

FOR IMMEDIATE PUBLICATION

The Annual State Application for Federal Fiscal Year 2009 under Part B of the Individuals with Disabilities Education Act as amended in 2004 is available for public inspection on the State Department of Education's website at www.sde.ct.gov/sde. Print copies are available at the Regional Education Service Centers: ACES, 350 State Street, North Haven, CREC, 111 Charter Oak Avenue, Hartford, CES, 40 Lindeman Drive, Trumbull, EASTCONN, 376 Hartford Turnpike, Hampton, Education Connection, 355 Goshen Road, Litchfield and LEARN, 44 Hatchetts Hill Road, Old Lyme; and, at the Connecticut Parent Advocacy Center, 338 Main Street, Niantic and the State Education Resource Center Library, 25 Industrial Park Road, Middletown.

The application contains assurances the State is in compliance with the IDEA Reauthorization of 2004 in order to remain eligible for federal financial assistance. The application also contains a description of the use of federal funds that the State receives from the Part B grant for administrative activities. The use of federal funds description utilizes the federal fiscal year 2008 appropriation. When the final budget figures are in, the State will revise the description of the use of federal funds accordingly.

The public inspection period is 60 days starting March 9, 2009. The public comment period is 30 days from March 27, 2009, running until April 27, 2009. Written comments may be directed to Attorney Theresa C. DeFrancis, Bureau of Special Education, State Department of Education, P.O. Box 2219, Hartford, CT 06145. Any questions regarding the State Application may be directed to Attorney DeFrancis at (860) 713-6933.

OMB NO. 1820-0030
Expires: 08/31/2009

**ANNUAL STATE APPLICATION UNDER PART B OF THE
INDIVIDUALS WITH DISABILITIES EDUCATION ACT AS AMENDED IN 2004
FOR FEDERAL FISCAL YEAR 2009**

CFDA No. 84.027A and 84.173A

ED FORM No. 9055

**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION PROGRAMS
Washington, DC 20202-2600**

Section I

A. Submission Statement for Part B of IDEA

Please select 1 or 2 below. Check 3 if appropriate.

1. The State provides assurances that it has in effect policies and procedures to meet all eligibility requirements of Part B of the Act as found in PL 108-446, the Individuals with Disabilities Education Act and applicable regulations (IDEA). The State is able to meet all assurances found in Section II.A of this Application.
2. The State cannot provide assurances for all eligibility requirements of Part B of the Act as found in PL 108-446. The State has determined that it is unable to make the assurances that are checked as 'No' in Section II.A. However, the State assures that throughout the period of this grant award the State will operate consistent with all requirements of IDEA in PL 108-446 and applicable regulations. The State will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2010. The State has included the date by which it expects to complete necessary changes associated with assurances marked 'No'. (Refer to Assurances found in Section II.A.)

Optional:

3. The State is submitting modifications to State policies and procedures previously submitted to the Department. These modifications are: (1) deemed necessary by the State, for example when the State revises applicable State law or regulations; (2) required by the Secretary because there is a new interpretation of the Act or regulations by a Federal court or the State's highest court; and/or (3) because of an official finding of noncompliance with Federal law or regulations.

B. Conditional Approval for Current Grant Year

If the State received conditional approval for the current grant year, check the appropriate statement(s) below:

1. Conditional Approval Related to Assurances in Section II.A:

- a. Section II.A provides documentation of completion of all issues identified in the FFY 2008 conditional approval letter.
- b. As noted in Section II.A, the State has not completed all issues identified in the FFY 2008 conditional approval letter.

