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Special Education District Plan



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Statement of Assurance

The Governing Board of Education of the Boquet Valley Central School District (henceforth known as the “District”) as a part of a commitment to excellence in education for all students, supports the provision of special education and related services for students with disabilities under the scope of the Committee on Special Education and the Committee on Preschool Special Education.

In full support of State and Federal laws and regulations pertaining to students with disabilities, it is the intent of this Board of Education to assure that the educational needs of students with disabilities are met. To this end, and in full compliance with the Regulations of the Commissioner of Education, the Board has reviewed this District Plan for Special Education.

By action of the Board of Education in a regularly scheduled meeting, the Board has adopted the Special Education District Plan.



Introduction

The Board of Education at Boquet Valley Central School envisions the district as a safe and secure place in which our students will learn. Staff, parents and the community will work collaboratively to nurture a positive and productive educational climate for all students. Students will be encouraged and taught to solve problems and make decisions that benefit themselves and others. Student achievement will be assessed continually to monitor progress. Teachers and students will be held accountable to high standards, not only academically, but in conduct as well. Students will be encouraged to be responsible, respectful, and safe members of the community.



Committee Members

The following individuals served on the Boquet Valley Central School District Special Education Plan Committee.

| Name | Title/Position |
|--------------------|--------------------------------------|
| Courtney Aloï | Teacher |
| Nelly Collazo | Director of Student Support Services |
| Tracey Cross-Baker | School Counselor |
| Katie Cutcher | Speech Therapist |
| Michelle Feeley | Teacher |
| Leighann Greene | Teacher |
| Robyn Le Page | Teacher |
| Suzette Montville | Teacher |
| Marie Williams | SPED Teacher |
| Tracy Waite | Teacher |
| Veronica Uss | Teacher |

Special Education Mission

Our job is to provide high-quality education programs whereby all students are empowered to reach their individual potential, respect, and value themselves and others, and become life-long learners.



Overview

In response to the Special Education needs of our students and in recognition of the advantages of a structured, systematic, and consistent approach for providing Special Education support, the district's Special Education District Plan Committee has devised a district-wide Special Education plan.

The purpose and intent of the plan is to provide information regarding the Special Education process, information for guardians, and how the process will work to support our students.

The plan outlines:

1. The process of IEP and CPSE
2. Governing Regulation of Special Education
3. Board Policies of Special Education for our district
4. The continuum of special education services offered by the district
5. District data that drives our programs



Governing Regulations

Introduction Commissioner's Regulations 200.2 (c) require that each Board of Education shall prepare satisfactory plans and review as necessary as required by subdivision 8(b) of section 3602 of Education Law. Each plan shall include, but not be limited to, the following:

- Description of the nature and scope of special education programs and services currently available to students and preschool students residing in the district;
- Identification of the number and age span of students and preschool students to be served by type of disability and recommended setting;
- Method to be used to evaluate the extent to which the objectives of the program have been achieved; Commissioner's Regulations 200.4 (b) (c);
- Description of the policies and practices of the Board of Education to ensure the continual allocation of appropriate space within the district for special education programs that meet the needs of students and preschool students with disabilities;
- Description of the policies and practices of the Board of Education to ensure that appropriate space will be continually available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by Boards of Cooperative Education Services;
- Description of how the district intends to ensure that all instructional materials to be used in the schools of the district will be made available in a usable alternative format;
- Estimated budget to support such plan;
- The date on which such a plan was adopted by the Board of Education.
- The plan must be kept on file and made available for public inspection and review by the commissioner as required by subdivision 8(b) of section 3602 of the Education Law.



Board of Education Special Education Policies

The Board of Education policies referring to special education can be found in the Policy Manual. Numbers and titles are listed below:

| Numbers | Titles |
|---------|---|
| 1330 | Appointments And Designations By The Board |
| 1338 | Duties Of The School Physician/Nurse Practitioner |
| 7610 | Special Education: District Plan |
| 7611 | Children with Disabilities |
| 7612 | Grouping by Similarity of Needs |
| 7613 | The Role of the Board in Implementing a Student's Individualized Education Program |
| 7614 | Preschool Special Education Program |
| 7615 | Least Restrictive Environment |
| 7616 | Prereferral Intervention Strategies |
| 7617 | Declassification of Students with Disabilities |
| 7620 | Students with Disabilities Participating in District Programs |
| 7621 | Section 504 of the Rehabilitation Act of 1973 |
| 7630 | Committee on Special Education (CSE)/Committee on Preschool Special Education (CPSE) |
| 7640 | Student Individualized Education Program (IEP): Development and Provision |
| 7641 | Transition Services |
| 7642 | Extended School Year Services and/or Programs |
| 7643 | Transfer Students with Disabilities |
| 7650 | Identification and Register of Children with Disabilities |
| 7660 | Parent Involvement for Children with Disabilities |
| 7670 | Due Process Complaints: Selection and Board Appointment of Impartial Hearing Officers |
| 7680 | Independent Educational Evaluations |



