



BUREAU BLOG

March 15, 2007

SY 06-07 B-7

*From Nancy M. Cappello, Ph.D.,
Interim Bureau
Chief and Blogger*



A NEW PUBLICATION FOR PARENTS

*The National Center
on Educational
Outcomes has
developed a new
publication -
"NCLB and IDEA:
What Parents of
Students with
Disabilities Need to
Know and Do." It
is available at
[http://www.nceo.info/
/OnlinePubs/Parents.
pdf](http://www.nceo.info/OnlinePubs/Parents.pdf)*



NATIONAL INSTRUCTIONAL MATERIALS ACCESSIBILITY SYSTEM/CENTER (NIMAS/NIMAC)

As defined in IDEA, Section 674 (e)(3)(B), NIMAS is a standard established by the Secretary of Education to be used in the preparation of electronic files suitable and used solely for efficient conversion into specialized formats. NIMAS is a source file - not a student-ready version of a publication. The standard establishes a set of information and tags that conforms to specifications for how a file is constructed. Using the standardized NIMAS files, authorized entities prepare a student-ready file in braille, accessible electronic text, talking book or other accessible format.

Each year local districts must select to coordinate with the NIMAC. These students are defined in the attachment. This process refers to students served under IDEA and who may qualify in accordance with the Act entitled "An Act to Provide Books for the Adult Blind", approved March 3, 1931, (2 U.S.C. 135z; 46 Stat. 1487) to receive books and other publications produced in specialized formats [see Sec. 674(e)(3)(A)].

Nothing in the IDEA 2004 changes the existing definition of blind or other persons with print disabilities as set out under the Chafee Amendment. Please note that materials for students other than those in K-12 classes are not covered in the current NIMAS requirements.

Attachment one provides more information about NIMAS and NIMAC. **Attachment two** contains the statement of assurances that must be signed and submitted with the Part B Application.

IDEA PART B STATE APPLICATION FOR FEDERAL FISCAL YEAR 2007

The Annual State Application for Federal Fiscal Year 2007, under Part B of the Individuals with Disabilities Education Act as amended in 2004, is available for public inspection on the State Department of Education's website at www.sde.ct.gov/sde. Print copies are available at the Regional Education Service Centers: ACES, 350 State Street, North Haven; CREC, 111 Charter Oak Avenue, Hartford; CES, 40 Lindeman Drive, Trumbull; EASTCONN, 376 Hartford Turnpike, Hampton; Education Connection, 355 Goshen Road, Litchfield and LEARN, 44 Hatchetts Hill Road, Old Lyme. Copies are also available from the Connecticut Parent Advocacy Center, 338 Main Street, Niantic and the State Education Resource Center, 25 Industrial Park Road, Middletown.

The application contains assurances the State is in compliance with the IDEA Reauthorization of 2004 in order to remain eligible for federal financial assistance. The application also contains a description of the use of federal funds that the State receives from the Part B grant for administrative activities. The description of the use of funds is based on the Federal Fiscal Year 2006 appropriation. At the time when the State Department of Education had to publish the State Plan for public notice and comment, Congress had not voted on the Federal appropriations for Federal Fiscal



Additional Resources:

Parent Training and Information Center (PTI) CPAC
1-800-445-2722
(860) 739-3089
V/TDD
www.cpacinc.org

For professional development and technical assistance offerings, contact State Education Resource Center (SERC)
(860) 632-1485
www.ctserc.org



Year 2007. The description of the use of funds may change when the final appropriations for Federal Fiscal Year 2007 are voted on by Congress. The description of the use of funds will be revised as appropriate and posted to the Department of Education's website.

The public inspection period is 60 days starting March 2, 2007. The public comment is 30 days from March 15, 2007, running until April 15, 2007. Written comments may be directed to Attorney Theresa C. DeFrancis, Bureau of Special Education, State Department of Education, P.O. Box 2219, Room 359, Hartford, CT 06145-2219. Any questions regarding the State Application may be directed to Attorney DeFrancis at (860) 713-6933 or at theresa.defrancis@ct.gov.

COMPLAINT RESOLUTION PROCESS

Attachment three contains the Complaint Resolution Process which has recently been revised. Please note that IDEA does not provide for a review or appeal of a written final complaint decision. However, a party to the complaint who has the right to request a due process hearing (that is, a parent or school district) may raise the same issues through a due process hearing and/or mediation. This does not represent a change in policy or procedure but is intended to provide clarification of the process. Copies of the forms that may be used to file for a due process hearing or request mediation are attached to the Complaint Resolution Process document.

LIST OF HEARING OFFICERS

The Model Special Education Policy and Procedures Manual in Chapter 3 - Prior Written Notice and Consent references hearing officers. **Attachment four** contains the list of current hearing officers.

AMENDMENT OF SPECIAL EDUCATION RECORDS

The Family Policy Compliance Office (FPOC), which administers the Family Educational Rights and Policy Act (FERPA), responded to a parent's letter regarding amendment of educational records. You may find the entire response on the FPOC website at www.ed.gov/policy. Click onto Online Library, go to the policy letters for 2004 and click onto "Letter to Parent: Amendment of Special Education Records" dated August 13, 2004.

The language to note in this letter addresses the situation when a parent may request a school district to remove evaluations or portions of evaluations from a student's file under the provisions of FERPA which allow parents to request an amendment to student records if the information is inaccurate, misleading or in violation of the privacy rights of the student. The policy letter states the following on this point:

This right (the right to request an amendment to the education record) is not unlimited, however, and a school is not required by FERPA to afford a parent the right to seek to change substantive decisions made by school officials, such as grades or other evaluations, including decisions regarding special education students. The primary source of legislative history regarding this provision is contained in the "Joint Statement in Explanation of Buckley/Pell Amendment," Volume 120 of the Congressional Record, pages 39862-39866, which states that it was "not intended to overturn established standards and procedures for the challenge of substantive decisions made by an educational institution."

Connecticut State
Department of
Education
Bureau of Special
Education

165 Capitol Avenue
Hartford, CT 06106
Phone: 860-713-6910
Fax: 860-713-7051

Mailing address:
P.O. Box 2219, RM 369
Hartford, CT 06106-2219
Visit us on the web at:
www.state.ct.us/sde



That is, FERPA is intended to require only that educational agencies and institutions conform to fair recordkeeping practices and not to override accepted standards and procedures for making academic assessments, disciplinary rulings, placement determinations and other evaluations. Accordingly, the right to seek amendment of educational records cannot be used to challenge a grade or evaluation unless it has been inaccurately recorded.

The procedure for challenging an evaluation conducted by the school district for purposes of identification of a student's eligibility for special education services or planning an appropriate IEP would be the parental right to request an independent evaluation. If the district believes the evaluation to be appropriate and refuses to pay for an independent evaluation, the district must initiate due process to defend its evaluation. The district may choose mediation as a method of resolving the dispute regarding the evaluation. Given the above FPOC response, removing the evaluation from the student's file is not required by FERPA, nor may it be appropriate to do so.

If you have any questions regarding this, please contact Theresa C. DeFrancis at (860) 713-6933 or at theresa.defrancis@ct.gov.

