




# STATE OF CONNECTICUT

DEPARTMENT OF EDUCATION



**TO:** Directors of Special Education and Pupil Services  
Directors of Private Approved Special Education Facilities  
Directors of Charter Schools

**FROM:** George P. Dowaliby, Chief   
Bureau of Special Education and Pupil Services

**DATE:** May 26, 2000

**SUBJECT:** *Update #21*

## **P.A. 99-210: AN ACT CONCERNING PHYSICAL RESTRAINT OF PERSONS WITH DISABILITIES**

Public Act 99-210, An Act Concerning Physical Restraint of Persons with Disabilities, became effective on October 1, 1999. This legislation has significant implications for private special education facilities and for RESC programs serving students with disabilities. P.A. 99-210 also has implications for school district Planning and Placement Teams. These implications are summarized in the enclosed advisory dated May 15<sup>th</sup> – *State legislation concerning physical restraint, including seclusion, of person with disabilities*. If you have any questions, please contact Bob Lichtenstein at (860) 807-2042.

## **EDUCATION COSTS: CHILDREN PLACED IN OUT-OF-STATE FACILITIES BY DCF**

Prior to accepting a DCF-referred child, knowledgeable staff of a residential treatment facility should review the child's current IEP to ensure that the education program within the facility is able to implement fully all education services required by the IEP, including any related services or extended school year services. Upon the child's admission to the facility, the education program within the facility is obligated to provide and/or arrange any and all IEP-required services for the child unless a determination is made, in accordance with Connecticut procedures, that the child must receive education services in another setting.

Whenever DCF places a child in a residential treatment facility in a state other than Connecticut and the child must receive education services within that facility, payment for such services must be made by the school district which is designated as responsible for the child. The financial responsibility of that school district is limited to the education rate delineated in the current rate letter, which DCF has issued for the program in which the child has been placed.

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This education rate has been developed with the authorization of SDE and is considered to be "all-inclusive." In other words, the education rate is reflective of full payment for education services provided and/or arranged by the facility for the child throughout an entire year (July 1 through June 30) regardless of whether the child's PPT-developed IEP provides related services, supplementary services, and/or an extended school year. It is inappropriate for the facility to request that the child's school district make any payment(s) in addition to those required by the DCF rate letters.

Payment of the education rate must be made by using one of the following methods:

- One payment at the "annual rate;" or
- Payment at the "monthly rate" once per month over the course of the typical ten months of the regular session of a school year (i.e., September through June); or
- If the residential facility and the school district agree, payment once per month at a "per diem rate" for the number of days during which education services have been provided to the child during the particular month. This per diem education rate must be calculated by dividing the annual education rate by the number of education days delineated in the child's IEP or, if no IEP has been developed by a PPT for the child, by dividing the annual education rate by one hundred eighty (180).

Please contact Art Carey at (860) 807-2032 if you have any questions or if you need a copy of the current DCF rate letter for a particular facility.

### **CONNECTICUT COMPREHENSIVE SCHOOL COUNSELING PROGRAM**

Enclosed is a copy of the recently completed *Connecticut Comprehensive School Counseling Program*. This model program was developed through a collaborative effort by the Connecticut School Counseling Association (CSCA), the Connecticut Association for Counselor Education and Supervision (CACES), and the State Department of Education to help school districts make positive changes that support and enhance student achievement and success. Of particular note is the document's model curriculum, which integrates skills and competencies from four important sources: The American School Counselor Association's National Standards for School Counseling Programs, the Connecticut School Counselor Association goals, the National Occupational Information Coordinating Committee competencies and Connecticut's Common Core of Learning. A matrix is provided on page 9 of the document to illustrate these important connections in a "crosswalk" format. Questions and/or comments regarding this document may be directed to Nancy Aleman, Consultant for School Guidance and Counseling. She can be reached at (860) 807-2044 or e-mailed at [nancy.aleman@po.state.ct.us](mailto:nancy.aleman@po.state.ct.us).