2. Conditional Approval Related to Other Issues:

- a. The State previously submitted documentation of completion of all issues identified in the FFY 2008 conditional approval letter.
- b. The State is attaching documentation of completion of all issues identified in the FFY 2008 conditional approval letter. *(Attach documentation showing completion of all issues.)*
- c. The State has not completed all issues identified in the FFY 2008 conditional approval letter. *(Attach documentation showing completion of any issues and a list of items not yet completed.)*

Section II

A. Assurances Related to Policies and Procedures

The State makes the following assurances that it has policies and procedures in place as required by Part B of the Individuals with Disabilities Education Act. (20 U.S.C. 1411-1419; 34 CFR §§300.100-300.174)

<i>Check and enter date(s) as applicable</i>		Assurances Related to Policies and Procedures
Yes (Assurance is given.)	No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)	
√		1. A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, including children with disabilities who have been suspended or expelled, in accordance with 20 U.S.C. 1412(a)(1); 34 CFR §§300.101-300.108.
√		2. The State has established a goal of providing a full educational opportunity to all children with disabilities and a detailed timetable for accomplishing that goal. (20 U.S.C. 1412(a)(2); 34 CFR §§300.109-300.110)
√		3. All children with disabilities residing in the State, including children with disabilities who are homeless or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services in accordance with 20 U.S.C. 1412(a)(3); 34 CFR §300.111.
√		4. An individualized education program, or an individualized family service plan that meets the requirements of section 636(d), is developed, reviewed, and revised for each child with a disability in accordance with 34 CFR §§300.320 through 300.325. (20 U.S.C. 1412(a)(4); 34 CFR §300.112)
√		5. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with 20 U.S.C. 1412(a)(5)(A)-(B); 34 CFR §§300.114-300.120.

<i>Check and enter date(s) as applicable</i>		Assurances Related to Policies and Procedures
Yes (Assurance is given.)	No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)	
	√ 7/1/09	6. Children with disabilities and their parents are afforded the procedural safeguards required by 34 CFR §§300.500 through 300.536 and in accordance with 20 U.S.C. 1412(a)(6); 34 CFR §300.121.
√		7. Children with disabilities are evaluated in accordance with 34 CFR §§300.300 through 300.311. (20 U.S.C. 1412(a)(7); 34 CFR §300.122)
√		8. Agencies in the State comply with 34 CFR §§ 300.610 through 300.626 (relating to the confidentiality of records and information). (20 U.S.C. 1412(a)(8); 34 CFR §300.123)
√		9. Children participating in early intervention programs assisted under Part C, and who will participate in preschool programs assisted under this part, experience a smooth and effective transition to those preschool programs in a manner consistent with section 637(a)(9). By the third birthday of such a child, an individualized education program or, if consistent with 34 CFR §300.323(b) and section 636(d), an individualized family service plan, has been developed and is being implemented for the child. The local educational agency will participate in transition planning conferences arranged by the designated lead agency under section 635(a)(10). (20 U.S.C. 1412(a)(9); 34 CFR §300.124)
√		10. To the extent consistent with the number and location of children with disabilities in the State who are enrolled by their parents in private elementary schools and secondary schools in the school district served by a local educational agency, provision is made for the participation of those children in the program assisted or carried out under this part by providing for such children special education and related services in accordance with the requirements found in 34 CFR §§300.130 through 300.148 unless the Secretary has arranged for services to those children under subsection (f) [By pass]. (20 U.S.C. 1412(a)(10); 34 CFR §§300.129-300.148)
√		11. The State educational agency is responsible for ensuring that the requirements of Part B are met according to 34 CFR §300.149 and that the State monitors and enforces the requirements of Part B in accordance with 34 CFR §§300.600-300.602 and 300.606-300.608. (20 U.S.C. 1412(a)(11); 34 CFR §300.149)

<i>Check and enter date(s) as applicable</i>		Assurances Related to Policies and Procedures
Yes (Assurance is given.)	No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)	
√		12. The Chief Executive Officer of a State or designee of the officer shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in subparagraph (b) of 34 CFR §300.154 and the State educational agency, in order to ensure that all services described in paragraph (b)(i) that are needed to ensure a free appropriate public education are provided, including the provision of such services during the pendency of any dispute under clause (iii). Such agreement or mechanism shall meet the requirements found in 20 U.S.C. 1412(a)(12)(A)-(C); 34 CFR §300.154.
√		13. The State educational agency will not make a final determination that a local educational agency is not eligible for assistance under this part without first affording that agency reasonable notice and an opportunity for a hearing. (20 U.S.C. 1412(a)(13); 34 CFR §300.155)
√		14. The State educational agency has established and maintains qualifications to ensure that personnel necessary to carry out this part are appropriately and adequately prepared and trained, including that those personnel have the content knowledge and skills to serve children with disabilities as noted in 20 U.S.C. 1412(a)(14)(A)-(E); 34 CFR §300.156.
√		15. The State has established goals for the performance of children with disabilities in the State that meet the requirements found in 20 U.S.C. 1412(a)(15)(A)-(C); 34 CFR §300.157.
√		16. All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs as noted in 20 U.S.C. 1412(a)(16)(A)-(E); 34 CFR §300.160.
√		17. Funds paid to a State under this part will be expended in accordance with all the provisions of Part B including 20 U.S.C. 1412(a)(17)(A)-(C); 34 CFR §300.162.
		18. The State will not reduce the amount of State financial support for special