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|------|-----------------------------|
| 7690 | Special Education Mediation |
|------|-----------------------------|



Implementation of School-Wide Approaches and Pre-Referral Interventions

In accordance with the Individuals with Disabilities Education Improvement Act (IDEA) and Part 200 of the Commissioner's Regulations, the District must develop a policy and implement a plan to establish pre-referral interventions to assist a student's education process before consideration of referral to the Committee on Special Education (CSE). In keeping with this policy, it is the responsibility of the school's principal and building-level team to investigate all possible avenues of general education support services that would enable the student to achieve the learning standards.

The Board of Education is committed to providing academic intervention services (AIS) and/or response to intervention services (RTI) to students at risk of not meeting the state learning standards. Such services may include additional instruction supplementing the instruction provided in the general curriculum and/or student support services such as guidance, counseling, attendance, and study skills needed to support improved academic performance.

Eligibility for academic intervention services will be determined based on a student's performance on state assessment exams and/or in accordance with the uniformly applied district-developed and district-adopted procedures. Eligible students will receive services consistent with law and regulations which shall commence no later than the beginning of the semester following a determination that a student is eligible for such services.

The Director of Student Support Services, in consultation with each Building Principal, shall maintain a description of the academic intervention and/or student support services for each school. This description will include any variations in services in schools within the district and will specifically delineate:

- the district-wide procedures used to determine the need for academic intervention services;
- the academic intervention instructional and/or support services to be provided;
- whether instructional services and/or support services are offered during the regular school day or during an extended school day or year; and
- the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.

These school-wide approaches shall serve as pre-referral interventions prior to consideration of special education programs through the Committee on Special Education (CSE). These pre-referral interventions will not be utilized as a barrier to prevent appropriate referrals for special education services but shall be used to assess the ability of the student to benefit from general education services. The principal and/or building level team shall maintain a record of pre-referral interventions implemented for each student.



Referral Process

The referral form to the CSE used by the District staff will describe, in writing, intervention services, programs used to remediate the student’s performance prior to services, and/or instructional methodologies, including any supplementary aids or support services provided, or the reasons why no such attempts were made. Each referral shall be reviewed to determine its appropriateness and whether pre-referral interventions have been adequately utilized, and if further interventions are deemed necessary.

Referral 200.4(a)(1)

A student suspected of having a disability shall be referred in writing to the chairperson of the district's committee on special education or to the building administrator of the school which the student attends, or is eligible to attend, for an individual evaluation and determination of eligibility for special education programs and services. The school district must initiate a referral and promptly request parental consent to evaluate the student to determine if the student needs special education services and programs if a student has not made adequate progress after an appropriate period of time when provided instruction as described in section 100.2(ii) of this Title.

(1) Referral for an initial evaluation. A referral may be made by:

- (i) a student's parent as defined in section 200.1(ii) of this Part;
- (ii) a designee of the school district in which the student resides, or the public school district the student legally attends or is eligible to attend;
- (iii) the commissioner or designee of a public agency with responsibility for the education of the student; and/or
- (iv) a designee of an education program affiliated with a child care institution with a committee on special education responsibility pursuant to section 4002(3) of the Education Law.

| By Whom | Process |
|--|---|
| Parent of the child | If received by the chairperson, they must notify the principal within 5 school days. |
| District designee | If received by a principal, the Chairperson must be notified immediately. |
| Commissioner or designee of a public education agency with responsibility for educating the student(e.g., Office of Mental Health for a child attending a State-operated psychiatric center Education Program) | “Date of receipt” = the date received by the committee chairperson or principal, whichever is earliest. |
| A designee of an education program affiliated with a child care institution with CSE | Chairperson immediately notifies the parent of referral, provides Procedural Safeguards Notice, |



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| responsibilities(e.g., Article 81 residential programs with | the Parent Guide to Special Education, prior written notice to conduct an initial evaluation, and requests consent to evaluate. |
|---|---|

Request for Referral for an initial evaluation 200.4(a)(2)

(i) A written request that the school district or agency refer the student for an initial evaluation pursuant to paragraph (1) of this subdivision may be made by:

- (a) a professional staff member of the school district in which the student resides, or the public or private school the student legally attends or is eligible to attend;
- (b) a licensed physician;
- (c) a judicial officer;
- (d) a professional staff member of a public agency with responsibility for welfare, health or education of children; or
- (e) a student who is 18 years of age or older, or an emancipated minor, who is eligible to attend the public schools of the district.

