

**APPENDIX A**  
**TO**  
**MEMORANDUM OF UNDERSTANDING**  
**EAST LYME AND SALEM COOPERATIVE AGREEMENT OF**  
**March 17, 1997**  
**BY AND BETWEEN**  
**THE BOARD OF EDUCATION OF EAST LYME**  
**AND**  
**THE BOARD OF EDUCATION OF SALEM**

5/21/07

The East Lyme Board of Education (hereinafter "East Lyme") and the Salem Board of Education (hereinafter "Salem") have entered into an agreement establishing the East Lyme and Salem High School Cooperative (hereinafter "Agreement") that includes, among other things, authorization for East Lyme to provide necessary special education services for Salem students eligible under the Agreement to attend East Lyme High School. East Lyme provides reasonable accommodations and appropriate special education and related services in the least restrictive environment for students who are identified consistent with state and federal law as requiring such accommodations and services. It is understood, however, that East Lyme shall not be required to implement new programs to provide for Salem exceptional students within its school program. "Exceptional student" shall be defined as any Salem student who is in a program at East Lyme High School and requires special programming

or accommodations as a special education student or a student accommodated under §504 or other state and federal statutes. This memorandum is intended to represent the interpretation of how Section 1.4, subsection 6) of the Agreement is applied by East Lyme to provide programming to exceptional students and is not intended to be an amendment and/or extension of the Agreement as referenced in the Agreement at Section 8.8.

1. All initial placement, development of individual education programs (hereinafter "IEP"s), subsequent IEP changes and manifestation determinations for exceptional students shall be made by a duly designated planning and placement team (hereinafter "PPT"), or such other teams, if any, authorized by applicable state and/or federal statute, chaired by East Lyme. Salem's Director of Special Programs shall be invited to attend all such team meetings for exceptional students. All PPT/IEP procedures applicable to East Lyme students shall apply to exceptional students, including scheduling, chairing and otherwise providing for PPT meetings.
2. East Lyme staff will serve as case managers for exceptional students and will prepare draft IEP documents, including proposed goals and objectives, for all PPT meetings for exceptional students. East Lyme staff will also be responsible for the preparation and dissemination of all final PPT/IEP documents following PPT meetings. The Salem Superintendent of Schools, or his/her designee, will be sent a copy of all such documents. Before the start of any PPT meetings for exceptional students, Salem's Director of Special Programs will receive a copy of any draft IEP documents.
3. East Lyme agrees to accept exceptional students and to prepare IEPs for them, if the PPT, as referenced in Paragraph 1, above, determines that such exceptional students may be appropriately educated in the least restrictive environment at East Lyme High School, and to provide

reasonable accommodations to exceptional students in accordance with state and federal law. The parties acknowledge, however, that the PPT may determine, consistent with state and federal law, that certain exceptional students may not be able to be appropriately educated in the least restrictive environment at the High School. In accordance with the Agreement, Salem will be responsible for providing an education for these students at Salem's sole cost. Legally constituted Planning and Placement Teams, convened and chaired by East Lyme, with the opportunity for input from those staff required by law from Salem and East Lyme, will make the decisions for placement of exceptional students outside East Lyme High School, or the return of previously outplaced exceptional students to East Lyme High School. Programming for exceptional students who are placed outside East Lyme shall be the responsibility of Salem.

4. Exceptional students shall be subject to all the same rules, regulations and restrictions as East Lyme students attending the High School. It is specifically understood that East Lyme shall have primary responsibility for the discipline of all exceptional students pursuant to Section 10-233a *et seq.*, as amended, of the Connecticut General Statutes and consistent with state and federal laws governing the discipline of disabled students.
5. In any disciplinary matter that may result in the expulsion of an exceptional student, East Lyme will provide Salem adequate written notice of the intent to take such action or hold such meeting. Salem may designate a Board of Education member and/or the Salem Superintendent to attend any meeting relating to such disciplinary action. To the maximum extent allowed by law, this right to attendance may extend to executive sessions or other meetings generally not open to the public.

Approved 5/21/07