<i>Check and enter date(s) as applicable</i>		Assurances Related to Policies and Procedures
Yes (Assurance is given.)	No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)	
√		education and related services for children with disabilities, or otherwise made available because of the excess costs of educating those children, below the amount of that support for the preceding fiscal year in accordance with 20 U.S.C. 1412(a)(18)(A)-(D); 34 CFR §300.163.
√		19. Prior to the adoption of any policies and procedures needed to comply with this section (including any amendments to such policies and procedures), the State ensures that there are public hearings, adequate notice of the hearings, and an opportunity for comment available to the general public, including individuals with disabilities and parents of children with disabilities. (20 U.S.C. 1412(a)(19); 34 CFR §300.165)
√		20. In complying with 34 CFR §§300.162 and 300.163, a State may not use funds paid to it under this part to satisfy State-law mandated funding obligations to local educational agencies, including funding based on student attendance or enrollment, or inflation. (20 U.S.C. 1412(a)(20); 34 CFR §300.166)
√		21. The State has established and maintains an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State as found in 20 U.S.C. 1412(a)(21)(A)-(D); 34 CFR §§300.167-300.169.
√		22. The State educational agency examines data, including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities in accordance with 20 U.S.C. 1412(a)(22)(A)-(B); 34 CFR §300.170.
√		23a. The State adopts the National Instructional Materials Accessibility Standard for the purposes of providing instructional materials to blind persons or other persons with print disabilities, in a timely manner after the publication of the National Instructional Materials Accessibility Standard in the Federal Register in accordance with 20 U.S.C. 1412(a)(23)(A) and (D); 34 CFR §300.172.
		23b. <i>(Note: Check either "23b.1" or "23b.2" whichever applies.</i>
√		23b.1 The State educational agency coordinates with the National Instructional Materials Access Center and not later than 12/03/06 the SEA as part of

<i>Check and enter date(s) as applicable</i>		Assurances Related to Policies and Procedures
Yes (Assurance is given.)	No (Assurance cannot be given. Provide date on which State will complete changes in order to provide assurance.)	
		<p>any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials enters into a written contract with the publisher of the print instructional materials to:</p> <ul style="list-style-type: none"> • require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Access Center, electronic files containing the contents of the print instructional materials using the National Instructional Materials Accessibility Standard; or • purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (20 U.S.C. 1412(a)(23)(C); 34 CFR §300.172)
		<p>23b.2 The State Educational Agency has chosen not to coordinate with the National Instructional Materials Access Center but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner. (20 U.S.C. 1412(a)(23)(B); 34 CFR §300.172)</p>
√		<p>24. The State has in effect, consistent with the purposes of the IDEA and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 34 CFR §300.8. (20 U.S.C 1412(a)(24); 34 CFR §300.173)</p>
√		<p>25. The State educational agency shall prohibit State and local educational agency personnel from requiring a child to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 812(c)) as a condition of attending school, receiving an evaluation under 34 CFR §§300.300 through 300.311, or receiving services under the IDEA as described in 20 U.S.C. 1412(a)(25)(A)-(B); 34 CFR §300.174.</p>

B. Other Assurances

The State also makes the following assurances:

Yes	Other Assurances
YES	1. The State shall distribute any funds the State does not reserve under 20 U.S.C. 1411(e) to local educational agencies (including public charter schools that operate as local educational agencies) in the State that have established their eligibility under section 613 for use in accordance with this part as provided for in 20 U.S.C. 1411(f)(1)-(3); 34 CFR §300.705.
YES	2. The State shall provide data to the Secretary on any information that may be required by the Secretary. (20 U.S.C. 1418(a)(3); 34 CFR §§300.640-300.645.)
YES	3. The State, local educational agencies, and educational service agencies shall use fiscal control and fund accounting procedures that insure proper disbursement of and accounting for Federal funds. (34 CFR §76.702)
YES	4. As applicable, the assurance in OMB Standard Form 424B (Assurances for Non-Construction Programs), relating to legal authority to apply for assistance; access to records; conflict of interest; merit systems; nondiscrimination; Hatch Act provisions; labor standards; flood insurance; environmental standards; wild and scenic river systems; historic preservation; protection of human subjects; animal welfare; lead-based paint; Single Audit Act; and general agreement to comply with all Federal laws, executive orders and regulations.

C. Certifications

The State Educational Agency is providing the following certifications:

Yes	
YES	1. The State certifies that ED Form 80-0013, <i>Certification Regarding Lobbying</i> , is on file with the Secretary of Education. With respect to the <i>Certification Regarding Lobbying</i> , the State recertifies that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making or renewal of Federal grants under this program; that the State shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," when required (34 CFR Part 82, Appendix B); and that the State Agency shall require the full certification, as set forth in 34 CFR Part 82, Appendix A, in the award documents for all sub awards at all tiers.
YES	2. The State certifies that certifications in the Education Department General Administrative Regulations (EDGAR) at 34 CFR §80.11 relating to State eligibility, authority and approval to submit and carry out the provisions of its State application, and consistency of that application with State law are in place within the State.
YES	3. The State certifies that the arrangements to establish responsibility for services pursuant to 20 U.S.C. 1412(a)(12)(A); 34 CFR §300.154 are current. This certification must be received prior to the expenditure of any funds reserved by the State under 20 U.S.C. 1411(e)(1); 34 CFR §300.171.

D. Statement

I certify that the State of CONNECTICUT can make the assurances checked as 'yes' in Section II.A and II.B and the certifications required in Section II.C of this application. These provisions meet the requirements of the Part B of the Individuals with Disabilities Education Act as found in PL 108-446. The State will operate its Part B program in accordance with all of the required assurances and certifications.

If any assurances have been checked 'no', I certify that the State will operate throughout the period of this grant award consistent with the requirements of the IDEA as found in PL 108-446 and any applicable regulations, and will make such changes to existing policies and procedures as are necessary to bring those policies and procedures into compliance with the requirements of the IDEA, as amended, as soon as possible, and not later than June 30, 2010. (34 CFR §76.104)

I, the undersigned authorized official of the

CONNECTICUT STATE DEPARTMENT OF EDUCATION,
(Name of State and official name of State agency)

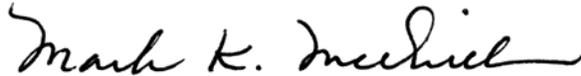
am designated by the Governor of this State to submit this application for FFY 2009 funds under Part B of the Individuals with Disabilities Education Act (IDEA).

Printed/Typed Name and Title of Authorized Representative of the State:

Mark K. McQuillan

Commissioner of Education

Signature:



Date:

3/6/09

Section III

Description of Use of Funds Under Part B of the Individuals with Disabilities Education Act - 20 U.S.C. 1411(e)(5); 34 CFR §300.171

States must provide the Description of Use of Funds by completing and submitting the Excel Interactive Spreadsheet with the 2009 Application.

Describe how the amount retained by the State educational agency under 20 U.S.C. 1411(e)(1) will be used to meet the following activities under Part B. (20 U.S.C. 1411(e)(1)-(3), (6) and (7)) The Department annually identifies for States the maximum amounts that a State may retain under Section 1411(e)(1) and (2).¹ The dollar amounts **listed in the Excel Interactive Spreadsheet** by the State for administration and for other State activities should add up to less or equal to the dollar amount provided to the State by the Department for each of these activities.

