



Bureau of Special Education

Connecticut State Department of Education | June 5, 2020

Guidance Regarding Students Exiting Special Education Services during the COVID-19 Pandemic

This is a working document, which may be updated frequently due to the rapidly changing response to this pandemic emergency and ongoing state and federal guidance updates.

Introduction

In keeping with state and federal directives issued in response to COVID-19 during this period of school closure, it is appropriate for the Connecticut State Department of Education (CSDE) to provide guidance to educators and families regarding students exiting special education services in June 2020, either due to graduation with a regular high school diploma or due to exceeding the age of eligibility under state law.¹ It is important to note that the federal Office of Special Education and Rehabilitation Services has not communicated to states any temporary flexibility or waiver from the requirements of the Individuals with Disabilities Education Act (IDEA). Similarly, existing state requirements regarding termination of a student's eligibility to receive special education services remain controlling at this time.

Students Graduating with a Regular High School Diploma

Planning and placement teams (PPTs) are required to determine an anticipated graduation date for all students receiving special education and related services. Graduation decisions must be based on general education requirements and consideration of the student's progress on meeting the student's individualized education program (IEP) goals and objectives. Graduation is considered a change in placement under the IDEA and the parent/adult student is entitled to prior written notice. For additional information on graduation requirements, including existing flexibilities during the COVID-19 school closure, refer to previously released CSDE guidance, [Grading, Graduation Requirements, and Prescribed Courses of Study](#).

Before the school closure due to the COVID-19 pandemic, PPTs had planned for certain students to graduate at the end of the current school year.² With the March school closure order, plans to award a regular diploma to a student may have been disrupted. If that is the case, districts should convene a PPT, which includes the student, to consider the impact the school closure has had on the student's opportunity to meet the team's expectations in order to graduate with a regular high school diploma. If the school closure has prevented a student from earning required academic credit or from making adequate progress toward meeting the student's IEP goals and objectives, the PPT may recommend that the student should not graduate in June and instead remain eligible for special education services. In this case, the PPT will need to determine the academic instruction and/or special education and related services that are necessary for the student to graduate. The PPT should discuss and consider the student's preferences and concerns, the student's postsecondary plans (e.g., higher education, training, and/or employment), and any benefit and/or harm that a delay in moving onto the student's postsecondary plans may pose.

Parents and adult students may pursue any one of the conflict resolution options available under the IDEA if they wish to contest a determination of the PPT. The resolution options are outlined in the [Bureau of Special Education \(BSE\) Procedural Safeguards Notice Required Under IDEA Part B](#).

¹ Connecticut General Statutes (CGS) Section 10-76d(b) provides, in relevant part, that the obligation of the school district to provide special education ends when a child is graduated from high school or reaches age twenty-one. Regulations of Connecticut State Agencies Section 10-76d-1(a)(4) provides such education shall be continued until the end of the school year in the event that a child turns twenty-one during that school year. For purposes of this subdivision, school year means July 1 through June 30.

² CGS Section 10-221a sets forth high school graduation requirements.

Students Exceeding the Age of Eligibility

State law requires that special education and related services are provided until the end of the school year in which the eligible student turns twenty-one years of age. In Connecticut, the school year is defined as July 1 through June 30. For students who are twenty-one on or before June 30, 2020, state law does not require the provision of special education and related services after June 30, 2020.

For students who have reached the age of twenty-one on or before June 30, 2020, districts, in consultation with the student and parent, should consider whether planned transition services/activities outlined in the IEP were not delivered prior to the student exceeding the age of eligibility due to the disruption caused by the COVID-19 school closure. If outstanding services/activities exist, the CSDE expects the district to convene a PPT³ to discuss whether such services/activities are necessary to facilitate the student's movement from school to adult services or other planned post-school activities and whether it is appropriate for such services/activities to take place after June 30, 2020.

To the extent appropriate, and with the consent of the parent or adult student, districts are encouraged to invite to the PPT meeting, a representative from any participating adult agency, which may provide an eligible student adult services as the student transitions from the school system to adult life. At this time, the Bureau of Rehabilitation Services (BRS) and the Bureau of Education and Services for the Blind (BESB) are both accepting referrals and delivering a wide range of adult vocational rehabilitation services. The Department of Developmental Services (DDS) is prepared to provide adult services as of July 1, 2020 to adult students as planned for prior to school closure, within funding allocation and provider availability.

If the PPT determines planned transition services/activities are necessary for the student, the recommendations of the PPT should be documented and provided to the parent/adult student. Such services/activities do not create a new or additional period of IDEA eligibility for the student. Districts, however, may use state categorical aid and Part B flow-through grants to fund such services/activities as allowable expenses. Funding available under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) may also be used.

Parents and adult students may pursue any one of the conflict resolution options available under the IDEA if they wish to contest a determination of the PPT or make a claim that the student is entitled to compensatory education to remedy a district's denial of a free and appropriate public education (FAPE) to the student. The resolution options are outlined in the [BSE Procedural Safeguards Notice Required under IDEA Part B](#).

Summary of Performance⁴

For students whose eligibility for special education and related services terminates due to either graduating with a regular high school diploma or due to exceeding the age of eligibility, the district must provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals. The Summary of Performance (SOP) is most useful when the student has had the opportunity to actively participate in the development and completion of this document. Districts are encouraged to review the SOP with the student (and parent when appropriate) either in an informal meeting or conversation, or at a PPT. The SOP should be kept with the student's special education records; it should not be attached to the student's final IEP or PPT packet. Refer to the [BSE SOP Topic Brief](#) for further information.

³ For required members of the PPT, refer to [IDEA Section 300.321\(b\) Transition services participants](#).

⁴ Summary of Performance: ([SOP/ED635](#)).