GUIDELINES FOR IDENTIFYING CHILDREN WITH INTELLECTUAL DISABILITY

The Guidelines for Identifying Students with Intellectual Disability is now posted on the CT State Department of Education's website at http://www.sde.ct.gov/sde/lib/sde/pdf/deps/special/guide_intellectualdisability2007.pdf

Training sessions on the use of this guideline document will be held on April 25th, May 3rd and May 11th. Please review **attachment five** for registration information.

EXTENDED SCHOOL YEAR (ESY) SERVICES

A topic brief on ESY services is available on our website at http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Special/Topic_Brief_ESY.pdf.

SAVE THE DATE

Dr. Kenneth Hardy will be the keynote speaker at the 5th Annual Summit on Closing Connecticut's Achievement Gaps – Equity and Excellence: Developing the Knowledge and Will to Eradicate the Predictable Achievement Gaps. The summit will be held on May 2, 2007, at the Crowne Plaza in Cromwell. Please see **attachment six** for more information.

RESOURCES FROM THE CT SPEECH-LANGUAGE-HEARING ASSOCIATION (CSHA)

Attachment seven and attachment eight contain two new resources from CSHA: From the School Affairs Committee - a public awareness power point presentation on The Role of the SLP in Connecticut Schools; and From the Multicultural Affairs Committee - a resource brochure for teachers on Information to Consider Before Referring a Multilingual/Multicultural Student.

Connecticut State Department of Education

Bureau of Special Education
165 Capitol Avenue, P. O. Box 2219
Hartford, Connecticut 06145-2219

TO: Directors of Special Education/Pupil Personnel Services

FROM: Dr. Nancy M. Cappello, Interim Chief
Bureau of Special Education

DATE: March 15, 2007

SUBJECT: National Instructional Materials Accessibility Standard (NIMAS)
Additional Assurance Required for IDEA Part B Grant

As part of your district's IDEA FY07 grant, you were required to submit an assurance to either be part of NIMAS or to opt out of NIMAS. A recent OSEP decision requires that this assurance be done annually. Attached is your district's assurance for your district's IDEA FY08 grant.

As a refresher, Section 612(a)(23) of the IDEA addresses access to instructional materials by individuals who are blind or have other print disabilities through the adoption of the National Instructional Materials Accessibility Standard (NIMAS) by each state. Attached below is a fact sheet on NIMAS prepared by the Office of Special Education Programs (OSEP). In addition, there is a NIMAS technical advice website which provides a detailed explanation of the NIMAS provision and its background. The website is <http://nimas.cast.org>. A fact sheet about NIMAS prepared by the Office of Special Education Programs (OSEP) is accessible at <http://idea.ed.gov/explore/home>.

Each state is required to adopt the NIMAS. NIMAS outlines a set of consistent and valid document source files created by K-12 curriculum publishers or other content producers that will allow the creation of accessible specialized formats of print instructional materials. Curriculum materials covered by NIMAS include printed textbooks and printed core materials that are written and published primarily for use in elementary and secondary school instruction and are required by a SEA or LEA for use by students in the classroom. Each state must provide an assurance to OSEP, as part of the State's Part B application, that students with the need for curriculum materials in alternate formats are provided with those formats in a timely manner to insure access to the general education curriculum.

It is important to understand who qualifies for these services. The Library of Congress regulations (36 CFR 701.6(b)(1)) related to the Act to Provide Books for the Adult Blind provide that "blind persons or other persons with print disabilities" include:

(a) Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting glasses, or whose widest diameter of visual field subtends an angular distance no greater than 20 degrees.

(b) Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.

(c) Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.

(d) Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

"Competent authority" is defined in 36 CFR 701.6(b)(2) as follows:

(i) In cases of blindness, visual disability, or physical limitations: doctors of medicine, doctors of osteopathy, ophthalmologists, optometrists, registered nurses, therapists, and professional staff of hospitals, institutions, and public or welfare agencies (e.g., social workers, case workers, counselors, rehabilitation teachers, and superintendents).

(ii) In the case of a reading disability from organic dysfunction: *doctors of medicine who may consult with colleagues in associated disciplines.*

NIMAC has created a national repository of curriculum materials covered by NIMAS which have been converted into formats that are accessible by individuals who are blind or individuals with other print disabilities. Without this participation, the state would not have access to the national repository of converted textbook files. Connecticut has provided an assurance to OSEP that the state will participate in NIMAC.

Each LEA also has the option of participating in NIMAC. If an LEA does not participate in NIMAC, the LEA will be responsible for ensuring that each child who requires instructional materials in an alternate format will receive it in a timely manner to allow the child to participate in the curriculum. It is the recommendation of the Bureau that districts choose to participate in NIMAC. A national repository of instructional materials in alternate formats will assist in the timely provision of such materials to children. **For those few districts that elected not to participate in the NIMAS during this past year, you must, once again, submit to the SDE your plan to ensure that students who are blind or individuals with other print disabilities receive their curricular materials in a timely manner.**

For LEAs who choose to participate in NIMAC, contracts executed on and after December 3, 2006, with publishers for textbooks and other printed core materials must include a provision that will require the publisher to produce files for transmission to NIMAC. The publishers have all been involved in discussions relating to NIMAS and are well aware of the requirements. Model contract language is included at the end of this document. Access to the converted files is through an "authorized user", an agent of a coordinating agency with access to

the NIMAC database and who may download NIMAS files in accordance with established agreements.

In choosing not to participate in NIMAC, each LEA would contract with curriculum publishers directly to purchase accessible, student-ready versions. However, this does not relieve the district of providing curricular materials in a timely manner.

This assurance is part of each year's Part B application. It is modeled after the assurance that the SDE is providing to OSEP on the state application for Part B. Please review this assurance and submit it with your application package for the Part B grant application.

If you have any questions about the NIMAS or NIMAC, please contact Brian Cunnane at 860-713-6919 or at brian.cunnane@ct.gov.

Sample Contract Language:

“By agreeing to deliver the materials marked with “NIMAS” on this contract or purchase order, the publisher agrees to submit a valid NIMAS file set to the NIMAC at APH. Should the vendor be a distributor of the materials and not the publisher, the distributor agrees to immediately notify the publisher of its obligation to submit NIMAS file sets of the purchased products to the NIMAC. This is page ___ of ___ of this contract or purchase order.”

LEA Part B Application for Federal Fiscal Year 2008
IDEA Part B
ASSURANCES

NIMAS/NIMAC

1. The school district will coordinate with the National Instructional Materials Access Center and will, after December 3, 2006, as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials when entering into a written contract with the publisher of the print instructional materials will:

- Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to the National Instructional Materials Center, electronic files containing the contents of the print instructional materials using the NIMAS standard; or
- Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats.

PLEASE CHOOSE ONE:

_____ Yes, the district will participate in NIMAS/NIMAC.

_____ No, the school district has chosen not to coordinate with the NIMAC, but assures that it will provide instructional materials to blind persons or other persons with print disabilities in a timely manner.