Enter whole dollar amounts (do not enter cents) in appropriate cells on the State's Excel Interactive Worksheet. The Excel Interactive Spreadsheet must be submitted as part of the State's application.

Describe the process used to get input from LEAs regarding the distribution of amounts among activities described in the Excel Interactive Spreadsheet to meet State priorities. (20 U.S.C. 1411(e)(5)(B); 34 CFR §300.704)

The SEA routinely obtains feedback from stakeholders throughout the State, including LEAs, as part of its on-going system of technical assistance through the State Education Resource Center (SERC). Through written and other forms of needs assessment, priority areas are identified. In addition, as part of the Department's focused monitoring efforts with LEAs, specific areas of need are identified. Finally, Connecticut's Council for the Comprehensive System of Personnel Development, which includes a number of LEA representatives, also provides input regarding priorities for the State.

¹ Each State may reserve for each fiscal year not more than the maximum amount the State was eligible to reserve for State administration under this section for fiscal year 2004 or \$800,000 (adjusted in accordance with 20 U.S.C. 1411(e)(1)(B)), whichever is greater; and each outlying area may reserve for each fiscal year not more than 5 percent of the amount the outlying area receives under 20 U.S.C. 1411(b)(1) for the fiscal year or \$35,000, whichever is greater.

For each fiscal year beginning with fiscal year 2005, the Secretary shall cumulatively adjust: 1) the maximum amount the State was eligible to reserve for State administration under this part for fiscal year 2004; and 2) \$800,000, by the rate of inflation as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index For All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

PROBABLE AWARD AMOUNT

\$126,363,618

ADMINISTRATION

Maximum Available for Administration.

Sec. III

\$2,659,343

How much do you want to set aside for Administration in dollars?

OK

You must distribute, in whole dollars, the amount you want to set aside for Administration among the following activities:

For the purpose of administering IDEA Part B including Preschool Grants under 20 U.S.C. 1419, a High Cost Fund, and the coordination of activities under Part B with, and providing technical assistance to, other programs that provide services to children with disabilities. (Note: These funds may be used for Administering but not Financing a High Cost Fund)

a.

For the administration of Part C of IDEA, if the SEA is the Lead Agency for the State under Part C.

b.

You may set aside a portion of your Administration funds resulting from inflation for the following 4 Other State-Level Activities. Additional funds for these purposes may also be set aside under Other State-Level Activities. Based on the amount that you propose to set aside for Administration, the maximum amount of Administration funds that you may use for these 4 activities is:

\$1,859,343

For support and direct services, including technical assistance, personnel preparation, and professional development and training.

c.

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

d.

To assist local educational agencies in meeting personnel shortages.

e.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

f.

Subtotal, Administration funds used for Other State-Level Activities

\$0

OK

If you receive a Preschool Grant under 20 U.S.C. 1419, you may use Administration funds, along with other funds, to develop and implement a State policy jointly with the lead agency under Part C and the SEA to provide early intervention services (which must include an educational component that promotes school readiness and incorporates preliteracy, language, and numeracy skills) in accordance with Part C to children with disabilities who are eligible for services under the Preschool Grant program and who previously received services under Part C until such children enter, or are eligible under State law to enter, kindergarten, or elementary school as appropriate.

g.

The total of details for your Administration set-aside is

\$2,659,343 OK

OTHER STATE-LEVEL ACTIVITIES

If you propose to set aside more than \$850,000 for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$12,855,747

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside more than \$850,000 for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$11,570,172

If you propose to set aside \$850,000 or less for Administration and you DO wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$13,498,534

Of the amount you set aside for Other State-Level Activities at least 10% must be used for the High Cost Fund.

If you propose to set aside \$850,000 or less for Administration and you DO NOT wish to use funds for a High Cost Fund, the maximum amount that you may use for Other State-Level Activities is:

\$12,212,960

Do you wish to use funds for a High Cost Fund? (Yes or No)

Based on the amount that you intend to set aside for Administration, the size of your total award, and your decision **NOT TO** use set aside funds to support a High Cost Fund, the maximum that you may use for Other State-Level Activities is:

\$11,570,172

How much do you want to set aside for Other State-Level Activities?

