



STATE OF CONNECTICUT
DEPARTMENT OF EDUCATION



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TO: Superintendents of Schools
Directors, Regional Educational Service Centers

FROM: Mark K. McQuillan *Mark K. McQuillan*
Commissioner of Education

DATE: July 10, 2009

SUBJECT: New State Criteria and Effective Implementation Date for Specific Learning Disability Eligibility Determinations

Federal legislation from the U.S. Department of Education in both the No Child Left Behind Act (NCLB) and the Individuals with Disabilities Education Improvement Act (IDEA), highlight the requirements of using research-based instruction and intervention and the use of data to make educational decisions. The 2004 reauthorization of IDEA provided alignment with the key tenants of NCLB, placing emphasis on the use of scientific research-based interventions and data-based documentation of student progress in the context of identifying students who may have a specific learning disability.

In response, the Connecticut State Department of Education (CSDE) has focused its efforts on meeting these legislative mandates to address high academic achievement for all students in Connecticut, particularly in the area of literacy. The development of Scientific Research-Based Interventions (SRBI), Connecticut's framework for improving educational practices for all students, provides educators with a comprehensive process to address student achievement in a systemic manner.

Identification of Specific Learning Disability for Connecticut

IDEA introduced significant changes in the procedures and allowable options for states in determining eligibility for students with a specific learning disability. Connecticut has adopted a process that incorporates scientific research-based interventions and data-based documentation to determine a student's response to intervention. This process is part of the comprehensive evaluation designed to determine if a student is eligible for special education services under the category of specific learning disability. While Connecticut guidelines allowed for the use of an IQ-achievement discrepancy, elimination of this method in eligibility determination decisions, effective as of July 1, 2009, was previously communicated and explained in the CSDE guidance document *Using Scientific Research-Based Interventions: Improving Education for All Students-Connecticut's Framework for RTI* (2008).

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This change in practice is intended to improve instruction, assess students in more relevant ways, produce more efficient use of data, and improve the appropriate identification of students with a specific learning disability. Yet, the CSDE also recognizes the challenge that each district faces in addressing this major shift in current practices. **Therefore, the CSDE is offering an extension to districts until either January 15, 2010, or June 30, 2010,** for the full implementation of the new state criteria for identification of a student as having a specific learning disability. Districts may not postpone the use of scientific research-based interventions with students or the provision of data-based documentation to parents. These are required by 34 C.F.R. §300.309 of IDEA as part of the assurances that a student suspected of having a disability has been provided with “appropriate instruction.”

Districts that wish to apply for an extension may complete the application that is posted online at <http://www.sde.ct.gov/sde/cwp/view.asp?a=2678&Q=320730#Application>. The application will require a written plan of action and assurances of implementation of the plan from both general and special education administration.

Lastly, the CSDE has a five-year plan that focuses on a superior education for the children of the state. One priority of this plan is high academic achievement for ALL students. As indicated in the Connecticut State Board of Education (SBE) position statement on educating students with disabilities, “Connecticut’s public education system has the duty to provide opportunities for all students to achieve the statewide student goals (motivation to learn, mastery of the basic skills, acquisition of knowledge, competence in life skills and understanding society’s values). The demonstrated performance of these skills, knowledge and attributes must become a greater focus and the acknowledged responsibility of all professionals in the education community.”

If you have any questions, please contact Perri Murdica at 860-713-6942 or perri.murdica@ct.gov.

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