

4321 PROGRAMS FOR STUDENTS WITH DISABILITIES

The Board of Education of the Sharon Springs Central School District shall provide all students with disabilities a free and appropriate public education in the least restrictive environment, and shall maintain records for each child residing in the District who is identified by the Committee on Special Education (CSE) as having a disability. The following outlines the Sharon Springs Central School District's plan, program, and guidelines.

I. Equal Opportunity and Access for Students with Disabilities

Each student with a disability shall be afforded an equal opportunity to take part in the full range of programs, services, and activities provided by the District. This opportunity shall include extracurricular programs and activities that are available to other students who are enrolled in the District's public schools.

II. Committee on Special Education to be Appointed

The Board shall appoint a CSE annually. The function of the CSE shall be to identify, evaluate, and recommend placement of students with disabilities who are in need of special services or programs.

The Board shall consider members of the CSE, as well as other personnel who provide services to students with disabilities, based on these individuals' qualifications, both educational and personal, and their actual knowledge of students with disabilities.

The Board shall ensure that the members of the CSE are appropriately trained to perform their duties. The CSE membership will include:

1. School Psychologist
2. Special Education Teacher
3. Regular Education Teacher of the child
4. School Physician (if requested by parents)
5. Parent Member
6. The student if over 14
7. Representative of the district qualified to provide or supervise Special Ed and who is knowledgeable about general curriculum and availability of resources. (May be psychologist, administrator or chair).

III. Certain Procedures Required

The Superintendent of Schools shall establish administrative practice and procedures that address the following areas:

- A. Identifying and maintaining information about students with disabilities who reside in the District.
- B. Ensuring that students with disabilities and the parents or guardians of such children receive prior written notice whenever the District proposes or refuses to initiate or change the identification, evaluation, or educational placement of a student.
- C. Ensuring that each student with a disability receives a comprehensive, unbiased evaluation to determine her/his educational needs.
- D. Developing an Individualized Education Plan (IEP) for each student with a disability.
- E. Appointing and training appropriate qualified personnel, including the members of the CSE, to perform the functions and provide the services required for adequately meeting the educational needs of students with disabilities.
- F. Maintaining lists of those who are qualified to serve as impartial hearing officers, and also of New York State Education Department approved special education programs within Albany County and adjoining counties.
- G. Ensuring that adequate and appropriate space is available to meet the needs of students with disabilities and the programs serving them.
- H. Reporting to the State Education Department the number of children with disabilities who are being served by the District, as well as those not served.

IV. Board Approval of CSE Recommendations: Procedure When Board Disagrees with CSE Recommendations

The Board recognizes that it has the responsibility to arrange for the appropriate, approved services recommended by the CSE for any child found to have a disability. In the event that the Board disagrees with the recommendation of the CSE, the Board shall return the recommendation to the CSE along with a statement of the concerns or objections and a request that the CSE hold a timely meeting to review said concerns or objections. The CSE shall then consider the Board's concerns or objections, shall revise the student's Individualized Education Plan (IEP) as appropriate, and shall resubmit a recommendation to the Board. If the Board continues to disagree then it may either (a) continue to send recommendation to the CSE for additional reviews of its concerns or objections, or (b) establish a second CSE to develop new recommendations.

V. Parental Right of Appeal: Offer of Mediation Required

- A. RIGHT TO IMPARTIAL HEARING. Placement of a student may be appealed to an impartial hearing officer by the student's parent or guardian. Said impartial hearing officer shall be appointed by the Board.
- B. MEDIATION TO BE OFFERED. Mediation shall be offered to said student's parent or guardian in order to resolve complaints regarding the education of their child as a student with a disability. The District shall provide notice of the availability of mediation at the same time that notice of the availability of an impartial hearing is provided.

VI. Use of Tape Recording Devices at CSE Meetings

The use of any tape recording device at CSE meetings is permissible so long as the device is unobtrusive and will not distract from or interfere adversely with the Committee's deliberative process. The CSE Chairperson shall be informed prior to the start of the meeting that such recordings are to be made. The CSE may on its own initiative recommend that a tape recording be made of its meeting in order to establish a reliable, accurate, and complete account of CSE meetings.

VII. Operation of Educational Programs for Students with Disabilities

The District's special education programs shall be operated in accordance with the regulations of the Commissioner of Education of the State of New York. An IEP shall be developed for each student who is determined to be eligible for special education services. Consistent with the Commissioner's Regulations, the IEP shall indicate: the special educational programs and services to be provided to meet the unique educational needs of the individual student; annual goals consistent with the individual's needs and abilities; and for students first entering special education, instructional objectives and evaluative criteria.

VIII. Annual Review of Student Progress by CSE

In order to ensure student's access to such programs, the CSE shall, pursuant to the requirements of law, annually review each eligible student's program. At each annual review of a student's Individualized Education Program (IEP), the CSE shall consider the appropriateness of modifications to instructional techniques and materials.

IX. Participation of Students with Disabilities in Extracurricular Programs and Activities

Students with disabilities residing in the District shall have the opportunity to participate in all Sharon Springs Central School District programs, including extracurricular programs and activities that are available to other students enrolled in the public schools of the District.

The following procedures shall be followed to ensure enforcement of this policy:

- A. Each student with a disability shall be informed by a teacher or guidance counselor of the availability of extracurricular activities and programs and of her/his eligibility to participate in them.
- B. Each student's parent or guardian shall be advised of this Board of Education policy at the initial placement meeting or the annual review by the CSE.
- C. The District shall ensure that extracurricular programs and activities are accessible to students with disabilities and shall make appropriate individual modifications, including physical facilities, scheduling, and transportation arrangements so that a student will not be excluded from such activities and programs because of the presence of a disability.

X. Report by CSE to the Board of Education

The CSE shall report not less than annually to the Board on the status of programs, services, and facilities made available by the District for the purposes set forth in this policy.

XI. Superintendent to Develop and Maintain Plan

The Superintendent shall develop and maintain a plan that incorporates information concerning the provision of services for students with disabilities, pursuant to the Regulations of the Commissioner of Education.

References:

Education Law Secs 3602(19);4402;4404-a

20 USC 1400 et seq (IDEA)

20 USC 1232g (FERPA)

34 CFR 300.12;300.503

8 NYCRR Part 200, passim

Policy 1134 Broadcasting and Taping Board Meetings

Policy 4321.3, Independent Educational Evaluations

Policy 5500, Student Records