| By Whom | Process |
|---|--|
| Professional staff member of the school district Licensed physician Judicial officer Professional staff member of a public agency with responsibility for welfare, health or education of children Student who is 18 years of age or older, or an emancipated minor | Requests for referral submitted by persons other than the student or judicial officer must include: <ul style="list-style-type: none"> ● reasons for the referral and test results, records, or reports. ● Intervention services, programs or methodologies used to remediate the student’s performance prior to referral, or state reasons why no such attempts were made. ● Describe the extent of prior parent contact. Upon receiving a request for referral, a school district must within 10 school days, either: <ul style="list-style-type: none"> ● Request parent consent to initiate evaluation; or ● Provide the parent with a copy of the request for referral; and <ul style="list-style-type: none"> ○ Inform the parent of his/her right to refer the child for an initial evaluation; and ○ Offer the parent the opportunity to |



| | |
|--|---|
| | meet to discuss the request for referral and, as appropriate. |
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Withdrawal of Referral

If the parent/legal guardian agrees to withdraw the referral, this must be documented in writing, including alternative interventions to be tried, data to be collected, the duration of the intervention, and a time to review progress.

Within ten (10) days of receipt of referral to the CSE, the building administrator may request a meeting with the parent and/or legal guardian, the student, and the referring person, if that person is a staff member to determine whether the student would benefit from additional general education support services as an alternative to special education.

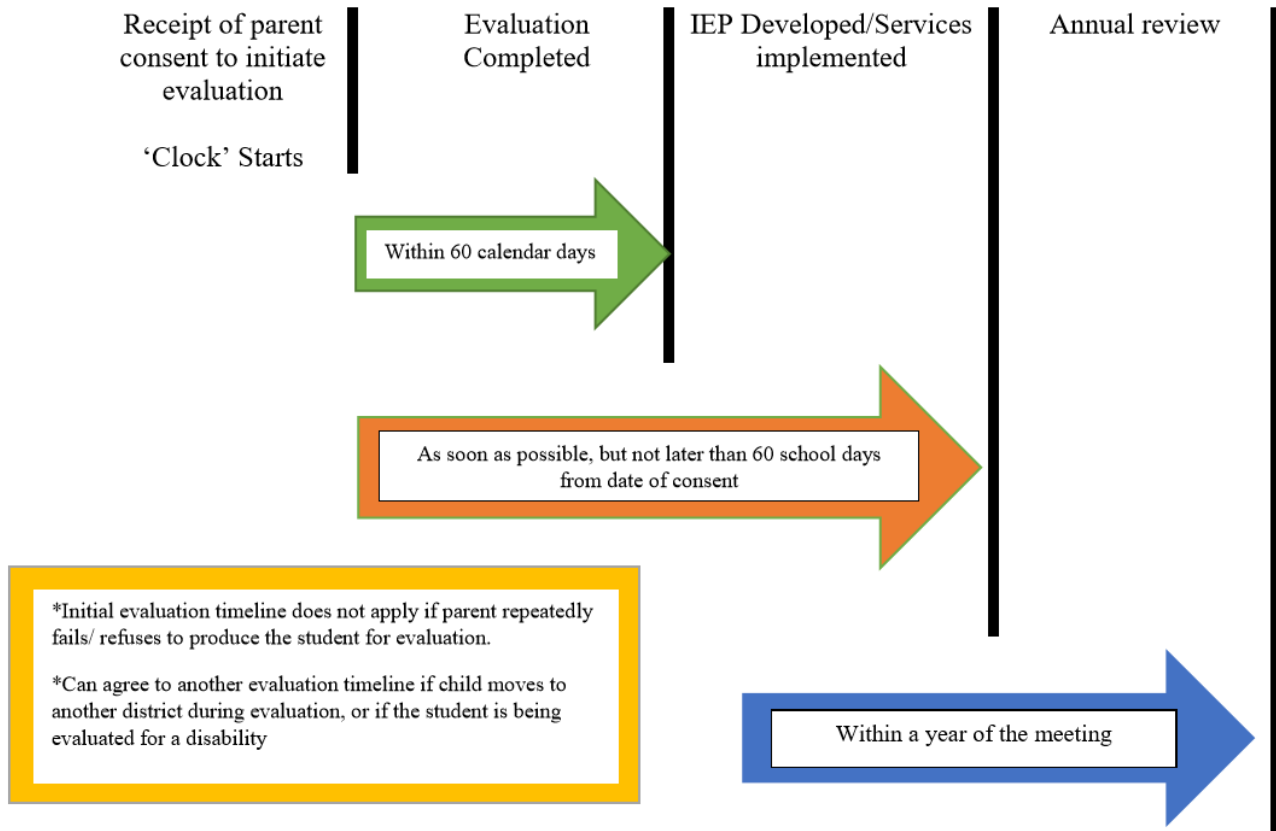
The additional general education support services may include, but are not limited to, speech and language improvement services, educationally related support services, academic intervention services, and any other services designed to address the learning needs of the student. These services need to maintain the student's progress in general education.

