

SERIES: 2003-2004
CIRCULAR LETTER: C-6

TO: Superintendents of Schools
Executive Directors of Regional Educational Service Centers

FROM: Theodore S. Sergi, Commissioner of Education

SUBJECT: 10-76e School Construction

DATE: August 19, 2003

The general provisions of Connecticut General Statutes Section 10-76e have provided funding for school construction to serve students with disabilities on a regional basis since 1967. Historically, the awarding of school construction grants has supported the development of regional programs responding to the needs of children, families and local school districts. More recently, and partly as a result of the Settlement Agreement (*P.J., ET AL V STATE OF CONNECTICUT, BOARD OF EDUCATION, ET AL*), the Department has been focusing its efforts to ensure that all students with disabilities receive a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). The Department believes these efforts to be consistent with the intent, spirit and language of the Individuals with Disabilities Education Act (IDEA), originally enacted in 1975 as P.L. 94-142.

While the State Department of Education continues to recognize that some children who present significant and/or unique needs require placement in alternate settings to meet their needs, the Department supports the belief that goals for students with disabilities are best achieved in the child's local school (i.e. the school in the district the child would attend if not disabled). In light of the goals and desired outcomes represented in the Settlement Agreement, the State Board of Education's Position Statement on the Education of Students with Disabilities and Connecticut's Continuous Improvement Plan, the State Department of Education is re-examining its position on approving new, regional school construction projects. During this process of re-examination, with the possible exception of emergency projects required for code compliance to ensure the health and safety of students, the Department will not be able to accept, review and recommend to the State Board of Education the approval of Section 10-76e school construction grants submitted by local or regional school districts, including a private academy, as defined in CGS Section 10-289d (i.e. Norwich Free Academy, Gilbert Academy, Woodstock Academy), or by a Regional Educational Service Center. The Department's review is expected to take the 2003-04 school year to complete.

Given the requirement that all districts provide students with disabilities an appropriate education in the least restrictive environment, the State Department needs to assess the long-term need for new regional school construction that results in students with disabilities being educated in separate environments.

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