OK

You must distribute the amount you want to set aside for Other State-Level Activities the following activities. You can distribute amounts in any order you wish. The total balance remaining to be distributed at any time appears in red.

Leave Blank

Required Activities:

\$0 More needs to be distributed.

For monitoring, enforcement, and complaint investigation. (You must use at least \$1 for this purpose)

h.

To establish and implement the mediation process required by 20 U.S.C. 1415(e), including providing for the cost of mediators and support personnel. (You must use at least \$1 for this purpose)

i.

\$0 More needs to be distributed.

Optional Authorized Activities:

\$0 More needs to be distributed.

For support and direct services, including technical assistance, personnel preparation, and professional development and training

j.

To assist local educational agencies in providing positive behavioral interventions and supports and appropriate mental health services for children with disabilities.

k.

\$0 More needs to be distributed.

To assist local educational agencies in meeting personnel shortages.

l.

\$0 More needs to be distributed.

To support capacity building activities and improve the delivery of services by local educational agencies to improve results for children with disabilities.

m.

\$0 More needs to be distributed.

To support paperwork reduction activities, including expanding the use of

\$0 More needs to be distributed.

technology in the IEP process. n.

To improve the use of technology in the classroom by children with disabilities to enhance learning. o.

\$0 More needs to be distributed.

To support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities. p.

\$0 More needs to be distributed.

Development and implementation of transition programs, including coordination of services with agencies involved in supporting the transition of children with disabilities to postsecondary activities. q.

\$0 More needs to be distributed.

Alternative programming for children with disabilities who have been expelled from school, and services for children with disabilities in correctional facilities, children enrolled in State-operated or State-supported schools, and children with disabilities in charter schools. r.

\$0 More needs to be distributed.

To support the development and provision of appropriate accommodations for children with disabilities, or the development and provision of alternate assessments that are valid and reliable for assessing the performance of children with disabilities, in accordance with Sections 1111(b) and 6111 of the Elementary and Secondary Education Act of 1965. s.

\$0 More needs to be distributed.

To provide technical assistance to schools and LEAs, and direct services, including supplemental educational services as defined in Section 1116(e) of the Elementary and Secondary Education Act of 1965 to children with disabilities, in schools or local educational agencies identified for improvement under Section 1116 of the Elementary and Secondary Education Act of 1965 on the sole basis of the assessment results of the disaggregated subgroup of children with disabilities, including providing professional development to special and regular education teachers, who teach children with disabilities, based on scientifically based research to improve educational instruction, in order to improve academic achievement to meet or exceed the objectives established by the State under Section 1111(b)(2)(G) of the Elementary and Secondary Education Act of 1965. t.

\$0 More needs to be distributed.

The total of details for your Other State-Level Activities set-aside is

\$11,570,172 OK

You are almost done.

If you are using money for a High Cost Fund. You must report how much you will use for each of the following two activities. You reported that you would use

To establish and make disbursements from the high cost fund to local educational agencies in accordance with 20 U.S.C. 1411(e)(3) during the first and succeeding fiscal years of the high cost fund. u.

To support innovative and effective ways of cost sharing by the State, by an LEA, or among a consortium of LEAs, as determined by the State in coordination with representatives from LEAs, subject to 20 U.S.C. 1411(e)(3)(B)(ii) (Amount may not be more than 5% of the amount reserved for the LEA Risk Pool.) v.

Establishment of High Cost Fund (20 U.S.C. 1411(e)(3)(B)(i) - A State shall not use any of the funds the State reserves pursuant to 20 U.S.C. 1411(e)(3)(A)(i), but may use the funds the State reserves under 20 U.S.C. 1411(e)(1), to establish and support the high cost fund.

Subtotal, High Cost Fund

\$0

OK

Section IV

State Administration

Section 608(a) of the IDEA requires each State that receives funds under this title to:

- (1) ensure that any State rules, regulations, and policies relating to this title conform to the purposes of this title;
- (2) identify in writing to local educational agencies located in the State and the Secretary any such rule, regulation, or policy as a State-imposed requirement that is not required by this title and Federal regulations; and
- (3) minimize the number of rules, regulations, and policies to which the local educational agencies and schools located in the State are subject under this title.