### **ELEMENTARY SCHOOL COUNSELING DEMONSTRATION PROGRAM**

The United States Department of Education is offering a discretionary grant program to provide funding to local educational agencies to establish or expand elementary school counseling programs, with special consideration given to applicants that can demonstrate the greatest need for counseling services in the schools to be served, propose the most innovative and promising approaches, and show the greatest potential for replication and dissemination. Applicants can request up to \$400,000 per year for up to three years. Grant applications must be received by the U.S. Department of Education no later than 4:30 p.m. Eastern time on June 9, 2000. All application forms are available at the following web site:

<http://www.ed.gov/GrantApps/>

Contact person: **Loretta Riggans**

**Safe and Drug-Free Schools Program**

**(202) 260-2661 or e-mail: [Loretta\\_riggans@ed.gov](mailto:Loretta_riggans@ed.gov)**

For further information, please contact Nancy Aleman at (860) 807-2044.

### **SUMMER INSTITUTE FOR STUDENT SUPPORT SERVICES**

SERC will offer a summer institute, "Multidisciplinary Program for Student Support Services," that will incorporate much of the material that has been presented in orientation sessions for new student support services personnel. This will replace SERC-sponsored orientation sessions for separate disciplines. It is recommended that you advise newly hired student support services staff to participate in this institute. The summer institute, scheduled for August 14 – 17, is described on pp. 61 – 62 of SERC's *Spring & Summer Newsletter* (see enclosure). Numbers will be limited to approximately fifty participants, except for the August 17<sup>th</sup> session on confidentiality. The institute is also open to experienced staff members. Watch for future announcements about the availability of the institute as a distance-learning course accessible over the Internet. SERC will be developing this option during the summer. Questions about the institute should be directed to Kristy St. Pierre, SERC, at (860) 632-1485, ext. 249.

### **BUREAU PUBLICATIONS ON THE INTERNET**

We are pleased to announce the availability of recent Bureau of Special Education and Pupil Services and State Department of Education publications on the Internet. These include:

*A Resource Directory of Educational Programs and Practices* (BSEPS, 2000).

*Guidelines for Developing Policies and Procedures for Reporting Child Abuse and Neglect* (SDE, 2000).

*Guidelines for Identifying Children with Learning Disabilities* (BSEPS, 1999).

*Guidelines for Speech/Language Programs*, Vol. II.

The SDE website is [www.v.state.ct.us/sde](http://www.v.state.ct.us/sde). You can go directly to the listing of the above publications at [www.state.ct.us/sde/special/index.htm](http://www.state.ct.us/sde/special/index.htm). Additional documents will continue to be added to the site.

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**BACK IN PRINT: DEVELOPING QUALITY PROGRAMS FOR PUPIL SERVICES**

The 1999 publication, *Developing Quality Programs for Pupil Services: A Self-Evaluative Guide*, has been reprinted. This publication has sections listing program standards for school guidance and counseling; school language speech and hearing; school nursing; school psychology; school social work, and pupil services in general. The 1993 SDE report on Evaluating Pupil Services Specialists is included as an appendix. Copies may be requested by calling Rose Giardina at (860) 807-2038.

**SAFE HOMES**

Issues around Safe Homes continue to be discussed in efforts to insure appropriate services for children so placed. A May 1<sup>st</sup> memo was distributed to help clarify some key issues. Another copy of the memo is enclosed for your reference. Please call Art Carey at (860) 807-2032 if you have any questions regarding educational services for children who have been placed in safe homes.

**Enclosures Include:**

Bureau Memorandum:

*Guidelines for the Establishment of Special Education Tuition Rate  
Between Boards of Education*

U.S. Dept. of Education Memorandum:

*Questions and Answers on Obligations of Public Agencies in Serving  
Children with Disabilities Placed by Their Parents at Private Schools*

GPD:m  
Enclosures

cc: Theodore S. Sergi, Commissioner of Education  
George A. Coleman, Associate Commissioner  
Edward Preneta, Council on Developmental Disabilities  
Bonnie Moran, Special Education Advisory Council  
Nancy Prescott, CT Parent Advocacy Center  
Superintendents of Schools  
Special Education Hearing Officers  
SDE Staff