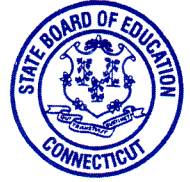


STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



TO: Directors of Special Education and Pupil Personnel Services

FROM: Charlene Russell-Tucker, Chief Operating Officer
Office of Student Supports and Organizational Effectiveness *CR-Tucker*

DATE: September 9, 2014

SUBJECT: Technical Edits and the Individualized Education Program ("IEP") Document

As a result of recent questions regarding a district's authority to make technical edits to a student's IEP, the Connecticut State Department of Education ("CSDE") offers the following guidance.

The CSDE acknowledges that the current IEP document developed by the Bureau of Special Education ("BSE") contains IEP components required by the Individuals with Disabilities Education Improvement Act ("IDEA") as well as supplementary sections for CSDE use. The additional items have been included to facilitate compliance, monitoring and data collection. In the following guidance, the term 'IEP document' refers to the entire 12-page form currently in use, containing both the IEP and the supplementary items.

The CSDE also recognizes that there are times when district personnel may discover a clerical error on an IEP document after a copy has been sent to the parents. A clerical error is defined as information inaccurately recorded in, or omitted from, the IEP document. If the district has documentation verifying that an error has, in fact, been made, the district may want to correct the error in order to ensure that district staff and parents have an accurate IEP document. Furthermore, a clerical error on an IEP document may impact the accuracy of the district's data reporting to the CSDE. The correction of a clerical error within an IEP document that has already been sent to the parents is referred to as a *technical edit*.

Acknowledging that parts of the IEP document used in Connecticut go beyond the specific IDEA requirements that constitute the IEP, technical edits may only be made to sections of Connecticut's document that are not required IEP components outlined in the federal regulation at 34 C.F.R. § 300.320. Accordingly, a district does not need to convene a planning and placement team ("PPT") meeting or use the IEP amendment process to complete a technical edit in the supplementary sections of the IEP document that do not constitute the IDEA-required IEP.

The regulation referenced above defines an IEP as a written statement for each child with a disability that is developed, reviewed and revised by an IEP team (a PPT in Connecticut) that includes the following components:

- A statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
 - Pages 4 and 5 of the Connecticut IEP document
- A statement of measurable annual goals, including academic and functional goals designed to meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and meet each of the child's other educational needs that result from the child's disability.
 - Page 7 of the Connecticut IEP document
- For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives. (Note: In Connecticut, this requirement applies to all students receiving special education and related services.)
 - Page 7 of the Connecticut IEP document
- A description of how the child's progress toward meeting the annual goals will be measured; and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided.
 - Pages 7 and 10 of the Connecticut IEP document
- A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, 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 to enable the child to advance appropriately toward attaining the annual goals; to be involved in and make progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and to be educated and participate in activities with other children with disabilities and nondisabled children.
 - Page 8 of the Connecticut IEP document
- An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in the activities described above.
 - Page 11 (Items 10 and 13) of the Connecticut IEP document
- A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district wide assessments; and if the PPT determines that the child must take an alternate assessment instead of a particular regular State or district wide assessment of student achievement, a statement of why the child cannot participate in the regular assessment; and the particular alternate assessment selected is appropriate for the child.

- Page 9 of the Connecticut IEP document
- The projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications.
 - Page 8 and Page 11 (Services Grid) of the Connecticut IEP document
- Transition services. Beginning not later than the first IEP to be in effect when the child turns 16, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and the transition services (including courses of study) needed to assist the child in reaching those goals.
 - Page 6 (Lines 3, 5 and 6) of the Connecticut IEP document
- Transfer of rights at age of majority. Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under §300.520.
 - Page 6 (Line 7) of the Connecticut IEP document

It is important to note that any change to: (1) the IEP document that amends or modifies the required IEP components that are listed above and constitute the IDEA-required IEP, or (2) the Prior Written Notice (Page 3 of the Connecticut IEP document), is considered a substantive change and would not be permissible outside the PPT or IEP amendment process.

Technical edits may be made to correct minor errors such as misspellings, inaccurately marked check boxes and the transposition of numerals in sections of the IEP document that are not part of the legally required IEP components. Although not an exhaustive list, the following scenarios are being provided to illustrate how a technical edit could be used to correct a clerical error:

- The *Notice of Planning and Placement Team Meeting* form (ED 623) indicates that the purpose of the meeting was to conduct an annual review and it is documented in the "Planning and Placement Team Summary" section that the purpose of the meeting was to conduct an annual review, but the "Conduct Annual Review" box is not checked in the "Reason for Meeting" section on the Cover Page of the PPT documentation.
 - Technical edit: correct the reason for meeting
- The "Most Recent Eval. Date" written on the Cover Page of the PPT documentation is "2/9/12" but the "Next Reevaluation Date" is incorrectly recorded as "9/2/15" instead of "2/9/15."
 - Technical edit: correct the next reevaluation date
- The "List of PPT Recommendations" section of the PPT documentation states that the student will receive extended school year services and the service grid on page 11 of the

IEP indicates ESY services, but the “Not Required” check box for “Extended School Year Services” on page 11 is marked.

- Technical edit: check the box for “Extended School Year Services” on page 11
- In the “Program Accommodations and Modifications” section on page 8 of the IEP it is noted that the student requires assistive technology and will have access to a calculator and a laptop computer with word processing software but there is a mark in the “Not Required” check box for Line 1 (“Assistive Technology”) on page 11.
 - Technical edit: check the appropriate box on page 11
- In the “Primary Reason for Educational Location” section of the “Required Data Collection” page of the PPT documentation (page 12) the check box for “PPT” is marked, but the district has been informed that the child will be attending an Inter-district Magnet School.
 - Technical edit: check the box for “Inter-district Magnet (Parental Choice)”
- The district has documentation supporting that a *Notice of Planning and Placement Team Meeting* form (ED 623) was sent to a student inviting the student to a meeting at which transition services were being planned and the student’s name is written in the “Team Member Present” section on the Cover Page of the PPT documentation but the “No” check box is marked for Line 2a (“Was the student invited to attend her/his Planning and Placement Team (PPT) meeting?”) on page 6.
 - Technical edit: change the Line 2a response to “Yes”

If a district wishes to make a technical edit to a child’s IEP document as described above, the following steps must be taken. First, a district representative must contact the parents of the child by telephone to inform them that an error was identified on the documentation that they received from the district. The technical edit that the district is proposing to make must be discussed, and the district must respond to any questions from the parents about the proposed change. After having the telephone conversation with the parents, the district must promptly complete the edit and immediately send the parents a notice that explains the change with an updated copy of the child’s IEP document with the technical edit highlighted in color. If the parents cannot be reached by telephone, the technical edit must be reviewed with the parents at the next PPT meeting for the child. Updated copies of the IEP document must also be given to the child’s case manager and placed in the student’s file.

While the CSDE has given districts the latitude to correct IEP clerical errors by using technical edits within those sections of the IEP document that do not constitute the IDEA-required IEP, the need for this practice should be minimal. It is the responsibility of each district to ensure the accurate recording of special education program information, and all PPT documentation must be carefully reviewed for errors before the IEP and its supplementary sections are finalized and sent to the parents.

Finally, it is imperative that the district fully disclose the use of any technical edit to avoid confusion or potential violation of federal or state regulations.

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If you have any questions or need additional information, please contact the Bureau of Special Education at 860-713-6910.

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Cc: Consultants, Bureau of Special Education

Ajit Gopalakrishnan, Chief, Bureau of Data Collection, Research and Evaluation

Diane Murphy, Education Consultant

Laura Guerrero, Education Consultant