At this meeting, if there is a written agreement that with the provision of additional general education support services the referral is unwarranted, the referral shall be deemed withdrawn and the building administrator shall provide a copy of this agreement to the Chairperson of the CSE, the referring person, the parent or legal guardian, and the student if appropriate.

The copy of the agreement will be in the native language of the parent and will name the additional general education support services that will be provided as well as the length of time of each service. This agreement will be placed in the student's cumulative educational record file. If there is no written agreement reached at this meeting, the required timelines of the CSE will be maintained.



CSE Process Timeline



Provision of Appropriate Special Education Services to Enable Involvement and Progress in the General Education Curriculum

All eligible students with disabilities who reside in the School District shall be provided with an appropriate Individual Education Program (IEP) that meets each student's unique educational needs as determined and recommended by the Committee on Special Education (CSE) and arranged for by the Board of Education. This IEP shall be designed to enable involvement and foster progress in general education to the extent appropriate to the needs of the student. In designing the IEP, the CSE will consider the present levels of performance and the expected learning outcomes of the student. The student's academic, social development, physical development, and management needs will be the basis for written annual measurable goals.

In keeping with this policy, the CSE will consider general education at each initial, program, or annual review for the student as well as the appropriate support or related services needed for the student to make academic progress within this environment. Progress or educational benefit shall be indicated by successful academic progress, including improvement in skills, achievement on State mandated examinations, ability to perform activities of daily living, and an increase in adaptive behavior. Progress will also be considered in the social areas, including relationships with peers and adults, feelings about one's self, and the adjustment to school and community environments. Physical development areas such as the student's improvement in motor or sensory areas, health, vitality and physical skills, and the decrease of management needs that require environmental modifications or human resources shall also be considered as progress.

The District will ensure equal access to a diploma for all students with disabilities. Appropriate educational intervention services shall also be considered and determined by the building principal to assist students with disabilities in meeting their academic goals. These services shall be in addition to the special education services deemed appropriate by the CSE. No student, by virtue of designation as a student with a disability, shall be precluded from receiving equivalent instruction unless the CSE has determined that the student requires a Skills and Achievement Commencement Credential. If the student has the potential to achieve a high school diploma but requires a restrictive environment, whether inside or outside the District, the CSE will seek placement in a program that provides equivalent instruction.

The District will also ensure equal access for students with disabilities to extra curricular activities such as clubs, sports, or evening activities and will provide, as recommended by the CSE, appropriate services to enable this participation. Students who are receiving education in out-of-district facilities, as recommended by the CSE, shall also have an equal opportunity to participate in these activities, as deemed appropriate to meet their individualized needs.

Committee on Special Education (CSE) and Committee on Preschool Special Education (CPSE) Appointment

To implement its commitment to the education of students with disabilities, the Board of Education annually appoints a Committee on Special Education (CSE), a Committee on Preschool Special Education (CPSE), and requisite Subcommittees. The Committees are appointed in accordance with the provisions of New York Education Law, Sections 4402 and 4410 and Section 200.3 of the Regulations of the Commissioner of Education. Section 4410 of the Education Law, which established the Committee on Preschool Special Education, was signed into law on July 5, 1989, and the CPSE was established for the first time during the 1989/90 school year. Major functions of the CSE and CPSE include:

- Identifying, evaluating, and recommending placement for students with disabilities;
- Assuring that appropriate due process safeguards are provided for each student;
- Maintaining an annually revised register of all students with disabilities who reside in the district and who are eligible to attend preschool or public school during the coming school year;
- Establishing a network for communication and sharing of resources with other educational and community service agencies;
- Reporting to the Board of Education on the adequacy and status of programs, services, and facilities made available to school-age students with disabilities by the school district, and for preschool students, by public and private agencies within the County of Essex;
- Reporting to the State Education Department on the number of preschool students, if any, within the district who are not receiving appropriate preschool services and the reasons for any such lack of service.



Responsibilities

The Committees have the responsibility to ensure that all necessary procedures for the identification, classification, placement and annual review of the status and progress of every student with a disability are carried out in accordance with federal and state laws and regulations. Subcommittees are authorized to perform the functions of the Committee on Special Education except when a student is considered for a more restrictive environment or initial placement in:

- a special class; or
- a special class outside of the student's school of attendance; or
- a school primarily serving students with disabilities outside the student's home district.

