

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

TO: Interested Parties

FROM: Janice DeFrances, Ed.D. 
Director
Department of Children, Youth and Families

DATE: May 21, 2014

SUBJECT: Proposed DCYF Rule

In accordance with the Administrative Procedures Act, the Department is advertising for promulgation the following amended DCYF rule: **Special Education Services**. This rule is amended to remove a reference to Department policy 1200.1714, Educational Evaluation of Residents, which references specific evaluation instruments. In conformance with state and federal law (including the Individuals with Disabilities Act), the Educational Program at the RI Training School will continue to utilize the latest version of nationally recognized measures to identify residents who are eligible for Special Education Services, to develop an Individualized Educational Plan for eligible residents and to provide appropriate services for residents. This policy also proceeds from the requirements of RI General Law, Federal Law, RI Supreme Court Decisions, the Federal Consent Decree in *Inmates of the RI Training School v. Janice DeFrances*, and /or federal regulation. In the amendment of this rule, consideration was given to: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

The proposed rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) and the RI Secretary of State's Proposed Rules and Regulations Database Search (<http://www.sec.state.ri.us/ProposedRules/>). Written comments may be submitted by June 17, 2014 to:

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