[Attachment Three](#)

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**Connecticut State Department of Education
Bureau of Special Education**

COMPLAINT RESOLUTION PROCESS

Revised March, 2007

INTRODUCTION

The Individuals with Disabilities Education Act (IDEA, the federal special education law) establishes the requirement that State Education Agencies adopt written procedures for the investigation and resolution of any complaint which alleges that an education agency has violated a requirement of the IDEA. This booklet specifies the process to be used by the Connecticut State Department of Education, Bureau of Special Education, in the investigation and resolution of these complaints as well as complaints which allege that an education agency has violated a requirement of the Connecticut laws regarding special education (Connecticut General Statutes Sections 10-76a to 10-76h inclusive, of the general statutes and the implementing regulations).

Complaints and questions regarding the Complaint Resolution Process or requests for copies of this booklet should be directed to:

Connecticut State Department of Education
Bureau of Special Education
165 Capitol Avenue, Room 359
P.O. Box 2219
Hartford, CT 06145-2219
(860) 713-6921

DEFINITIONS

<u>Bureau</u>	Bureau means the Bureau of Special Education, an entity of the Connecticut State Department of Education.
<u>Bureau Chief</u>	Bureau Chief means the Chief of the Bureau of Special Education.
<u>Bureau Consultant</u>	Bureau Consultant means an education consultant in the Bureau of Special Education.
<u>Complaint</u>	Complaint means a signed, written grievance of sufficient detail to indicate that an education agency may have failed to comply with a requirement of the Individuals with Disabilities Education Act and/or with a requirement of the Connecticut laws regarding special education.
<u>Complainant</u>	Complainant means the parent, student (aged 18-21 years inclusive or an emancipated minor), advocate, attorney or other interested party who has submitted the Complaint to the Bureau.
<u>Day</u>	Day means calendar day.
<u>Due Process Hearing</u>	Due Process Hearing means a formal adjudicatory hearing before an impartial Hearing Officer which is guaranteed under federal and state special education law and in which both parties may be represented by legal counsel and may present evidence and sworn testimony to be considered by the Hearing Officer.
<u>Education Agency</u>	An Education Agency is the entity against which a complaint may be filed and includes those schools, institutions, boards of education and agencies listed under the definitions of <u>Private School</u> and <u>Public Agency</u> , below.
<u>IDEA</u>	Individuals with Disabilities Education Act, the federal special education law.
<u>Private School</u>	Private School means a private special education program which has been approved by the Connecticut State Department of Education to provide special education and related services to eligible students.
<u>Public Agency</u>	Public Agency means a local or regional board of education in Connecticut, the Connecticut Technical High School System, a unified school district, a regional educational service center (RESC), the Department of Children and Families (DCF), the Department of Mental Retardation (DMR), the Department of Mental Health and Addiction Services (DMHAS), the Department of Corrections or the Judicial Department to the extent the agency may be responsible for the provision of special education and related services to children eligible for such services and/or their actions impact upon a child's receipt of a free appropriate public education.

CONNECTICUT STATE DEPARTMENT OF EDUCATION
Bureau of Special Education
Procedures for Complaints Regarding Special Education

Any individual or organization (the “complainant”) may submit to the Connecticut State Department of Education a written complaint that claims that a Connecticut education agency, as defined in this document, has failed to comply with a requirement of the Individuals with Disabilities Education Act (IDEA - the federal special education law) or with a requirement of the Connecticut laws regarding special education. The complaint procedures are available to resolve disagreements over any matter concerning the identification, evaluation or the educational placement of a student or the provision of a free and appropriate public education to such student. The Bureau of Special Education will review and address each submitted complaint. In addition, a complaint alleging that an education agency has failed to implement a special education due process decision will be reviewed and resolved through this complaint process.

Submitting a Complaint

A complaint must be submitted in writing and must be signed. The complainant must forward a copy of the complaint to the education agency against whom the complaint has been filed at the same time the complainant files the complaint with the Bureau of Special Education. (An individual who is unable to write may submit a complaint by telephoning Bureau staff at 860-713-6910.) If the complaint is being submitted by an organization, the complaint must be signed by a person who is authorized to represent the organization. (A model complaint form is attached to these procedures although this form does not have to be used to submit a complaint.)

The complaint must allege a violation that occurred not more than one year prior to the date that the complaint was received by the Bureau of Special Education and include the following:

- A statement that an education agency has violated either a requirement of the Individuals with Disabilities Education Act *or* a requirement of Connecticut laws regarding special education *or* a requirement of both;
- A listing of the facts that are the basis for the statement that a requirement of special education law has been violated;
- The signature and contact information for the complainant;
- The name and address of the residence of the child;
- The name of the school the child is attending;
- In the case of a homeless child, available contact information for the child and the name of the school the child is attending;
- A description of the nature of the problem of the child, including facts relating to the problem; and
- A proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed.

Review of the Complaint:

- An education consultant (“consultant”) who is a member of the Bureau staff will be assigned to take responsibility for the complaint. This consultant will conduct an independent review of each issue raised in the complaint. The review will include the actions listed below.
- The consultant will communicate with the complainant by telephone and/or by mail. The consultant will use this communication to acknowledge receipt of and clarify, as needed, the complaint and to indicate that the complainant may submit additional information, orally or in writing, about the allegations in the complaint up to 15 calendar days after the date the complainant receives notification that the complaint has been filed with the Bureau. The consultant will forward a copy of these complaint procedures and the procedural safeguards notice to the complainant upon the first filing of a complaint in a school year.
- The consultant will also communicate by telephone and/or by mail with the education agency that is the subject of the complaint. The consultant will use this communication to obtain information about the allegations in the complaint from the perspective of the education agency and to provide the education agency with the opportunity to respond to the complaint, including, at the discretion of the education agency, a proposal to resolve the complaint. The consultant will forward a copy of the written complaint to the education agency. The consultant will also forward a copy of these complaint procedures upon the first filing of a complaint in a school year regarding that education agency.
- If applicable to the complaint, the consultant will communicate by telephone and/or by mail with any private school, regional education services center, state agency, or other service provider that the Bureau believes has been providing services, or should have been providing services, on behalf of the education agency that is the subject of the complaint. The consultant will also communicate by telephone and/or by mail with each entity, such as a state or private agency, that the Bureau believes may have been impeding the provision of services by the education agency that is the subject of the complaint. The consultant will use these communications to obtain information about the allegations in the complaint from the perspective of the service provider and/or entity.
- The consultant will review all available information relative to the complaint issues. The consultant will request in writing, from the relevant organization or individual, a copy of any education records or other documentation that the consultant believes will be helpful in the review of the complaint.
- The consultant will carry out an independent on-site investigation if the consultant determines that an on-site investigation is necessary.
- The consultant will not review any issue in a complaint if the consultant determines either that the issue is not a violation of either federal or state special education law or that the issue has been previously decided through a special education due process hearing or complaint. The consultant will notify the complainant that the issue will not be reviewed and that no further action will be taken regarding that issue. A copy of the notice will be forwarded to the education agency that is the subject of the complaint.

Mediation

The complaint resolution process provides an opportunity for a complainant and education agency to voluntarily engage in mediation. Mediation services are available through the Bureau of Special Education to assist a complainant and education agency to reach an agreement. To obtain mediation services, the model mediation form (a copy of which is attached to these procedures) should be completed and sent to the Bureau.

