

LEGAL MAILBAG – NOVEMBER 13, 2025



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The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: legalmailbag@casciac.org.

Dear Legal Mailbag,

I have a question regarding teachers’ rights in a PPT. More specifically, what they are allowed and not allowed to advocate for during a PPT? I ask because we have been running into a common theme that my staff is told that they are not allowed to ask for specific student needs that they have data to support at a PPT, because the request needs to be presented to the special education supervisor before the PPT to ensure we have the staff to staff the request. Several of my teachers have been informed at PPTs that if they ask, the request will be denied, even if the team is in agreement with the recommendation and it is necessary for the student. Then, the PPT facilitator will return to the SPED supervisory team for approval.

Signed,
May We Speak Freely?

Dear Freely:

While the desire to keep special education costs down is understandable, stifling discussion and interposing requirements before services can be included in an IEP is inconsistent with the PPT process. There are specific statutory protections for teachers who offer their professional opinions while participating in a PPT meeting. More generally, Legal Mailbag is concerned that some of the restrictions you describe are inconsistent with the underlying premise of the PPT process, which contemplates that parents and educators will engage in a collaborative process

at the PPT meeting to make decisions concerning what a student needs in order to receive a free appropriate public education and how those needs will be met.

The statutory protection for teachers who raise questions or make recommendations at a PPT meeting is set forth in Conn. Gen. Stat. § 10-76d(i)(1):

(1) No local or regional board of education shall discipline, suspend, terminate or otherwise punish any member of a planning and placement team employed by such board who discusses or makes recommendations concerning the provision of special education and related services for a child during a planning and placement team meeting for such child.

A similar protection for teachers participating in Section 504 team meetings is set forth in Conn. Gen. Stat. § 10-d(i)(3), which provides:

(3) No local or regional board of education shall discipline, suspend, terminate or otherwise punish any school employee, as defined in section 10-222d, who discusses or makes recommendations concerning the provision of services or accommodations for a student as part of a plan pursuant to Section 504 of the Rehabilitation Act of 1973, as amended from time to time, during any meeting held to discuss such plan for such student.

On a related note, Legal Mailbag also observes that a Connecticut statute prohibits school personnel from recommending psychotropic medication for students whenever such personnel are fulfilling their professional responsibilities. Conn. Gen. Stat. § 10-212b(b).

More generally, the directives that you describe raise larger issues about the PPT process. The PPT is charged with planning an appropriate program to meet the specific educational needs of the student in question, and parents are key members of that team. School district personnel may not make program and placement decisions unilaterally outside the PPT process, and hearing officers and courts have found that doing so violates the IDEA and, thereby, denies the student the free appropriate public education to which the student is entitled.

Given the central role that parents play in the PPT process, school districts may not interpose procedural requirements before the PPT can fulfill its legal function to plan a student's program, such as a requirement that PPT members get permission from higher ups before the PPT can decide to provide specific services to a child. When the need for significant services, such as an outside placement or 1-1 paraeducator support, is anticipated, school districts should have the appropriate persons attend the PPT so that the PPT can make any necessary decisions.

To be sure, it is appropriate for a PPT member who anticipates a special need to talk with a supervisor to find out what services are available to meet the educational needs of the student. Such preparation and planning are permissible because there can be various ways in which a school district can meet a student's needs. But one or more members of the PPT and a supervisor may not decide through such conversation what services will be or will not be provided to the student. Those decisions must be made at the PPT.