



WOODBIDGE SCHOOL DISTRICT

40 Beecher Road – South
Woodbridge, Connecticut 06525

Jonathan S. Budd, Ph.D. – Superintendent

MEMORANDUM

TO: Woodbridge Board of Education

FROM: Jonathan S. Budd, Ph.D., Superintendent

DATE: May 16, 2022

RE: May 17 Regular Meeting:
Consent Agenda: Accept Policies for 30-Day Review:
6171.1, "Special Education"

Based on this week's meeting of the Policy Committee, please find attached a proposed revision of Policy 6171.1 based on updated guidance from the Connecticut Association of Boards of Education (CABE); the proposed changes are represented in red.

Instruction

Special Education

As required under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA), the Woodbridge Board of Education shall provide a free appropriate public education and necessary related services to all children with disabilities residing within the District.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require services pursuant to the IDEA.

For students eligible for services under IDEA, the District shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in state and federal statutes which govern special education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s)/surrogate parent to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardians(s), and representation by counsel, and a review procedure.

In fulfilling its legal duties and responsibilities for providing special education programs for its students, the District may be assisted through Regional Service Center and through cooperative associations with other school districts. If necessary, students may also be placed in private school education facilities as provided in state and federal statutes.

Legal Reference: Connecticut General Statutes

10-76a Definitions.

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

10-76c Receipt and use of money and personal property.

10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 0048, PA 06-18 and June Special Session PA 15-5, Section 277)

10-76e School construction grant for cooperative regional special education facilities.

10-76f Definition of terms used in formula for state aid for special education.

10-76g State aid for special education.

10-76h Special education hearing and review procedure. Mediation of disputes.

10-76i Advisory council for special education.

10-76j Five-year plan for special education.

10-76k Development of experimental educational programs.

10-76m Auditing claims for special education assistance.

10-76a-1 et seq. Definitions

10-76d-1 through 10-76d-19 Conditions of instruction

10-76h-1 through 10-76h-2 Due process

10-76l-1 Program Evaluation

10-145a-24 through 10-145a-31 Special Education (re teacher certification)

10-2641 Grants for the operation of interdistrict magnet school programs

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Education Act, 20 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.
Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794
P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act
20 U.S.C. §6368 (3) The No Child Left Behind Act
Bd of Ed of the City School District of the City of New York v. Tom F. 128S.Ct. 1, 76 U.S.L.W.
3197 (2008)
Rowley v. Board of Education, 485 U.S.-176 (1982)
Andrew F. v. Douglas County School District RE-1, 15-827 U.S. (2017)
A.M. v. N.Y. City Department of Education, 845F.3d 523, 541 (2d Cir.1997)
Mrs. B., v. Milford Board of Education 103 F. 3d 1114, 1121 (2d Cir. 1997)
A.R. v. Connecticut State Board of Education, 3:16-CV-01197 (CSH D. Conn. June 10, 2020)

Instruction

Special Education

The Board of Education recognizes its legal duties and responsibilities for providing special education programs for the students of this school district in accordance with State and Federal laws and regulations.

The Superintendent is directed to develop a comprehensive plan of compliance with all of the requirements of federal and state law for the education of students with exceptional needs for whom the school district has legal responsibility.

While addressing student needs appropriately, special education shall reflect district's financial ability, necessary for provision of special facilities, trained and certificated

Legal Reference: Connecticut General Statutes

~~10-76a~~ Definitions. (as amended by PA 00-48 and PA 06-18)

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

~~10-76c~~ Receipt and use of money and personal property.

~~10-76d~~ Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 00-48 and PA 06-18)

~~10-76e~~ School construction grant for cooperative regional special education facilities.

~~10-76f~~ Definition of terms used in formula for state aid for special education.

~~10-76ff~~ Procedures for determining if a child requires special education (as amended by PA 06-18)

~~10-76g~~ State aid for special education.

~~10-76h~~ Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)

~~10-76i~~ Advisory council for special education.

~~10-76j~~ Five year plan for special education.

~~10-76k~~ Development of experimental educational programs.

PA 06-18 An Act Concerning Special Education

State Board of Education Regulations.

~~10-76m~~ Auditing claims for special education assistance.

~~10-76a-1~~ et seq. Definitions. (as amended by PA 00-48)

~~10-76b-1~~ through ~~10-76b-4~~ Supervision and administration.

~~10-76d-1~~ through ~~10-76d-19~~ Conditions of instruction.

~~10-76h-1~~ through ~~10-76h-2~~ Due process.

~~10-76l-1~~ Program Evaluation.

~~10-145a-24~~ through ~~10-145a-31~~ Special Education (re teacher certification).

~~10-264l~~ Grants for the operation of interdistrict magnet school programs.

P.A. 12-173, An Act Concerning Individualized Education Programs and Other Issues Relating to Special Education

34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.

American with Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.

~~Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.~~

~~P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act~~

~~20 U.S.C. §6368(3) The No Child Left Behind Act~~

~~Bd of Ed of the City School District of the City of New York v. Tom F. 128S.Ct. 1, 76 U.S.L.W. 3197 (2008)~~

Policy adopted: May 20, 2014

~~WOODBIDGE PUBLIC SCHOOLS~~

~~Woodbridge, Connecticut~~