Complaint Issues and Due Process Hearings

Written complaints may be received that are also the subject of a special education due process hearing or contain multiple issues of which one or more are part of a due process hearing. The following applies in such situations:

- Any complaint issues that are being addressed through the hearing will be set aside and not reviewed until the conclusion of the hearing.
- Any issue in the complaint that is not a part of the hearing will be reviewed and resolved using the time limits and procedures set forth herein. Upon conclusion of the hearing, those issues that were set aside but were not resolved by the hearing decision will be reviewed and resolved by the assigned consultant.
- If an issue raised in a complaint has been previously decided through a special education due process hearing involving the same complainant and the same education agency, the hearing decision is binding.
- Complaints alleging the failure of an education agency to implement a special education due process hearing decision will be reviewed and resolved through this complaint process.

Time Limits and Extensions

- The consultant will complete the review of the complaint and will issue a written final decision within 60 days of the date the Bureau received the complaint.
- The 60-day time limit for the review and resolution of a complaint may be extended if the parties agree to extend the time in order to engage in mediation.
- An extension of time may also be granted by the consultant if exceptional circumstances exist with respect to the particular complaint in which case all parties will be informed in writing of the specific length of the extension and the circumstances requiring the extension.
- If new issues are raised during the course of the investigation, or if additional information is submitted by the complainant on either related or different issue(s), the consultant will determine whether the new issues and/or information constitute a new complaint or are an amendment to the existing complaint. If considered an amendment to the existing complaint, the 60 day time limit may be extended if exceptional circumstances exist. All parties will be informed in writing of the specific length of the extension and the circumstances requiring the extension. In addition, the education agency will be afforded the opportunity to respond to the new and/or amended complaint under any new timelines as determined by the consultant investigating the complaint(s).

Decision of State Department of Education

Upon completing the review of the complaint, the consultant will issue a written final decision that contains the following:

- Findings of fact and conclusions;
- The reasons for the decision;
- In the event that the decision indicates that the education agency has failed to comply with a requirement of the Individuals with Disabilities Education Act and/or with a requirement of the Connecticut laws regarding special education, any corrective actions that must be taken by the education agency in order to achieve compliance with said requirement(s). Such corrective action shall be appropriate to the needs of the child who has been the subject of the complaint (such as compensatory services or monetary reimbursement) and may address, if applicable to the final decision, the appropriate future provision of services for all children with disabilities who are the responsibility of the education agency.
- Date(s) by which each corrective action must be completed.
- There is no review or appeal of a written final complaint decision. However, a party to the complaint who has the right to request a due process hearing (that is, a parent or school district) may raise the same issues through a due process hearing and/or mediation. Copies of the forms that may be used to file for a due process hearing or request mediation are attached to these procedures.

Implementation of Decision

- The education agency must report completion of the corrective action(s) to the consultant by the date(s) set forth in the decision. This date(s) may be extended at the discretion of the consultant.
- The Bureau will provide technical assistance to an education agency if the consultant determines that such technical assistance is necessary.
- Upon the request of the education agency that must complete the corrective action(s), the consultant will participate in negotiations, as may be appropriate, with that entity regarding an alternative plan for effective implementation of the decision. However, if no agreement is reached through such negotiations within a reasonable period of time, the education agency must complete the corrective action(s) delineated in the final decision by the date set by the consultant.

Withdrawal of a Complaint

- At any time prior to the date that the consultant issues the final decision regarding a complaint, the complaint may be withdrawn by the complainant. Upon withdrawal of a complaint, the Bureau will not take further action regarding the matter.
- The withdrawal of a complaint may be made by the complainant either in writing or during a conversation with the consultant. If the complaint is withdrawn during a conversation, the consultant will send a written confirmation of the withdrawal to the person who signed the complaint and a copy of the confirmation to the other party.
- Withdrawal of a complaint does not preclude the person who signed the original complaint from refiling the complaint at a later date.

Distribution of these Procedures

The Bureau will ensure that a copy of these procedures is available to parents, other interested individuals, and interested organizations by mailing copies to each of the following entities within the state:

- The Connecticut Parent Advocacy Center (CPAC);
- The Office of Protection and Advocacy for Persons with Disabilities;
- The Child Advocate;
- Each Center for Independent Living;
- Each public education agency;
- Each regional education services center;
- Each approved private special education program;
- Department of Children and Families;
- Judicial Department;
- Department of Mental Retardation;
- Department of Mental Health and Addiction Services;
- Department of Social Services.

The procedures will also be available on the State Department of Education website (www.state.ct.us/sde/). In addition, the State Education Resource Center (SERC), a contractor for the Department, will mail copies of these procedures to individuals and organizations upon request (860-632-1485 or www.ctserc.org).

**Connecticut State Department of Education - Bureau of Special Education
Special Education Complaint Form**

This is a recommended form for the filing of special education complaints. You do not have to use this form to file a complaint although it will help you to include the required information. (Questions may be directed to Bureau staff at 860-713-6921 or 860-713-6938.) Please complete this form and forward to the parents or school district (as appropriate) and send a copy to:

**State Department of Education
Bureau of Special Education
P.O. Box 2219 – Room 359
Hartford, CT 06145-2219**

Date: _____ Person/Agency filing the Complaint: _____

Address: _____ Phone: _____
(street)

_____ (town) _____ (state) _____ (zip)

Parent's Name (if different): _____ Phone: _____

Child's Name _____ Date of Birth _____
(last) (middle) (first)

Education Agency (school district) _____

Name of School the Child Attends _____ Disability Category _____

Child's Address: _____
(street)

_____ (town) _____ (state) _____ (zip)

Be specific as to why you believe that a requirement of the Individuals with Disabilities Education Act has been violated. Include a description of the relevant facts, the nature of the child's problem and a proposed resolution of the problem to the extent known and available at this time. Please forward a copy of this complaint to the education agency. If necessary, you may attach additional sheets as well as documentation of your complaint allegations.

Signature of Complainant _____

**CONNECTICUT STATE DEPARTMENT OF EDUCATION
BUREAU OF SPECIAL EDUCATION
DUE PROCESS UNIT
P. O. Box 2219-Room 359
Hartford, Connecticut 06146-2219
FAX# (860) 713-7153**

Request For Mediation

We request a mediation concerning _____, _____
(Name of student) (Date of birth)

_____ who is currently within the jurisdiction of
(Address of residence of student)

the _____ and attends _____
(School district) (Name of the school the student attends)

Parent Signature Date District Signature Date

Parent Telephone # Fax # District Telephone # Fax #

The date of the IEP meeting at which the parties failed to reach agreement: _____

Description of the nature of the issues in dispute, including related facts:

Proposed resolution of the issues to the extent known and available at this time.

Please provide three mutually agreeable dates for the mediation, which will be held within 30 days of this request. From these dates, one will be selected for the convening of the mediation.

****Please forward to the above address and, as appropriate, the parents or the school district.****

CONNECTICUT STATE DEPARTMENT OF EDUCATION
Division of Teaching and Learning
Programs and Services
Bureau of Special Education
165 Capitol Avenue – 3rd Floor
Hartford, Connecticut 06106

The following are Special Education Hearing Officers, appointed by the Connecticut State Board of Education pursuant to Section 10-76h(c), Connecticut General Statutes, and Section 20 United States Code 1415(f)(3)(A).