Upon a written request from a parent or a legal guardian of a student, the subcommittee will immediately refer for review to the Committee on Special Education any recommendation concerning the identification, evaluation, educational placement, or provision of a free appropriate public education to a student that is not acceptable to the parent or guardian of the student.

The Committee on Special Education is responsible for oversight and monitoring of the activities of each subcommittee to assure compliance with federal and state law and regulations. Each subcommittee must annually report the status of each student with a disability within its jurisdiction to the Committee on Special Education.



Training CSE/CPSE Members

The District is committed to ensuring that all members of the CSE and CPSE are appropriately trained for their responsibilities on their respective committees. Committee members are made aware of their responsibilities to ensure that services are identified to allow the student to be involved in and progress in the general education curriculum. Specific administrative practices for training these members, including general education teachers and parents, to carry out the provisions of Part 200 include:

- arranging for attendance at meetings regarding CSE/CPSE issues;
- conducting training on a regular basis regarding procedures and any amendments to the Regulations of the Commissioner;
- providing copies of written guidelines pertaining to district practices and procedures for referring and evaluating preschool and school-age students suspected of having a disability;
- inviting committee member(s) to periodic site visits of out-of-district special education placements to familiarize them with placement options available to resident special education students;
- utilizing BOCES and other state-authorized providers as a training resource; and
- utilizing the District attorney as a resource person, if needed, to interpret specific information for the committee members.



General Staff Development

The Board of Education is committed to hiring, training, and retaining highly qualified personnel responsible for carrying out all of the mandates of the Individuals with Disabilities Education Act (IDEA) and the Commissioner's Regulations regarding students with disabilities. Accordingly, it is the Board's policy to recruit, hire, and train appropriately qualified special education personnel to provide special education programs and services, including members and chairpersons of the Committee on Special Education and the Committee on Preschool Special Education.

All special education personnel shall be appropriately qualified to carry out their duties regarding students with disabilities, and shall possess the training, licensing, and certification required by New York State Law.

As part of an ongoing effort to assist special and general education teachers to better understand the needs of students with special needs, staff development provided through

- staff meetings,
- in-service courses,
- Superintendent's Conference Days,
- as well as individual meetings between special and general education teachers will play a critical role in preparing teachers to work with diverse learners.



Description of Special Education Program

The following description of special education services represents programs from the least restrictive environment to the most restrictive. Federal and State regulations, as well as best practices, require that students are educated in the Least Restrictive Environment (LRE) that will meet their individual needs. The LRE is determined by the Committee of Special Education. Refer to BOE policy 7615 and SED Least Restrictive Environment Field Advisory.

While all LRE decisions are based on individual needs, the Boquet Valley Central School District is committed to including as many students with disabilities as possible in the general educational settings to the greatest degree possible, where they have maximum exposure to grade-level curriculum, content specialized teachers, and an opportunity for enhanced social development. To this end, and based upon on-going meetings with our staff and administrators, we will continue to dedicate many resources toward providing inclusive educational opportunities for our students with disabilities.



Continuum of Services

Consultant Teacher Services

The Boquet Valley Central School District provides direct and/or in-direct Consultant Teacher Services to students with disabilities in general education classrooms K-12. Special education consultant teachers providing services collaborate with general education teachers to plan instructional accommodations and modifications for students with disabilities in general education settings. Such students would generally possess good coping skills and would be able to advocate for themselves. The direct consultant service additionally offers students with disabilities the opportunity to receive instruction in regular education classes with non-disabled peers, as the special education teacher “pushes into” the regular education class to provide the service to the student.

Resource Room

This program is for students with disabilities who are in need of specialized supplementary instruction in a small group setting for a specific subject area such as math or reading.

- No more than 5 students may be placed in a resource room at any one time.
- Students are assigned to a resource room program for not less than three hours per week.
- Students are assigned to a resource room based on similarity of individual needs according to levels of academic achievement, learning characteristics, social and physical development, and management needs.

The resource room supports general education through small group review, reinforcement of skills, remediation of learning deficits, pre-teaching new concepts, and supplementing reading or math instruction.

This program also teaches study skills and focuses on the goals and objectives identified in each student's Individualized Education Plan (IEP). This program provides the opportunity for students to receive the majority of their instruction in the regular education classes with non-disabled peers and learn in the least restrictive environment.

