(X) Required
( ) Local
( ) Notice

INDIVIDUALIZED EDUCATION PROGRAM DISTRIBUTION

In order to fulfill the District's responsibility to provide a free appropriate public education to all eligible students with disabilities in an effective manner, it is the policy of the Board of Education of the Hewlett-Woodmere School District to provide general and special education teachers, related service providers and other service providers with a copy of a student's individualized education program ("IEP"), in accordance with the requirements of subdivision 7 of section 4402 of the Education Law.

District's Responsibility to Provide IEP Copies

Prior to the implementation of such program, and as soon as practicable after a meeting of the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) each general education teacher, special education teacher, related service provider, and other service provider who is responsible for the implementation of a student's individualized education program shall be given access to each student's IEP. This includes all of the student's general education core academic and special subject area teachers. Each general education teacher, special education teacher, related service provider, and other service provider who is responsible for the implementation of a student's IEP shall be able to access such student's IEP electronically. Individuals responsible for the implementation of an IEP shall be notified and trained on how to access such IEP electronically.

In addition, a paraprofessional, i.e.; teacher's aide, teacher's assistant or other provider responsible for assisting in IEP implementation, who has IEP implementation responsibilities for the student must, prior to implementation, have the opportunity to review the student's IEP and be informed of his or her specific IEP responsibilities by the professional staff person designated by the chairperson of the CSE/CPSE prior to the implementation of the IEP. Further the paraprofessional must have ongoing access to the IEP.

If special transportation is listed on the IEP, the bus driver, as support staff, must be informed of his or her specific IEP implementation responsibilities and of management needs or special alerts, relevant to his or her assigned duties that result in direct contact with that student. However, a School District is not required to provide to the bus driver a copy of or access to the student's IEP.

The term "other service provider," shall mean a representative of another pubic School District, charter school, BOCES program, child care institution school, Special Act School District, State-supported school, approved private in-state or out-of-state school and an approved preschool provider, where the student receives or will receive IEP services and where the District has made

the placement. The District will ensure that there is no delay in the implementation of the IEP.

The School District will provide access to the student's IEP, prior to implementation, to any program outside the District into which the District's CSE places a child. It will then be the responsibility of these outside service providers to implement the IEP requirements, including providing access to the IEP to teachers and related service providers with IEP implementation responsibility, providing ongoing access to the IEP by paraprofessionals and other providers responsible for the implementation of the IEP and informing all individuals of their specific IEP implementation responsibilities.

Copies of an IEP will be provided through electronic access. All IEP access will be provided and individuals will be informed in a timely manner so as not to delay the provision of IEP services to a student with a disability.

Each regular education teacher, special education teacher, related service provider, and/or other service provider must have access to the IEP by which he or she can readily refer to implement the student's IEP. A security system will be implemented to prevent unauthorized internal and external access to the student's IEP when copies are transmitted and/or provided electronically.

Further, if a student's IEP is revised during the school year, the district will provide electronic access to the student's IEP to teachers and service providers consistent with Chapter 408 and the implementing sections of Part 200 of the Regulations and this policy.

Students Attending Private Schools

In the case of CSE recommended placements the School District will provide the special education teachers and related service providers who are responsible for providing IESP programs and services to a student with a disability enrolled in a nonpublic school program with IESP access and ensure that paraprofessionals and other providers with IESP implementation have access to the IESP.

The School District is not responsible for providing copies of a student's IESP to each teacher of the student who is enrolled unilaterally by a parent in a nonpublic school such as but not limited to a religiously affiliated school or a day care center.

Confidentiality of IEPs

Any information in the student's IEP provided pursuant to this policy shall remain confidential and shall not be disclosed to any other person, in compliance with federal and state laws and regulations, including the Individuals with Disabilities Education Act and the Family Educational Rights and Privacy Act ("FERPA"). The School District may disclose personally identifiable information in a student's education records, including the student's IEP, to school personnel with "legitimate educational interests."

Consistent with FERPA, the School District will, at a minimum:

- Protect the confidentiality of the IEPs provided to teachers and others at collection, storage, disclosure and destruction stages;
- Ensure that all persons collecting or using the IEPs receive training or instruction regarding FERPA requirements;
- Ensure that the regular education teachers, special education teachers, related service providers and other service providers who the District determines to have a legitimate educational interest and who receive access to the IEP are informed about their respective obligations to maintain confidentiality of the particular student records, do not disclose personally identifiable information from the IEP at the end of each school year or upon issuance of a revised or updated IEP; and
- Upon request, provide the parents with a list of the types and locations of education records, including the IEPs collected, maintained or used by the School District.

In addition, the CSE Chair shall designate for each student one, or as appropriate, more than one, professional employee of the School District with knowledge of the student's disability and education program who shall, prior to implementation of the IEP, inform each regular education teacher, special education teacher, related service provider, other service provider, assistant and support staff person of his or her responsibility relating to the implementation of the IEP and of the specific accommodations, program modifications, supports and/or services, and goals and objectives that must be provided for the student in accordance with the IEP. The designation of a professional employee will be made on a case-by-case basis, based on who has knowledge of the student's disability and education program. The chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional. The professional employee so designated shall also be charged with informing each regular education teacher, special education teacher, related service provider, other service provider, assistant and support staff person of the obligation to maintain the confidentiality of the IEP.

Cross-ref: 4321 Programs for Students with Disabilities
5500 Student Records

Ref: Individuals with Disabilities Education Act (IDEA), 2 USC §§ 1400 35 seq.
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g:34CFR Part 99
Educ. Law §4402(7)
8 NYCRR §§200.2(b)(6).(11); 200.4(e)(3)

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