

Board of Education Policy

PROGRAMS FOR STUDENTS WITH DISABILITIES

The Board of Education shall provide appropriate programs and maintain records for each child residing in the district identified by the Committee on Special Education (CSE) as having a disability. The Board shall also appoint subcommittees, if necessary, to ensure the timely evaluation and placement of students with disabilities. The following outlines the district plan, program, and committee guidelines:

I. District Plans for Special Education Programs and Services

The district will prepare a biennial plan describing the full range of its special education programs and services. Such descriptions shall include:

- A. The nature and scope of special education programs and services, including but not limited to a description of the District's resource room programs currently available to students and preschool students residing in the District, and each special class program in terms of group size and composition;
- B. The number and age span of students and preschool students to be served by type of disability and recommended setting;
- C. The method of evaluation used and the extent to which the objectives of the program have been achieved;
- D. The policies and practices of the Board of Education to ensure continual allocation of appropriate space within the District for special education programs that meet the needs of students and preschool students with disabilities;
- E. How the District intends to ensure that all instructional materials will be made available in a usable alternative format for each student with a disability at the same time as such instructional materials are available to the nondisabled students;
- F. The biennial plan's estimated budget; and
- G. The date on which the biennial plan was adopted by the Board of Education.

The plan, with personally identifiable student information deleted, shall be filed and available for public inspection and review by the Commissioner.

II. Access to School Programs by Students with Disabilities

Each student with a disability will have access to the full range of programs and services of this school district, including extracurricular programs and activities that are appropriate for such students. Such programs and services include, but are not limited to:

- A. all courses required for a high school diploma,
- B. required state achievement and competency tests,

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- C. regents and accelerated courses,
- D. remedial instruction,
- E. second language instruction,
- F. computer instruction and usage,
- G. occupational education,
- H. high school equivalency programs,
- I. guidance and career education, and
- J. transition services as defined under the Individuals with Disabilities Education Act.

The Board of Education will also ensure that instructional techniques and materials used by the school are modified to the extent appropriate to provide the opportunity for students with disabilities to meet diploma requirements.

III. Committee on Special Education Members and Program Staff

The members of the Committee on Special Education (CSE) shall include, at least the parents or persons in parental relationship to the student, at least one regular education teacher of the student whenever the student is or may be participating in the regular education environment, at least one special education teacher of the student, or if appropriate, at least one special education provider of the student, a school psychologist, a representative of the school district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of resources of the school district, a school physician if specifically requested in writing by the parent of the student or by a member of the school at least seventy-two (72) hours prior to the meeting, an additional parent member of a student with a disability residing in the school district or a neighboring school district, provided that the additional parent member may be the parent of a student who has been declassified within a period not to exceed five (5) years or the parent of a student who has graduated within a period not to exceed five (5) years, if specifically requested in writing by the parent of the student, the student or by a member of the committee at least seventy-two (72) hours prior to the meeting, other persons having knowledge or special expertise regarding the student, including related services personnel as appropriate, as the school district or the parent(s) shall designate, and if appropriate the student.

CSE members, and other personnel charged with the education of children with disabilities, shall be appropriately appointed and trained.

The Board of Education will consider prospective members of the CSE and other personnel with regard to their specific educational and personal qualifications, working knowledge of students with disabilities, objectively and dedication. After discussion of the above qualifications, the Board shall appoint CSE members and other personnel based upon its best judgment.

The Board shall make local, county, and state-sponsored training sessions available to present and future CSE members and other appointed personnel. It is the intent of the Board to promote the training of school district officials and personnel regarding the respective roles and

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responsibilities of the Board of Education, CSE, administrators, and other staff members. Personnel will be encouraged to participate in training sessions and to provide in-service workshops so that others can be made more knowledgeable of disabilities, needs and law, and regulations in this area.

IV. Operation of Educational Programs for Students with Disabilities

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

The use of any tape recording device at CSE meetings is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the committee. The CSE chair shall be informed prior to the meeting that such recordings are being made. The CSE may recommend that a tape recording be made to ensure a reliable, accurate, and complete account of CSE meetings.

In order to ensure access to services and programs, the CSE will review annually each eligible student's program with regard to:

- A. progress toward a high school diploma,
- B. the extent to which the student can benefit from participation in regular education programs and services (least restrictive environment), and
- C. the extent to which credit towards a high school diploma can be granted through participation in special education programs.

At each annual review of a student's Individual Education Program, the CSE shall consider the appropriateness of modifications, which include:

- A. testing modifications
- B. equipment modifications
- C. modification of instructional techniques (e.g., use of tape recorders, etc.)

Appropriate modifications to instructional techniques and materials shall be prescribed on the student's Individual Education Program, to be followed by all personnel providing programs and services to the student.

Parents of students with disabilities and their children will be provided with notice of the procedural safeguards available to them and their children. The district will use the procedural safeguard notice prescribed by the Commissioner of Education and make the notice available in

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the manner prescribed by the Commissioner’s Regulations. Students with disabilities and their parents will be afforded the procedural safeguard rights set forth in the notice.

The District shall ensure that personally identifiable data and information or records pertaining to students with disabilities remain confidential as required by law and regulations.

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

Students with disabilities residing in the district shall have the opportunity to participate in district programs, including extracurricular programs and activities, which are available to all 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 will be informed by a teacher, guidance counselor, or administrator of the school district of the availability of extracurricular programs and activities and his/her eligibility to participate.
- B. Each student’s parent or guardian will be advised of this Board policy at the initial placement meeting and/or annual review by the CSE.
- C. The district will ensure that extracurricular programs and activities are accessible to students with disabilities and will make appropriate individual modifications, including physical facilities, scheduling, and transportation arrangements, so that a student will not be excluded because of the presence of a disability.

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