Ruben E. Acosta is a graduate of the University of Connecticut: BA (1974) and J.D. (1983). He has extensive formal training as an arbitrator, mediator and administrative law hearing officer. From 1996 to the present Attorney Acosta has been self-employed as a provider of alternative dispute resolution services including mediation and arbitration. He is a hearing officer under contract with the Department of Social Services (Bureau of Rehabilitation Services), Insurance Department and Education Department (Expulsion, Residency & Special Education). Attorney Acosta was a Presiding and Settlement Hearing Officer for the State Commission of Human Rights and Opportunities for eight years. Attorney Acosta works as a fact finder, case evaluator and is part of the Special Master Program for the federal district court. Further, he provides training and consulting services regarding dispute resolution system design strategies. He is a rostered arbitrator for the Federal Mediation and Arbitration Services, the State Board of Mediation and Arbitration, the American Arbitration Association and the US Postal Service-APWU.

Elisabeth Borrino graduated from Southwestern University School of Law in 1985 and from UCLA in 1981 with a major in Sociology. She is admitted to practice both in California and Connecticut; and has presided over administrative hearings for nearly sixteen years. Attorney Borrino is also an impartial hearing officer for the Connecticut Department of Education adjudicating expulsion hearings in the Connecticut Technical High School System, and school district residency and accommodation matters. As a contract attorney with the Superior Court for Juvenile Matters and a Special Public Defender, she has extensive experience in the area of Juvenile Law.

Mary H.B. Gelfman holds an A.B. from Swarthmore College, an M.A. from Teachers College, Columbia University, and a J.D. from the University of Connecticut School of Law. She is admitted to practice in Connecticut and in the United States District Court for Connecticut, and is a member of the CBA and ABA. She has been a high school math teacher, a member of a local board of education, and a consultant in the Due Process Unit, Connecticut State Department of Education. She frequently speaks and writes about legal issues in education, and is a co-author of *Education Records: A Manual*, and co-author and co-editor of *Legal Issues in School Health Services*. She is also an impartial hearing officer for the Connecticut Department of Education for expulsion hearings in the Connecticut Technical High School System, and school district residency and school transportation hearings. She served on the Connecticut State Advisory Council on Special Education 1972-76, and as chair 1974-75. She is also a hearing officer for the Connecticut Bureau of Rehabilitation Services and a State Review Officer for special education hearing appeals in the state of Nevada.

Janis C. Jerman received a B.A. in psychology from Purdue University in 1987 and a J.D. from the University of Connecticut School of Law in 1993. Attorney Jerman is admitted to practice law in Connecticut and in the United States District Court for the District of Connecticut. Attorney Jerman is an impartial hearing officer handling expulsion hearings for the Connecticut Technical High School System, school residency and transportation hearings, and teacher license revocation hearings; an arbitrator and fact-finder for the Hartford and New Britain Superior Courts; an arbitrator for the State Department of Consumer Protection; and is on the arbitration and mediation panels of American Dispute Resolution Center, Inc. Attorney Jerman is a member of the Connecticut Bar Association's Committee on Professional Ethics and the Labor & Employment Law, Administrative Law and Alternative Dispute Resolution sections.

Deborah R. Kearns is an attorney, with mediation and advanced mediation training; and has served the Connecticut Department of Education as a hearing officer since 1996. Attorney Kearns has served as a Special Master, Middletown Regional Family Court, where she served as a pretrial mediator. Attorney Kearns received a B.A. from Boston College, and her J.D. from New England School of Law, Boston, Massachusetts.

Scott Myers is currently Counsel in Day, Berry & Howard's Administrative and Regulatory Law Department practicing primarily in the areas of public utility regulatory litigation and energy law. In this capacity he has been responsible for all phases of litigation and settlement of a broad range of complex, multi-party disputes pending before state and Federal regulatory authorities, and in state and Federal courts. His experience also includes special education due process litigation, student disciplinary matters and representation of children in neglect and termination of parental rights proceedings in Juvenile Court. Mr. Myers received his J.D. from the University of Connecticut School of Law in 1990, a B.A. in Psychology from Trinity College in 1980 and an M.A. in clinical psychology from the University of Hartford in 1984. Prior to joining Day, Berry & Howard in 1990, Mr. Myers worked primarily with adolescents and their families in a variety of inpatient and outpatient treatment settings.

Mary Elizabeth Oppenheim is an attorney who received a B.A. from the University of Wisconsin – Madison, and a J.D. with honors from the University of Connecticut School of Law. She currently serves as a factfinder and arbitrator for the State of Connecticut judicial districts, a mediator and hearing officer for the Connecticut Birth to Three System and a contract writer for the U.S. Department of Labor, Office of Administrative Law Judges. She is on the Roster of Arbitrators of NASD Dispute Resolution. Ms. Oppenheim has litigated civil, family and criminal matters in state and Federal courts, as well as in administrative proceedings. She is admitted to practice in Connecticut; the United States District Court, District of Connecticut; and the United States Court of Appeals for the Second Circuit.

Stacy M. Owens commenced her legal career as an investigative attorney and responding to requests for reconsideration with the State of Connecticut Commission on Human Rights and Opportunities. She also provided legal training to local businesses and was an integral part of the Commission's formation of internal policies. Stacy currently serves as an Adjudicator and Ethics Liaison for the State of Connecticut Department of Public Health. She received her B.A. degree in liberal studies from American International College in Springfield, Massachusetts and her law degree from Touro Law School in Huntington, New York.

Justino Rosado is sole practitioner in the firm – Law Office of Justino Rosado, LLC. He received a Bachelors in Science Degree from Sacred Heart University and a J.D. from the University of Bridgeport, School of Law. His Law Practice is mainly concentrated in Family Law, Juvenile Law, and Civil Rights. Attorney Rosado is a member and founder of the Connecticut Hispanic Bar. He is a hearing officer for Bridgeport Board of Education Expulsion Hearings, and a member of the American Bar Association. Attorney Rosado is fluent in Spanish.

Christine B. Spak received her undergraduate and law degrees from the University of Connecticut. She is admitted to practice in Connecticut and the United States District Court for Connecticut. Her private law practice focused on health related civil cases and included issues of juvenile law. She has served as a Magistrate for the State of Connecticut since her appointment in 1987. She has also served as an impartial hearing officer for a number of Connecticut state agencies and divisions including the Department of Mental Retardation, the Department of Public Health, the Department of Education for school accommodation cases and the Connecticut Technical High School System for expulsion matters. She has been an adjunct instructor at the University of Connecticut and has presented seminars for other organizations on administrative and health law related topics.