Special Education Self-Contained Classes K-8 Description

The K-8 self-contained classes within the District consist of up to 12 students. Each class has 1 Special Education Teacher. Self-contained classes follow the General Education curriculum, however, the material is often modified to meet individual student needs. All instruction is differentiated based on process, product, and content. All lessons are modeled and practiced. Re-teaching is a vital part of daily practice. Positive reinforcement, incentives, and encouragement are used. The goal is to lead students to a less restrictive environment by fostering independence, responsibility, and problem solving skills.

Full day self-contained program Champlain Valley Educational Services (CVES - Plattsburgh and Mineville) with or without related services

The Self-Contained Program provides a separate learning environment to students whose social, emotional or behavioral needs require highly supportive and supervised special education services throughout the school day. Students in the Self-Contained Program focus their attention on developing skills for meeting academic requirements, improving social interaction and developing abilities to manage their behaviors so that they can eventually participate in the larger regular school environment.

When a student's individualized education needs cannot be met by the Boquet Valley Central School district, Champlain Valley Educational Services (CVES) full day self-contained programs, with or without related services, will be considered by the Committee on Special Education. It is the goal of the district to provide timely and appropriate reentry back into a district special education program as soon as the CSE determines the readiness of the student to return to the district.

When a student's individualized education needs cannot be met by CVES, home instruction, hospital instruction, or residential placement will be considered by the Committee on Special Education.

Extended School Year Services

Extended school year (ESY) services are provided to those students with disabilities who experience substantial regression as identified by the guidelines established by the New York State Department of Education. Determinations of ESY services are made at the students' annual review.

State Operated Schools

Such schools are administered by the State Education Department to meet the needs of severely impaired youngsters, through a variety of programs.



Related Services

Related services means (Part 200.1) developmental, corrective and other supportive services as are required to assist a student with a disability and include speech-language pathology, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services (including rehabilitation counseling services), orientation and mobility services, medical services as defined by regulation, parent counseling and training, school health services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation, other appropriate developmental or corrective support services, and other appropriate support services, and include the early identification and assessment of disabling conditions in students.

The Boquet Valley Central School District provides related services as a standalone service or in conjunction with other special education programs dependent upon student needs as identified and discussed at the Committee on Special Education meeting. This is the lowest level of special education services in the least restrictive environment continuum. The following is a summary of available related services:

Speech and Language Therapy

The goal of speech and language therapy is the early identification of communication disorders and the remediation of articulation and phonological deficits, stuttering, voice disorders, and receptive and expressive language problems, which adversely affect a student's educational performance. Services are provided either individually or in small groups at a frequency rate and location established by the Committee on Special Education.

Speech/Language Services address articulation, fluency (example: stuttering), voice (example: nasality), language (expressive and receptive), auditory processing (ability to focus on critical information within an environment that may have background noise), and pragmatics (social language, idioms).

Speech/language therapists/pathologists provide preventative intervention, evaluations, consultations, and direct therapy services.

Occupational Therapy and Physical Therapy

Occupational therapy as a related service focuses on the functional evaluation of the student, and the planning and use of a program of purposeful activities to develop or maintain adaptive skills, designed to achieve maximal physical and mental functioning of the student in his or her daily life tasks. The occupational therapist assesses skill levels and, upon receipt of an appropriate prescription, provides remediation in the areas of deficit such as postural control, motor planning, visual perceptual skills, hand skill development and sensory processing. The therapist may also provide alternative materials and environmental modifications to facilitate independence and generalization of those skills. Occupational

therapy may be provided individually, in a small group, or as a consultant to the classroom teacher, based on the recommendations of the Committee on Special Education.

Occupational therapists work with students who demonstrate fine motor or upper body impairments that affect a student's participation within the educational environment (cutting, drawing, handwriting, activities of daily living, and sensory integration).

Physical therapy as a related service is, upon prescription, directed towards developing and maintaining the student's physical potential for independence in all educationally related activities. A major focus of physical therapy is to develop the student's ability to safely negotiate the school environment.

Physical therapists address the gross motor skills of students within the educational environment. This can include orthopedic and neurological issues. Students who receive direct physical therapy typically have difficulty with loco-motor skills, balance, low muscle tone, or limited range of motion.

School Counseling Services

The school psychologist or school counselor or clinician is responsible for the provision of IEP mandated counseling for individual students and parent training, as prescribed by the Committee on Special Education. These services are provided to those students whose psychosocial needs interfere with their ability to benefit from education. The focus of school-based counseling must be on the school-related difficulties of the student with a disability and is designed to assist the student in overcoming the social or emotional challenges that interfere with the educational process.

