



STATE OF CONNECTICUT
STATE DEPARTMENT OF EDUCATION



TO: Directors of Special Education and Pupil Services

FROM: Bryan Klimkiewicz, Special Education Division Director 

DATE: January 5, 2022

SUBJECT: IDEA Requirements related to Annual Reviews and Reevaluations

Thank you for your continued leadership during a school year with a variety of challenges. As you are aware, there has been no waiver of the requirements of the Individuals with Disabilities Education Act (IDEA) throughout the pandemic. The Connecticut State Department of Education (CSDE) would like to acknowledge the herculean efforts of our educators and parents to support the learning, social emotional, and safety needs of students receiving special education and related services while providing a free appropriate public education (FAPE) despite the ever-changing conditions resulting from the pandemic.

Despite these tremendous efforts, through our Special Education Data Application and Collection (SEDAC) review process, the CSDE has identified cases of Annual Reviews and Reevaluations not being held in a timely manner. The purpose of this communication is to remind our school districts that planning and placement team (PPT) meetings must be held at least annually and reevaluations at least every three years. As part of its IDEA monitoring responsibility, the CSDE will issue a citation of noncompliance to a school district for each instance of an annual review or reevaluation not being held in a timely manner. If upon review of the data a pattern of non-compliance is identified, school districts may additionally be cited for systemic non-compliance.

Please remind all staff of the importance of holding Annual Review and Reevaluation PPT meetings in compliance with timelines outlined in federal regulations.

Consistent with prior CSDE guidance, as PPTs convene throughout the school year, teams must develop IEPs that provide FAPE. PPT meetings may be held in-person or remotely and must be scheduled at a mutually convenient time for both the school district and the family. The IDEA provides flexibility in PPT member attendance and excusal (See [ED633](#)).

School districts and parents may mutually agree not to hold a reevaluation because all members of the PPT agree that the student continues to qualify for special education and related services and that adequate evaluative information already exists to develop an appropriate IEP. The date of this agreement (in writing) serves as the reevaluation date and is used to reset the 3-year reevaluation timeline. If determined necessary in the future, a reevaluation may be conducted prior to the end of the third year.

There is no provision in federal law that allows for a delay or extension of the IEP annual review requirement. The CSDE expects school districts to make efforts to support meaningful parent participation in the IEP development and annual review processes; however, in rare circumstances PPT meetings can be held without a parent in attendance if the school district is unable to convince the parents that they should attend.¹ In these cases, the school district must keep a record of its attempts to arrange a mutually agreed upon time and place such as detailed records of telephone calls made or attempted and the results of those calls, copies of correspondence sent to the parents and any responses received.

As an important reminder related to SEDAC, please carefully review the current IEP, prior to scheduling the PPT meeting, to determine any areas of potential noncompliance. This is the list of noncompliance categories that should be corrected prior to the SEDAC freeze on January 31, 2022:

- 1) Most Current Annual Review meeting was **not** held within 1 year of 10/1/2021;
- 2) Last Reevaluation PPT meeting was **not** held within 3 years of 10/1/2021;
- 3) Primary disability is Developmental Delay and student is age 6 or older; and
- 4) Any Post-Secondary Transition field **not** in compliance for all SWD age 14 and over (Note: must be addressed in the Annual Review IEP developed while the student is 13 years old).

Thank you for your attention to this important matter.

¹ 34 CFR § 300.322(d)