Patricia M. Strong is an attorney in private practice since 1991, concentrating in the area of civil litigation. From 1981-1991, she was an Assistant Attorney General for the State of Connecticut. Ms. Strong is an honors graduate of Connecticut College with a B.A. in sociology. She earned a J.D. from the University of Connecticut School of Law in 1977. Attorney Strong is admitted to practice before Connecticut state and Federal courts, the United States Court of Appeals for the Second Circuit and the United States Supreme Court. She is a member of the American, Connecticut, and Hartford County Bar Associations. She is a member of and a past chair of the CBA's Labor and Employment Executive Committee. Attorney Strong is also a member of the National Employment Lawyers Association, and the Connecticut Employment Lawyers Association. She served on the Connecticut Advisory Council of School Administrator Standards, the Connecticut Advisory Council for Teacher Professional Standards, the Wethersfield Board of Education, the Wethersfield School Building Projects Committee and the YMCA South Regional Board of Managers.

The Revised Connecticut Guidelines for Identifying Children with Intellectual Disability: Appropriate Identification in Special Education

The 2000 version of the *Connecticut Guidelines for Identifying Children with Intellectual Disability* was designed to promote consistency across Connecticut in the determination of eligibility for special education services. Revisions to these guidelines also address the improvement of appropriate identification and placement decisions that are non-biased, while ensuring appropriate services and placement in the least restrictive environment.

This workshop will introduce the revised *Connecticut Guidelines for Identifying Children with Intellectual Disability* (2006), as well as provide an introduction to non-biased assessment focusing on data analysis and decision making.

Participants in this session will:

- define key concepts in the process of identifying students with intellectual disability; and
- identify essential practices in early intervening services and the special education identification process to reduce bias and prevent overrepresentation by race and ethnicity.



Dates, Times, Locations:

Session A: Wednesday, April 25, 2007
CREC, Hartford
AM: 9:00 a.m. to 11:30 a.m.
or PM: 12:30 p.m. to 3:00 p.m.
or

Session B: Thursday, May 3, 2007
Four Points by Sheraton, Meriden
AM: 9:00 a.m. to 11:30 a.m.
or PM: 12:30 p.m. to 3:00 p.m.
or

Session C: Friday, May 11, 2007
CES, Trumbull
AM: 9:00 a.m. to 11:30 a.m.
or PM: 12:30 p.m. to 3:00 p.m.

Presenters:

Perri Murdica
Consultant
CT State Department of Education

Michael Regan, Ph.D.
Pupil Services Director
Newtown Public Schools

Audience: PreK-Grade 12

Fifty (50) Special Education and Pupil Personnel Directors and Psychology Supervisors or School Psychologists, per session
(Note: As seating is limited, a maximum of two applicants per district/agency can be accommodated.)

CEUs: None

Registration Fee: None

Questions/ Special Needs:

Contact: Nicole Hendry
Education Services Specialist
(860) 632-1485, ext. 255

Register By:

Two weeks prior to each session.



www.ctserc.org

A collaborative effort between the Assessment and LRE/Inclusion Initiatives



Please return application to SERC, **Assessment Initiative**, 25 Industrial Park Road, Middletown, CT 06457-1520. Participants will be selected on a first come, first served basis with regional consideration. Applicants will receive written confirmation regarding participation shortly after the registration closing date. Note: As seating is limited, a maximum of two applicants per district/agency can be accommodated.

APPLICATION FORM: **Revised ID Guidelines**

(07-09-040-0045/flyer/LRE)nh

(Please Print Clearly.)

Please indicate choice of one of six half-day sessions:

Session A (April 25): ___AM or ___PM

Session B (May 3): ___AM or ___PM

Session C (May 11): ___AM or ___PM

District/Agency _____ School/Program _____ Work Phone () _____

Name _____ Member of PPT, EIP, SAT &/or CST Team? (Please Circle.) Home Phone () _____

Home Address _____ City _____ Zip Code _____

Position/Role _____ Grade Levels _____ Email (Please Print.) _____

Name _____ Member of PPT, EIP, SAT &/or CST Team? (Please Circle.) Home Phone () _____

Home Address _____ City _____ Zip Code _____

Position/Role _____ Grade Levels _____ Email (Please Print.) _____

In which region do you receive/provide services? ___ACES // ___CES // ___CREC // ___EASTCONN // ___ED CONNECTION // ___LEARN

SAVE THE DATE

MAY 2, 2007

The State Department of Education and SERC
cordially invite you to attend...

The 5th Annual Summit

on Closing Connecticut's Achievement Gaps



Equity & Excellence:

Developing the Knowledge and Will to
Eradicate the Predictable Achievement Gaps

Keynote Speaker:

Kenneth Hardy, Ph.D., Professor, Syracuse University

Location:

Crowne Plaza, Cromwell

Time:

8:00 a.m. to 3:30 p.m.

Please visit the SERC website at www.ctserc.org.

Conference brochures will be made available in early April.

Or, contact Nicole M. Vitale, Education Services Specialist, at SERC,

(860) 632-1485, ext. 234, or vitale@ctserc.org.



THE ROLE OF THE SLP IN CONNECTICUT SCHOOLS



Spring, 2006

Developed by The Connecticut Speech-Language-Hearing Association's School Affairs Committee. Adapted from *The Role of the SLP in Schools: A Presentation for Teachers, Administrators, Parents, and the Community*, a power point document by the American Speech-Language-Hearing Association (2005) and from *How To Win Boards and Influence Administrators: Tips for Preparing A Presentation*, CSHA School Affairs Committee (1994).

SLPs ARE VALUABLE TO SCHOOLS

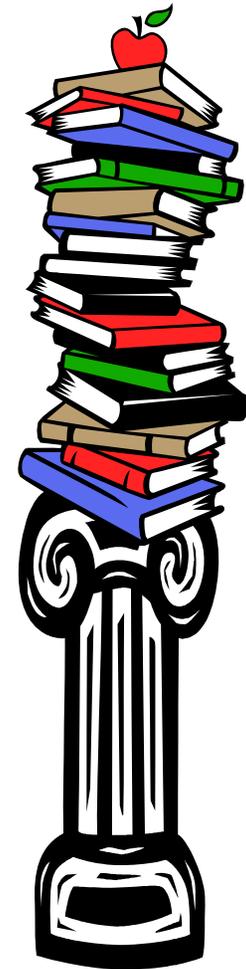


We provide a critical link between communication and educational, vocational and social success.

Speech and Language Pathologists (SLPS) are specially trained professionals who:

- hold a masters' or doctoral degree;
- have passed a national examination;
- are certified by the State Department of Education;
- are licensed by the State Department of Public Health; and
- have completed a supervised post graduate fellowship.

In addition, most SLPs hold the **national Certificate of Clinical Competence (CCC)** from the American Speech-Language-Hearing Association



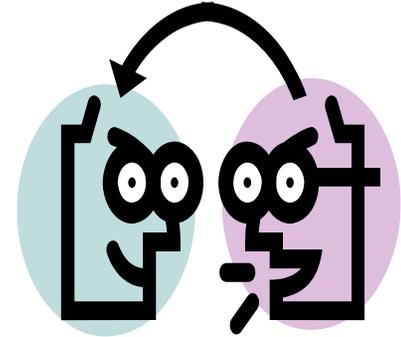
Why is communication important?



It is the foundation for teaching and learning in school and success in life!

What is communication?

- It is how we exchange information with others – our thoughts, ideas, attitudes, and feelings.
- It is the ability to listen, speak, read and write.