States must attach to this application a list identifying any rule, regulation, or policy that is State-imposed (not required by IDEA or Federal regulations). If there are no such State-imposed rules, regulations, or policies, please so indicate. In addition, the State is required to inform local education agencies in writing of such State-imposed rules, regulation or policy. (20 U.S.C. 1407(a); 34 CFR §300.199)

The following is a list identifying any rule, regulation or policy that is State-imposed (not required by IDEA or federal regulations). District are advised of these requirements through the State Policy and Procedure Manual, IEP Form and Manual, annual notifications of changes to state statutes, notice of regulatory changes and updates provided to Districts by the Bureau of Special Education or Circular Letters issued by the Commissioner.

Additions since the last grant application submission are *italicized*.

State Statutes
As of January 1, 2009

Section 10-76a	Definition of children requiring special education includes gifted and talented children
Section 10-76b(a)	Requires the State Board of Education to adopt regulations concerning the use of physical restraints and seclusion for children requiring special education
Section 10-76d(a)(8)	Requires notification to parents at each initial planning and placement team meeting of the state laws relating to the use of physical restraints and seclusion with children requiring special education
Section 10-76d(a) (2)-(6) and (9)	Determining Medicaid eligibility for the receipt of Medicaid grants
Section 10-76d(b)	LEA's may make agreements with any private school, agency or institution to provide necessary preschool education programs
Section 10-76d(d)	In order for LEA's to receive state reimbursement for LEA initiated private placements, the private school, agency or institution must be approved for special education by the Commissioner of Education; placement priorities may be ignored if the private school placement is less expensive than the public school placement, as long as the program is appropriate

Section 10-76d(e) (2) and (5)	State agency placements of children eligible for special education: apportionment of educational and residential costs; grants to LEAs; responsibility of placing agency
Section 10-76d(e)(3)	Grants for LEAs who educate eligible children who reside on state-owned or leased property
Section 10-76d(e)(4)	Department of Mental Health and Addiction Services (DMHAS) must provide regular and special education to eligible residents in facilities operated by DMHAS
Section 10-76d(f)	Out-of-state placements
Section 10-76d(g)(2)	State Board of Education (SBE) to approve out-of-state placements annually if such placement continues beyond three years
Section 10-76e	School construction grants for cooperative regional special education facilities
Section 10-76f	Definition of terms used in formula for state aid for special education
Section 10-76g	State aid for special education
Section 10-76h(a)(2)	The LEA must request a due process hearing in the event the parent refuses or revokes consent for placement in a private facility, provided placement in the private facility is not the initial receipt of special education services
Section 10-76h(c)(1)	State Department of Education (SDE) to provide training for special education hearing officers
Section 10-76h(c)(2)	Both parties to a hearing must participate in a prehearing conference
Section 10-76h(d)(1)	The hearing officer may include in the final decision and order a comment on the conduct of the proceedings
Section 10-76h(d)(2)	Enforcement authority of the SDE with respect to hearing decisions
Section 10-76h(d)(3)	If ordered by the hearing officer, the LEA may conduct an initial evaluation or reevaluation or place a child in a private facility (if not the initial receipt of special education services) without the consent of the parent
Section 10-76h(d)(4)	The SBE must provide, free of charge, transcripts in the event the hearing decision is appealed
Section 10-76d(e)	Payment of reasonable expenses for hearing officers
Section 10-76i	Advisory Council for Special Education: includes members not stipulated in IDEA
Section 10-76dd	Special education supervisory personnel: provides reimbursement to LEAs for supervisory personnel
Section 10-76ee	Administrative representative at PPT meeting need not be the principal of the school
Section 10-76ff	In determining eligibility for special education, the LEA may not find the child eligible if such determination is based solely on evidence that the child's behavior

violates the school's disciplinary policies or evidence that is derived from the contents of the disciplinary records

Section 10-94f Surrogate parent program; surrogate parents may be appointed for children exited from special education but receiving services pursuant to a Section 504 plan

State Regulations
As of January 1, 2009

Section 10-76a-1 Definition of child requiring special education includes gifted and talented
Definition of planning and placement team
Definition of special education personnel

