

Common Questions Asked About the PJ Settlement Agreement

P.J., et al v. State of Connecticut, Board of Education, et al. was filed in 1991 on behalf of five school-age children with mental retardation and their families. The case was certified as a class action lawsuit on December 13, 1993. The court defined the class as “all mentally retarded school-aged children in Connecticut who have been identified as needing special education and who . . . are not educated in regular classrooms.” The Settlement Agreement specifically includes children with the label “Intellectual Disability.” On May 22, 2002, a Settlement Agreement was approved and 5 goals and outcomes were determined.

The Five Goals of the PJ Settlement Agreement

1. An increase in the percent of students with mental retardation/intellectual disability who are placed in regular classes.
2. A reduction in the disparate identification of students with MR/ID by racial, ethnic or gender group.
3. An increase in the percent of the school day that students with MR/ID spend with non-disabled students.
4. An increase in the percent of students who attend their “home school.”
5. An increase in the percent of students with MR/ID who participate in school-sponsored extracurricular activities with non-disabled peers.

Does the State Department of Education require districts to bring all students from out of district placements back to the district?

No. One of the five goals of the Settlement Agreement is that students will attend their home school, however, it is not a requirement that **all** students return to their district school.

Is the State Department of Education trying to close down the private special education or RESC programs?

No; however, as parents and districts review each child’s IEP, we expect more children will be moved from those programs into their home districts. School districts still maintain a continuum of options.

How does the state monitor each district on the goals of the Settlement Agreement?

The State monitors each district in a variety of ways including:

- Reviewing data submitted by each school district on the goals of the Settlement Agreement
- Reviewing improvement plans and how the districts increase access to all students
- On-site reviewing
- Responding to parent complaints



What training is provided for regular education teachers? Special education teachers?

Trainings are offered by SERC. All districts are given a tool, the School Based Practices Profile, which allows districts to look at areas that need strengthening. Districts may bring in consultants to meet with individual students.

How do you determine what supports and services are needed in the regular education class?

Supports and services should be discussed at the PPT meeting. It is a decision that should be determined individually for each child on the basis of the following:

- Evaluation
- Past performance
- Reviewing what has worked for children with particular needs
- Input from parents

If a child with an intellectual disability is in a regular education class, do they need a one-on-one paraprofessional?

Relying on a paraprofessional may defeat the purpose of inclusion because the student is relying on one adult instead of socializing with his/her classmates and regular education teacher. A paraprofessional is an option; however, other staff supports include co-taught classrooms (regular education and special education teacher), small group instruction, providing staff training, and collaboration time.

For high school students, should students with intellectual disabilities be in all academic classes such as algebra, chemistry and regular education English?

This decision should be made at the PPT. Considerations must be made as to what supports would be needed for *meaningful participation* and appropriate IEP curriculum modifications.

What types of supports are available for students participating in extracurricular activities?

IDEA states that “Each public agency shall take steps to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities.” Supports should be determined at the PPT meeting and defined in the IEP.

Should a district return a student to their home school if they have attended a different school in the district for multiple years?

This is a district by district decision. Some districts are allowing students who only have one year left in a particular school to stay. Some are going through a slow transition process of changing schools, while others are making changes right away.