- It includes the use of gestures, body language, facial expressions and vocal inflections to enhance that exchange.
- It is the process that connects people.



How is communication related to learning?

- We learn primarily by communicating through the medium of language.
- We learn by exchanging ideas and emotions with others when we speak, write, listen, read, discuss, observe, ask questions and associate new information with prior knowledge.



Communication Disorders have EDUCATIONAL IMPACT

Difficulties with:

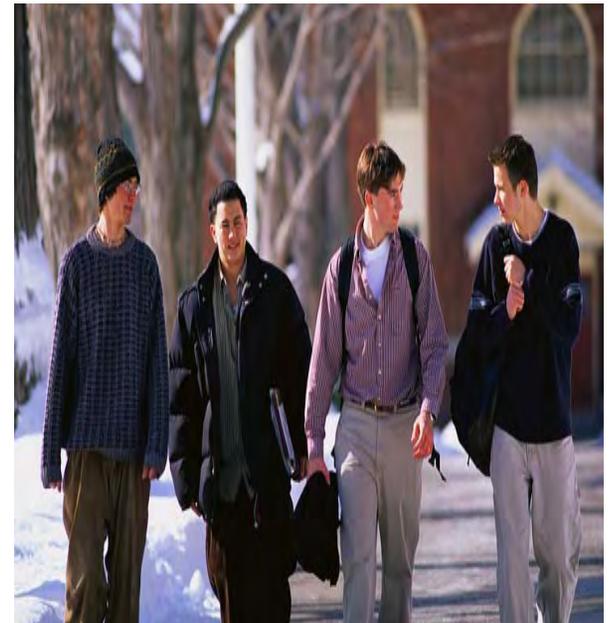


- Oral expression
- Vocabulary and concepts
- Grammar
- Following Directions
- Understanding and participating in classroom instruction
- Following classroom routines
- Recalling information
- Asking and answering questions
- Reading
- Written language
- Math word problems

Communication Disorders have SOCIAL IMPACT

Difficulties with:

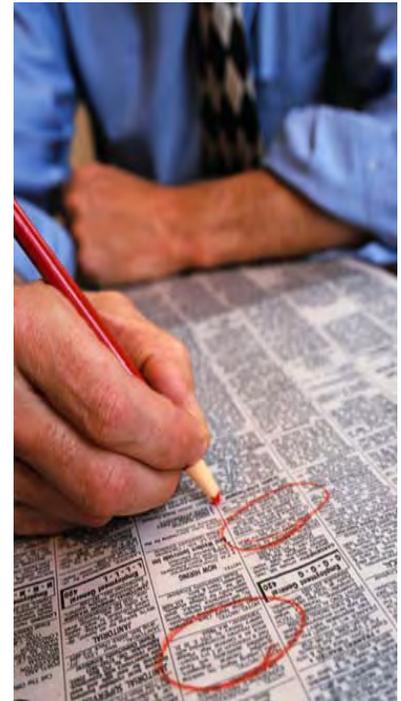
- Conversation
- Personal relationships
- Maintaining topic
- Changing topic
- Small talk
- “Reading” social situations
- Telephone communication
- Reading “between the lines”
- Humor and joking
- Appropriate behavior



Communication Disorders have VOCATIONAL IMPACT

Difficulties with:

- Job applications
- Job interviews
- Following spoken and written directions
- Writing and understanding reports
- Communicating with co-workers and supervisors



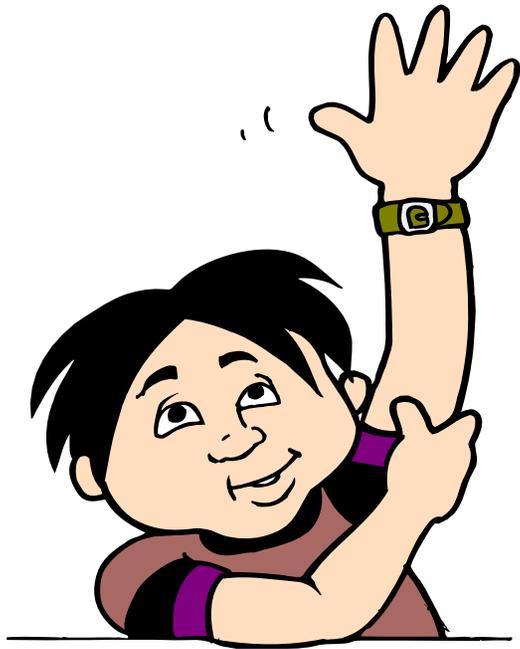
Communication disorders can exist alone, but they often are related to other conditions, including:

- Developmental delays
- Learning disabilities
- Hearing impairments and auditory processing disorders
- Autism
- Attention deficit disorder
- Cognitive disorders
- Social-emotional disorders
- Traumatic brain injury and other neurological impairments
- Genetic/medical syndromes
- Feeding and swallowing disorders

Communication disorders can manifest as problems with:

- Language
- Speech sound production
- Fluency
- Voice

What is language?



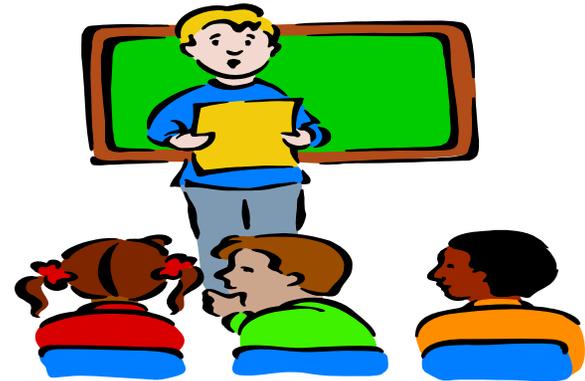
- It is the understanding and expression of a culture's rules about meaning, structure and grammar.
- It is the knowledge of when and how the rules are used in listening, speaking, reading and writing.

Language Disorders can include problems with:

- development of vocabulary;
- concepts, grammar, syntax;
- using different communication styles for different situations;
- understanding/expressing ideas;
- literacy and other content learning;
- social development.



What is speech?



It is the production of sounds, rhythm, inflection and phrasing.

Speech Sound Disorders can include problems with:

- Saying one sound for another;
e.g., **wabbit** for **rabbit**
- Omitting a sound in a word, for example;
e.g., **i-cream** for **ice-cream**
- Distorting a sound.

Multiple errors can make it hard to understand the speaker and can cause frustration for the speaker and listener



Oral Fluency Disorders

can include problems with:

- interruptions - in – flow - or - rhythm;
- **he ~ si ~ ta ~ tions;**
- **re - re- repetitions or prooooo longations..**

These can affect :

- syllables, words, or phrases;
- rate of speech;
- speech naturalness.

Voice Disorders

can include problems with:

high

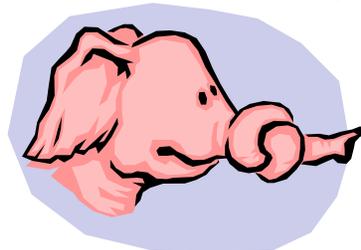
- pitch that is too or

low

- lack of inflection or feeling



- pitch breaks
- no voice
- volume that is too soft or too loud
- quality that is harsh, hoarse, breathy or nasal or stuffy sounding



Some children need assistive technology to support listening and/or speaking.

