

Board of Education Policy

PRESCHOOL SPECIAL EDUCATION

The Board of Education recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board authorizes the Superintendent of Schools to establish administrative practices and procedures to carry out this responsibility. Such administrative practices and procedures shall include:

1. locating and identifying all preschool children with disabilities pursuant to the relevant provisions of the Education Law during the next year. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. ensuring that the parent(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. developing an individualized education program (IEP) for each preschool age child with a disability;
4. appointing and training appropriately qualified personnel including the members of a CPSE;
5. maintaining lists of State Education Department-approved special education programs within the county and adjoining counties in which the district is located, and
6. reporting to the State Education Department the number of children with disabilities that are being served, as well as those not served.

The Board of Education hereby establishes the CPSE as required under the Education Law. The CPSE's responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability.

It is ultimately the responsibility of the Board of Education to review the appropriate approved preschool program and services for the district's children. Should the Board's determination differ from a parent or guardian's preference or the CPSE's recommendations, the Board must provide a written statement of reasons for reaching a different conclusion and send the recommendation back to the CPSE. This written statement must be given to the pre-school child's parent and the municipality in which the pre-school student resides. If the Board of Education refers the CPSE's recommendation back to the CPSE for reconsideration, the Board of Education must also notify the parent/guardian and the CPSE in writing of the need to schedule a meeting to ensure timely placement as required by federal and state law and regulations.

The Board directs the Superintendent to ensure that the district considers that adequate and appropriate space is made available for such programs and services.

The Board of Education shall arrange for the provision of approved and appropriate preschool programs and services for each preschool student with a disability, commencing with the July, September or January starting date for such approved program, unless such programs and services are recommended by the CPSE less than thirty (30) school days prior to, or after, such July, September or

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January starting date selected for such preschool student, in which case, such programs and services shall be provided no later than thirty (30) school days from the recommendation of the CPSE and within sixty (60) school days from receipt of the consent to evaluate.

A parent/guardian may submit a written request for an impartial hearing with the Board of Education with respect to any matter relating to the identification, evaluation or educational placement of a preschool student with a disability, a preschool student suspected of having a disability, or the provision of a free appropriate public education to such preschool student.

Mediation shall be offered to such parent or guardian to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided. Mediation shall not be used to deny or delay a parent's to an impartial hearing or deny any other due process rights of the parent.

Reference: Individuals with Disabilities Education Act, 20 U.S.C. §§ 1400 et seq.
34 CFR §§ 300.12; 300.503
Education Law § 4410
8 NYCRR §§ 200.1; 200.2; 200.5; 200.16

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