

SPECIAL EDUCATION PROGRAMS AND SERVICES

- I. The District shall make available to all students who are eligible under the Individuals with Disabilities Education Act (IDEA) and Article 89 of the New York State Education Law, and implementing regulations, a free appropriate public education in the least restrictive environment appropriate to meet individual needs.
 - A. The District accepts its responsibility to ensure that pupils with disabilities have the same opportunity to participate in district programs including extra-curricular programs and activities, which are available to all other pupils enrolled in the District.
 - B. The District, in accordance with Section 200.2(b)(4) of the Commissioner's Regulations, shall ensure that a continuum of alternative placements will be available to meet the needs of students with disabilities for special education and related services. To enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate, specially designed instruction and supplementary services may be provided in the regular class. Such services may include, but are not limited to, consultant teacher services and other group or individual supplemental or direct special education instruction.
- II. Consistent with the requirements of federal and state laws and regulations, the Board of Education will
 - A. Appoint a committee on special education and, as appropriate, CSE subcommittees to assure the identification and placement of eligible students with disabilities. The Board of Education authorizes the Superintendent to recruit and recommend for hiring individuals who possess the certification, education and experience necessary.
 - B. Based upon the recommendation of the CSE, arrange for special education programs within legally prescribed timeframes. Should it disagree with the recommendation of the CSE, the Board, upon notice to the parents involved, and in accordance with the procedures set forth in the Regulations of the Commissioner of Education, may, forward its concerns to the CSE, or reconvene a second CSE for review of and revisions to the original recommendations as appropriate.
- III. To ensure the appropriate delivery of services to students with disabilities who reside in the District, the Superintendent shall ensure that:
 - A. All children with disabilities residing in the District including those attending private school are identified, located and evaluated. A register of students eligible

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to attend the public schools or to attend a preschool program in accordance with Section 4410 of the Education Law shall be maintained and revised annually by the CSE or CPSE as appropriate.

- B. School wide approaches and pre-referral interventions including, but not limited to, academic intervention services in order to remediate a student's performance prior to referral for special education are implemented.
- C. Personally identifiable data and information or records pertaining to students with disabilities remain confidential as required by law and regulations.
- D. The board shall develop and implement a plan as part of the professional development plan pursuant to section 100.2(dd) of the Commissioner's Regulations. Such plan shall include, but is not limited to a description of the professional development activities provided to all professional staff and supplementary school personnel who work with students with disabilities to assure that they have the skills and knowledge necessary to meet the needs of students with disabilities.
- E. The district plan governing the provision of special education programs and services will provide detailed information on how appropriate space for the provision of special education programs and services will be allocated.

IV. Instructional Materials

- A. The District will establish a plan to ensure that all instructional materials used in the schools of the Waterville Central School District are available in a usable alternative format, which shall meet the National Instructional Materials Accessibility Standard, for each student with a disability in accordance with the student's educational needs and course selection at the same time that such materials are available to nondisabled students.
- B. Alternative format includes, but is not limited to Braille large print, open and closed captioned, audio or an electronic file. An electronic file must be compatible with at least one alternative format conversion software program that is appropriate to meet the needs of the individual student.
- C. The plan shall:
 - 1. give preference in the purchase of instructional materials to those vendors who agree to provide such instructional materials in alternative formats for students with disabilities;

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2. specify, when an electronic file is provided, how the format will be accessed by students and/or how the district will convert to an accessible format;
 3. specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the district for alternate format materials;
 4. specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and
 5. include procedures so that when students with disabilities move into the school district during the school year, the process to obtain needed materials is without delay.
- V. The Committee on Special Education (CSE) is responsible for making recommendations to the Board of Education regarding the identification and placement of students with disabilities.
- A. The CSE will convene periodically in accordance with federal laws and regulations to identify and review each student's IEP and, if necessary, to make further recommendations to the Board of Education.
 - B. The CSE will develop strategies to ensure the successful application of a student's IEP and to ensure that the student's IEP remains confidential and is not disclosed to any person except in accordance with the Family Educational Rights and Privacy Act and the Individuals with Disabilities Education Act, and applicable regulations.
 1. The CSE shall ensure that each regular 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 (IEP) is given a copy of such student's IEP prior to the implementation of such program.
 2. Other service providers (such as certain teachers, assistants, and support staff persons) who will not receive a copy of the IEP, but who have direct contact with a disabled student shall be given information of the specific accommodations relevant to their contact with such student.
 - a. The Chairperson of the CSE shall designate a professional employee of the district with knowledge of the student's disability and the education program to, prior to the implementation of the

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student's IEP, inform each such teacher, assistant and support staff person of his or her responsibility relating to the implementation of the IEP and the specific accommodations, modifications and support that must be provided.

- VI. Parents of students with disabilities and their children shall 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 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.
- VII. Each parent or person in parental relation shall be notified upon enrollment or attendance of their child, that state and federal law provides them with rights regarding referral and evaluation of their child for the purposes of special education services or programs. The district will notify the parent or person in parental relations to obtain the information through the NYSED's A Parent's Guide to Special Education available through the website of the State Education Department. The notification will also include the name and contact information of the Committee on Special Education chairperson or other appropriate special education administrator.

Waterville Central School District

Legal Ref: 8 NYCRR Part 200; 34 CFR 300, 20 U.S.C. Section 14 et seq. (IDEA); 4401 et seq., NYS Education Law; Chapter 408 of the Laws of 2002.

Cross Ref: Programs for Students with Disabilities Under Section 504 of the Federal Rehabilitation Act of 1973 policy. Family Educational Rights and Privacy Act of 1974 (FERPA) Policy

Adopted: 11/14/00, 12/26/02

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