



January 5, 2010

(X) ACTION REQUIRED
() INFORMATIONAL

TO: Chancellor, District of Columbia Public Schools (DCPS)
Principals, DCPS
Public Charter School Board
Public Charter School Directors

FROM: Kerri L. Briggs, PhD *KLB*
State Superintendent of Education

RE: Related Services

CONTACTS: Amy Maisterra, Chief of Staff
Department of Special Education
Email: amy.maisterra@dc.gov
(202) 481-3757
Or
Grace Chien, Charter LEA Policy and Implementation Specialist
Department of Special Education
Email: grace.chien@dc.gov
(202) 741-5089

This Memorandum serves to clarify the expectation of the Office of the State Superintendent of Education (OSSE) regarding related service provision requirements as outlined in the Individuals with Disabilities Education Act (IDEA) 2004 and Title 5, Chapter 30 of the District of Columbia Municipal Regulations (DCMR). Local Education Agencies (LEAs) must provide related services to all eligible students with disabilities when such services are required in order for a child with a disability to benefit from special education. This Memorandum supersedes all previous policy, memoranda and/or guidance promulgated by the State Education Agency (SEA).¹ This policy takes effect on January 2010.

¹ This Memorandum is not intended to be a restatement of the requirements of the IDEA and the District of Columbia Code of Municipal Regulations (DCMR) in regard to related services. LEAs are responsible for knowing and implementing the requirements of IDEA and the DCMR applicable to LEAs.

Background

It is the responsibility of the OSSE, as the SEA, to ensure that all children with disabilities within the District of Columbia receive a Free Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). As defined in the IDEA, FAPE includes both special education and related services, and must be provided to each child with a disability in accordance with the child's Individualized Education Program (IEP) at no cost to the parent.²

In order to be eligible for related services under the IDEA, a child must be identified as a child with a disability and the IEP team must determine that the related service(s) are required to assist the child with a disability to benefit from special education.³ To be appropriate, related services must be designed to meet a child's individual needs. Each child's IEP must include a statement of the special education, related services, and supplementary aids and services to be provided to the child, or on behalf of the child. In order to address the educational needs of the child, the IEP must also contain a statement of the program modifications or supports for school personnel that will enable the child to advance toward attaining the annual goals, be involved in and make progress in the general education curriculum, participate in extracurricular and other nonacademic activities, and be educated and participate with non-disabled peers.⁴

The implementation of appropriate related services is one of many LEA responsibilities in providing FAPE. The IDEA specifies that LEAs are also accountable for other responsibilities such as conducting Child Find activities, evaluating students, developing IEPs, and providing the full continuum of service that ensures that the special education and related service needs of each child with a disability are provided in the LRE.⁵ The OSSE expects LEAs to comply fully with all local and federal law in designating and implementing related services.

Key Terms

The key terms outlined below have specific meanings assigned by IDEA (34 C.F.R §300.34), and/or DCMR 5-3001. This is not an exhaustive list of the developmental, corrective and supportive services that a child with disabilities may require. However, to provide clarity on typical types of related services, definitions are provided below.

² 34 C.F.R. §300.17

³ 34 C.F.R. §300.34

⁴ 34 C.F.R. §300.320(a)(4)

⁵ 34 C.F.R. Part 300