Itinerant Services for the Hearing Impaired or Visually Impaired

Hearing and vision impaired services are designed to provide direct specialized instruction to students with hearing and/or visual impairments. The service provider may also provide alternative materials and environmental modifications to facilitate independence and generalization of those skills. Teacher of the Hearing Impaired provides direct service and consultation service. Direct service entails support of all general education curriculum, modification of special curriculum of a particular class, and direct instruction of auditory skills such as discrimination, auditory comprehension. Consultation service entails maintaining and troubleshooting of hearing equipment, consulting with staff regarding meeting hearing needs in the classroom, consulting with audiologists regarding appropriate amplification, and reinforcing advocacy skills with the student. Teachers of the Visually Impaired adapt ways of doing everyday activities and methods of participating in the school curriculum, such as reading and writing in Braille, using a low vision device, or independent living skills. These skills are often known as the expanded core curriculum.



Reading as a Related Service

Reading as a related service is specially designed individualized or group instruction provided to meet the student's needs in the area of reading as recommended in the Individualized Education Program (IEP). The service may be provided in the classroom or in another educational setting structured to meet the individual needs of the student(s).

Assistive Technology Service

Assistive technology service directly supports a student with a disability in the selection, acquisition, or use of an assistive technology device. The service provider provides environmental modifications to facilitate independence and generalization of those skills.



Continuum of Services Available to Preschool Students with Disabilities

Preschool children may be identified as having a disability when they display significant delays in one or more functional areas related to cognition, language and communication, social emotional development, sensory and/or motor delays, and adaptive skills that adversely affects a child's ability to learn. The Committee on Preschool Special Education (CPSE) is required to consider all evaluations and compare them with the child's performance to acceptable developmental milestones. The criteria for eligibility are:

- 12 month delay in one or more functional areas, or
- 33% delay in one functional area, or a 25% delay in two functional areas, or
- 2.0 standard deviation below the mean in one functional area, or a 1.5 standard deviation below the mean in two functional areas.



Continuum of Services Available to School Aged Students with Disabilities

To meet the criteria as a school age student with a disability, the Committee on Special Education must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior. The committee must ensure that information obtained from all these sources is documented and carefully considered. A student with a disability means a student with a disability as defined in section 4401(1) of Education Law, who has not attained the age of 21 prior to September 1st and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the department. The terms used in the definition are: Autism, Deafness, Deaf-blindness, Emotional disturbance, Hearing impairment, Learning disability, Intellectual disability, Multiple disabilities, Orthopedic impairment, Other-health-impairment, Speech or language impairment, Traumatic brain injury, Visual impairment.



SPECIAL EDUCATION STUDENT DATA

The following chart provided in this section reflects data on school age students with disabilities. The data is point in time data. The data source is from the annual State Education Department (SED) report and BEDS day, submitted by the District annually.

| BVCS Enrollment: | CPSE | CSE |
|------------------|--|-----------------------------|
| 460 | 6 | 63 In District Students |
| | | 16 Out of District Students |
| | CPSE + CSE = 89 Students with Disability. Classification rate: <u>19%</u> | |



Special Education Department priorities

1. Educating faculty and staff of the Special Education Plan
2. Continuing to develop the shared Special Education resources
3. Continuing to evaluate the programming in our department to meet the needs and requirements for our population
4. Developing and maintaining a communication chart for special and general education departments



Program Evaluation and Monitoring

The goal of the special education program in the District is to provide each student with individualized instruction designed to help each student more fully reach his or her potential.

The methods used to evaluate the extent to which the objectives of the special education program have been achieved are:

- Ongoing evaluation of student achievement using various standardized diagnostic tests, state assessments and other teacher made assessments;
- Annual reviews of students' progress and programs, resulting in revised comprehensive IEPs;
- Qualitative techniques such as teacher observations and conferences, classroom observations, anecdotal reports, and end-of-year student summary;
- Re-evaluations of each student with a disability;
- Periodic review of the District Plan.



Allocation of Space

The Board of Education recognizes its responsibility to allocate adequate and appropriate space for special education classes, programs, and services that are provided by the District or by BOCES. The Board affirms a commitment to serve students with disabilities in settings with non-disabled peers.

Therefore, school administrators will monitor the number of students with disabilities and the services required for those students and will anticipate future needs in order to identify current and future space needs. Planning for special education programs and services will maximize physical integration of regular and special education programs.

The Superintendent will consider special education space needs as part of the annual budget cycle and during all long-range facilities planning.



Alternative Format Materials

In accordance with Chapter 377 of the Laws of 2001 and amendments to Section 200.2 of the Regulations of the Commissioner, the District has implemented procedures to ensure that every student with a disability who needs his or her instructional materials available in an alternative format will receive those materials at the same time that they are available to non-disabled students.