When children are unable to use oral communication well enough to be understood, SLPs assess their needs for augmentative communication.

- Augmentative communication can include sign language, communication boards, listening and speaking devices.
- SLPs also help assess students' needs for other assistive technology to help them with reading, writing and math.



SLPs also help students who have feeding and swallowing disorders (dysphagia)

Dysphagia can:

- interfere with eating meals and snacks for nutrition.
- reduce alertness and availability for learning.
- impact communication development and socialization.





School SLPs Have Many Roles

- Preventing communication disorders through early intervention;
- Assessing students' communication skills;
- Interpreting the results of comprehensive assessments;
- Intervening through development and implementation of IEPs and other treatment plans;



...and

- Documenting progress and outcomes;
- Collaborating with teachers, other professionals and families;
- Programming and maintaining assistive technology devices;
- Participating on curriculum and literacy teams;



...and

- Participating on dysphagia and assistive technology teams;
- Counseling families;
- Providing staff and parent training;
- Supervising SLPAs, graduate students and clinical fellows; and
- Participating in research projects.

SLPS use a variety of service delivery models

Models include:



- direct services to individuals or groups;
- monitoring or periodic screening; and
- collaborating and consulting.



SLPs provide their services in a variety of locations

- General and special education classrooms
- Speech and language resource rooms
- Cafeteria, playground and other school settings



- Community and vocational settings



SLPs



**VALUABLE RESOURCES FOR HELPING
SCHOOLS CARRY OUT THEIR MISSION !**

Multilingual/Multicultural Information

Modifications or strategies to use in the classroom to enhance learning for CLD students:

- Use multi-modality instruction (i.e., using visual, hands on, and auditory materials/modalities)
- Repeat, rephrase, or simplify directions
- Provide expected production of language/sounds
- Attain student's attention before giving directions
- Pair student with a study buddy
- Provide preferential seating
- Display weekly vocabulary/label classroom
- Use a slower rate of speech

If you are interested in additional information, please consult with the Speech-Language Pathologist at your school, English as a Second Language (ESL) Teacher, and/or contact CSHA for a directory of CLD professionals in the area of communication.

References:

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Strategies for assessment and intervention (2nd ed.). Oceanside, CA. Academic Communication Associates, Inc.

Produced by

Multicultural Affairs Committee MAC



Our mission is ... "To educate professionals, persons, with communication disorders, and the general public regarding issues that may include races, ethnicities, religions, socioeconomic classes, sexual orientations, geographic locales, age, gender, and persons with disabilities."



Connecticut Speech-Language-Hearing Association

[Http:// www.ctspeechhearing.org](http://www.ctspeechhearing.org)

Teacher Pamphlet

At a Glance

Information to Consider Before Referring a Multilingual/Multicultural Student



Speech and Language Pathology

Multilingual/Multicultural Information

Introduction/Facts:

According to the American Speech-Language-Hearing Association (ASHA Perspectives, 2005), there are over 20 million children from Culturally and Linguistically Diverse (CLD) backgrounds in U.S. schools today and this number continues to grow. Of these, more than 3 million are English Language Learners (ELL), both in elementary and secondary schools (Bergman, 2005). "By the 2030's say demographers, ELLs will account for approximately 40% of the entire school-aged population in the U.S." (Roseberry-McKibbin and Brice [n.d.]). These students may be simultaneous bilinguals (exposure to two languages before age 3) or sequential bilinguals (foundation in L1 before introduced to L2). Characteristics of language patterns may change depending upon the type of exposure, age, settings, motivation, and acculturation levels (Roseberry-McKibbin, 2002).

Students may also come to school using a variety of English dialects depending upon the region of their upbringing. Variations may include African-American English (AAE) among others (Roseberry-McKibbin, 2002). Furthermore, more than 200 native languages continue to be spoken in North America (Krauss, 1998).

As educators, we are faced with the incredible challenge of educating these children. We hope this pamphlet will be among the first resources you will use to understand some of the realities regarding CLD students.

Definitions:

- **Speech Disorder** – A difficulty in producing speech sounds correctly. Also, present if speech is produced with excessive amounts of effort, struggle, and repetition of sounds (Hegde, 1999).
- **Speech Difference:** When sound errors are exhibited in L2 but not in L1 or when they are dialectal in nature (Roseberry-McKibbin, 2002).

- **Language Disorder:** Present if difficulty comprehending oral/written information occurs in L1 (for monolingual students) and L1 and L2 (in bilingual students) or when difficulty is not a product of a dialectal and/or language difference (Roseberry-McKibbin, 2002).
- **Language Difference:** Present if difficulty in communication styles (oral/written) is impacted by the process of learning a second language or by the use of other variations of Standard American English (SAE) (Roseberry-McKibbin, 2002).
- **Bilingualism:** "Different people use the term in different ways. For some, bilingualism means an equal ability to communicate in two languages. For others, bilingualism means the ability to communicate in two languages, but with the possibility of greater skills in one language" (as cited by ASHA Children and Bilingualism).
- **Culture and Cultural Diversity:** These terms refer to the values, behaviors, beliefs, and customs identified in a person. Culture should not be defined through ethnicity but by the individual's behaviors. Cultural Diversity is a dynamic and relational quality (Barrera and Corso, 2003).

Some questions to ask yourself before referral. Depending upon your responses, you would need to do more investigative work.

About your student:

- What language or dialect does the student use at home? With whom? At school? And which activities?
- Has the student ever attended a bilingual program or class, if so how long has the student been in an English instructed classroom?
- Does the student have difficulty communicating in English, and/or native language, and/or dialect?
- Does the student show difficulty learning when instructed in English only or in the native language also?
- Does the student learn slower than his/her peers of similar background?

About yourself:

- Do I understand the difference between Basic Interpersonal Communication Skills (BICS) and Cognitive Academic Language Proficiency (CALP)?
- Do I understand the normal process that takes place when learning a second language (i.e. language loss, transfer, fossilization, silent period, and code-switching)?
- Do I understand the normal processes in dialect usage?
- Do I have access to information regarding my own cultural knowledge?

Some questions to ask parents:

- Does your child show an interest in interacting in his/her primary language, dialect, or only in English?
- Has the student's native language been maintained in school through bilingual education, tutoring, etc.?
- Is there a history of learning problems or educational concerns?

Some general characteristics that children developing a second language or using a dialect may display in the classroom (Adapted from Ortiz & Maldonado, 1986 (as cited in Kayser, 1998 and Roseberry-McKibbin, 2002)):

- Attention may fluctuate (i.e., student doesn't understand the English language, therefore he/she loses interest)
- Low vocabulary knowledge (i.e., instead may give the function of an item)
- May understand more words than expressed (i.e., may experience a "silent period")
- Difficulty with figurative language (i.e., sarcasm, idioms)
- Difficulty producing certain English sounds differently from others with a similar cultural/linguistic background
- May demonstrate grammatical differences in English
- May mix languages within the same sentence
- Social communication skills may be different (i.e., proximity, eye contact)