode of communication;
 - (ii) opportunities for direct communication between the child and his/her peers and professional personnel in the primary child's language or mode of communication;
 - (iii) educational options available to the child;
 - (iv) the qualifications of teachers and other professional personnel administering the plan for the child, including their proficiency in the child's primary language or mode of communication;
 - (v) the accessibility of academic instruction, school services and extracurricular activities to the child;
 - (vi) Assistive devices and services for the child;
 - (vii) Communication and physical environment accommodations for the child; and
 - (viii) An emergency communications plan that includes procedures for alerting the child of an emergency situation and ensuring that the specific needs of the child are met during the emergency situation. Such plan is to be developed for a student identified as deaf, hard of hearing, or both blind or visually impaired and deaf.

Individualized Education Program/Special Education Program, continued**Transfers**

When an individual has been on an IEP in another school district, the PPT shall make an evaluative study of the student and develop an IEP for the student as though the student were newly referred, but the PPT may use the previous IEP (if available) in developing the new one. If the transfer involves districts within Connecticut, the District will provide services "comparable to those described in the previously held IEP," until the District adopts the previously held IEP or develops, adopts, and implements a new IEP. If the student has transferred from another state, the District will provide services "comparable to those described in the previously held IEP," until the District conducts an evaluation, if deemed necessary, and if appropriate, develops a new IEP. If a student who is on an IEP transfers from this district to another, or to a private school, the written IEP and any additional records relating to the student's program and achievement shall be forwarded to the receiving school on the request of the receiving school and the individual's parent or guardian.

Independent Educational Assessment

If an independent educational assessment is necessary, it shall be conducted by a Connecticut credentialed or licensed professional examiner who is not employed by and does not routinely provide assessment for the State Department of Education or this District.

Legal Reference:

Connecticut General Statutes:

10-76a Definitions

10-76b State supervision of special education programs and services. Regulations. (as amended by PA 12-173)

10-76d Duties and powers of Boards of Education to provide special education programs and services. (as amended by June Special Session PA 15-5, Section 277 and PA 19-49)

10-76ff Procedures for determining if a child requires special education

10-76g State aid for special education.

10-76h Special education hearing and review procedure.

PA 12-173 An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education

10-76jj Language and communication plan as part of individualized education program for child identified as deaf or hard of hearing (as amended by PA 19-184)

SDE Guidance Addressing Timeline for Initial Evaluations, Dec. 21, 2018

State Board of Education Regulations:

34 C.F.R. 300 et seq. Assistance to States for Education of Handicapped Children.

300.14 Special education definitions.

300.340-349 Individualized education programs.

300.503 Independent educational assessment.

300.533 Placement procedures.

300.550-556 Least restrictive environment.

P.L. 108-446 The Individuals with Disabilities Education Improvement Act of 2004