
**PROGRAMS FOR STUDENTS WITH DISABILITIES
UNDER IDEA AND ARTICLE 89**

The Board of Education shall make available to all students eligible under the Individuals with Disabilities Education Act and Article 89 of the Education Law, and their implementing regulations, a free appropriate public education in the least restrictive environment appropriate to meet their individual needs.

The Board acknowledges its responsibility to offer, at public expense, special education and related services which are designed to provide educational benefits to students in conformity with their individualized education program. Special education services or programs will be designed to enable a student with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to his/her needs.

Consistent with the requirements of federal and state law and regulations, the Board will:

1. Appoint a committee on special education (CSE), and as appropriate, CSE subcommittees to assure the identification and placement of eligible students with disabilities.
2. Based upon the recommendation of the CSE, arrange for special education programs within legally prescribed time frames. 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 recommendation as appropriate.

Testing and evaluation procedures will be used for the identification and placement of students with disabilities, which meet the requirements of federal and state law and regulations. As part of the periodic reevaluation of a student with disabilities, the CSE will determine if the child continues to have a particular category of disability, or continued need for special education and related services. The continued eligibility for services of a student previously classified as a student with disabilities will be determined in accordance with the procedures set forth in federal and state law and regulations.

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 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.

To ensure the appropriate delivery of services to students with disabilities in the district, the Superintendent of Schools shall ensure that:

1. All children with disabilities residing in the district, including those attending private school are

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- identified, located and evaluated.
2. 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.
 3. The CSE is informed of the process prescribed by law and regulations for the appropriate declassification of students with disabilities.

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

The Superintendent shall also develop and maintain a comprehensive system of personnel development plan so that professional and paraprofessional staff working with students with disabilities possess the skills and knowledge necessary to meet the needs of students with disabilities.

Dissemination of Individualized Education Program Information

The Board shall provide a copy of each student's *Individualized Education Program Information* (IEP) to each regular education teacher, special education teacher, related service provider and other service providers responsible for implementing a student's IEP to implementation of the IEP in the district.

The Committee on Special Education Chairperson of the district shall designate a professional with knowledge of a student's disabilities and program and inform in writing, each teacher, assistant and support staff person of his/her responsibilities related to implementation of the student's IEP, as well as the modifications and supports provided under such program.

Although dissemination shall be made to each teacher and service provider, re-disclosure of each student's IEP shall only be made if in accordance with existing confidentiality laws, including the Individuals with Disabilities in Education Act and the Family Educational Rights and Privacy Act. The Superintendent of Schools shall develop regulations to implement the provisions under this heading.

Cross ref: 5020.3, Students With Disabilities Under Section 504
5313.4, Discipline of Students with Disabilities Under IDEA and Article 89
5500, Student Records

Ref: Education Law § 4401 et seq. (Article 89)
20 U.S.C. §§1400 et seq. (IDEA)
34 CFR Part 300
8 NYCRR Part 200

Adoption date: July 2003