




STATE OF CONNECTICUT
STATE BOARD OF EDUCATION



TO: Superintendents of Schools
Executive Directors of RESCs
Interdistrict Magnet Schools Operators

FROM: Dr. Miguel A. Cardona, Commissioner of Education 

DATE: November 20, 2019

SUBJECT: Guidance Related to Special Education Services and Section 504 Plans for Students at Interdistrict Magnet Schools

The Connecticut State Department of Education (CSDE) is issuing this communication to review the laws and best practices regarding district and operator responsibilities related to Section 504 of the Rehabilitation Act of 1973 (Section 504) and under the Individuals with Disabilities Education Act (IDEA) for students at interdistrict magnet schools. This guidance addresses changes in the law in this area that the General Assembly enacted during the 2019 legislative session.

Costs

In regard to allocation of the costs associated with educating interdistrict magnet school students who are entitled to special education services or require 504 plans, and related services, General Statutes § 10-264l(h), as amended by Public Act 19-184 in 2019, assigns to a student's district of residence ("sending district") the obligation of paying the reasonable costs of services provided pursuant to the IDEA and provided pursuant to Section 504. Please note that this distribution of financial responsibility related to Section 504 was confirmed in Public Act 19-184, consistent with the past guidance issued by the CSDE.

Planning Meetings

Pursuant to § 10-264l(h) the sending district is responsible for holding the planning and placement team meetings, and inviting representatives from the interdistrict magnet school to these meetings. While § 10-264l(h) does not explicitly delineate the responsibility for convening the Section 504 meetings, the CSDE's current directive, consistent with past guidance, is that it is the sending district's responsibility, including but not limited to coordination, attendance, facilitation and development of the plan.

Implementation

It is incumbent upon the interdistrict magnet to take responsibility for ensuring that the student receives the services mandated by an individualized education program (IEP) or accommodations within the 504 plan. We encourage sending districts and operators to continue to successfully work together to implement these important responsibilities.

If you have any questions concerning the requirements of Section 504, please contact the U.S Department of Education's Office of Civil Rights at (800) 421-3481, (617) 289-0111 or OCR.Boston@ed.gov.

If you have any questions concerning the requirements of the IDEA and related state laws concerning special education, please contact Mary Jean Schierberl at (860-713-6943) or maryjean.schierberl@ct.gov. Finally, if you have any legal questions concerning the cost allocation issues discussed in this memorandum, please contact Attorney Robin Cecere at (860) 713-6518 or robin.cecere@ct.gov.

JYM/tjs