10-76a-2 Definition of extraordinary learning ability, gifted and talented, outstanding talent in the creative arts and pregnancy

*10-76b-5
to 10-76b-11 Use of physical restraint and seclusion in public schools (Not final)*

10-76d-2 Personnel; ratios for supervisory personnel (effectively repealed by the provisions of Section 10-76dd of the general statutes)

10-76d-7 Referral; referrals from a physician, clinic or social worker permitted provided the parent allows it; standard referral form to be provided; interventions in regular education shall be explored before a referral to special education is made; children who are suspended repeatedly or whose behavior, attendance or progress in school is considered unsatisfactory or at a marginal level of acceptance must be referred

Section 10-76d-8 Consent: if the parents fail to respond to a request for consent where consent is required, the LEA shall construe that as refusal of consent

Section 10-76d-11 IEP components; short term instructional objectives

Section 10-76d-13 Timelines: if a referral is made during the academic year, the IEP must be implemented within 45 school days of referral, exclusive of the time necessary for parental consent; if the PPT recommends and out-of-district or private placement, the IEP shall be implemented within 60 school days of the date of referral, exclusive of the time necessary for parental consent; a full copy of the IEP shall be provided to parents within five school days after the PPT meeting;

Section 10-76d-14(b) Trial placement for diagnostic purposes: a PPT may use a trial placement for diagnostic purposes: a structured program of no more than 8 weeks duration, with written goals and objectives and the PPT shall meet at least once every two weeks to review the placement; five days before the end of the diagnostic placement, the PPT reconvenes to write the child's IEP based on the findings made during the placement

Section 10-76d-15 Homebound and hospitalized instruction: required to be provided when a child will be absent from school for medical reasons for at least three weeks; conditions to be met include provision of doctor's note indicating length of absence from school and anticipated date of return; instruction to begin no later

than two weeks from the first date of absence; children in K-6 receive at least 5 hours of instruction a week; 7-12, at least 10 hours

- Section 10-76d-17 Approval standards for private facilities
- Section 10-76d-18 Education records; access rights include the right to one free copy of the record; right to copy of the record limited by copyright laws, but not right to review and inspect record if it meets the definition of education record found in FERPA
- Section 10-76d-19 Transportation; travel time not to exceed one hour each way, unless approved by the SBE; in-service training of operators of vehicles required; all vehicles shall meet DMV requirements; transportation aides as are appropriate; if LEA requests parent transports a child, parent shall be reimbursed
- Section 10-76h-6 Advisory opinion process; dispute resolution alternative to mediation and full hearing
- Section 10-76h-7 Prehearing conference to clarify issues in dispute, establish hearing dates, review the possibility of settlement, organize the submission of exhibits, identify witnesses and address other administrative matters as are appropriate; scheduling may be over consecutive days; identification of length of case; hearing officer has sole discretion to determine length of hearing; specific extension of the 45-day timeline at the request of a party to the hearing, except for expedited hearings
- Section 10-76h-8 Motion practice: motion to recuse, dismiss, consolidate, clarify the findings or decision of the hearing officer and other motions as may be appropriate
- Section 10-76h-9 Postponements and extensions: explicit requirements for requesting, conditions under which hearing officer may grant or deny request
- Section 10776h-11 Hearing rights: allows out-of-state attorneys to appear in special education due process hearings with a sponsoring Connecticut attorney
- Section 10-76d-12 Exhibits, documents presented at the hearing, witnesses: presentation and appearance of exhibits and documents described
- Section 10-76d-13 Conduct of hearings: authority of the hearing office to manage hearings, including exclusion of disruptive parties or other participant; securing interpreters for the hearing
- Section 10-76d-14 Burden of proof is in all cases on the LEA; party who filed for the case has the burden of going forward with the evidence; hearing officer authority to bifurcate hearing re: unilateral placement
- Section 10-76d-15 Evidence; introduction of and management by hearing officer; hearing officer has subpoena powers over witnesses; hearing officer may take administrative notice of facts, may receive stipulations from the parties and may additional evidence
- Section 10-76h-18 Default or dismissal of hearing requests