- Alternative format is defined to mean any medium or format for presentation of instructional or assessment materials, other than traditional print materials, that are needed as an accommodation for a student with a disability enrolled in the school district. It would include, but not be limited to Braille, large print, open and closed caption, audio, or electronic file.
- The need for alternative format materials will be determined by the Committee on Special Education and specified in the student's IEP or by the Section 504 Team and specified in the student's Accommodation Plan.
- The CSE or the Section 504 Team will identify a case manager who will collaborate with school counselors and building or district administrators to obtain alternative format materials, including state assessments.
- Materials in alternative formats will be ordered or produced with sufficient lead-time to ensure that they will be available at the same time as regular format materials are provided to other students.
- The District will give preference in the purchase of instructional materials to those vendors who agree to provide such materials in alternative formats.



Access to Assistive Technology Devices and Services

The District is committed to ensuring that assistive technology devices and/or services are made available to a student with a disability, when appropriate, as part of the student's Individualized Education Program (IEP).

The IEP must describe any specialized equipment and adaptive devices needed for the student to benefit from instruction. IDEA requires each school district to ensure that assistive technology devices and/or services are made available to a preschool or school-age student with a disability as part of the student's special education, related services or supplementary aids or services as described in the IEP. IDEA defines assistive technology devices and assistive technology services, as follows:

Assistive technology devices mean any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. Such a term does not include a medical device that is surgically implanted, or the replacement of such a device.

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the needs of a child with a disability, including a functional evaluation of the student in the student's customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for a child with a disability, or if appropriate, that child's family; and
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of that student.

A student's need for assistive technology is determined through the individual evaluation. The District's CSE/CPSE is responsible for this functional evaluation of the student. The need to conduct an assistive technology component of an evaluation must be considered for students on a case-by-case basis.

Since assistive technology services are provided as part of the student's special education instruction, related services and/or other supplementary aids and services, they must be provided by an appropriately licensed or certified individual in accordance with Section 200.6 of the Regulations of the Commissioner of Education.



Budget

A budget to support the proposed delivery of special education programs will be developed annually, based on the number of special education students and their individual needs. The budget will include the funding necessary to support in-house programs, as well as CVES BOCES special education programs and private placements. An additional sum of money is added to the special education budget each year in anticipation of new special education students moving into the district as well as an amount for unexpected additional needs of current students that might arise. The budget is prepared annually and reviewed by the Director of Student Support Services, Business Office, Superintendent, and the Board of Education.



Special Education Staffing

Special Education assignments are adjusted each year after the CSE annual review process. The Director of Student Services will confer with building principals to determine appropriate scheduling and staffing, with input from teachers and related service providers.



IEP vs. 504 Plan: What's the Difference?

| | <u>IEP</u> | <u>504 Plan</u> |
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| Definition | The Individualized Educational Plan (IEP) is a plan or program developed to ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives specialized instruction and related services. | The 504 Plan is a plan developed to ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations that will support his/her academics and access to the learning environment. |
| Basic Description | A blueprint or plan for a child's special education experience at school. | A blueprint or plan for how the school will provide support and remove barriers for a student with a disability. |
| What It Does | Provides individualized special education and related services to meet a child's unique needs. These services are provided at no cost to families. | Provides services and changes to the learning environment to enable students to learn alongside their peers. As with an IEP, a 504 plan is provided at no cost to families. |
| What Law Applies | The Individuals with Disabilities Education Act (IDEA) This is a federal special education law for children with disabilities. | Section 504 of the Rehabilitation Act of 1973 This is a federal civil rights law to stop discrimination against people with disabilities. |



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| <p>Who's Eligible</p> | <p>To get an IEP, there are two requirements:</p> <p>A child has one or more of the 13 disabilities listed in IDEA. The law lists specific challenges, like learning disabilities, ADHD, autism, and others.</p> <p>The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum. The child must need specialized instruction to make progress in school.</p> | <p>To get a 504 plan, there are two requirements:</p> <p>A child has any disability. Section 504 covers a wide range of different struggles in school.</p> <p>The disability must interfere with the child's ability to learn in a general education classroom.</p> <p>Section 504 has a broader definition of a disability than IDEA. (It says a disability must substantially limit one or more basic life activities. This can include learning, reading, communicating, and thinking.) That is why a child who doesn't qualify for an IEP might still be able to get a 504 plan.</p> |
| <p>Independent Educational Evaluation</p> | <p>Families can ask the school district to pay for an independent educational evaluation (IEE) by an outside expert. The district doesn't have to agree.</p> <p>Families can always pay for an outside evaluation themselves, but the district is not obligated to accept outside recommendations.</p> | <p>Does not allow families to ask for an IEE. As with an IEP evaluation, families can always pay for an outside evaluation themselves.</p> |



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| <p>Who Creates It</p> | <p>There are strict legal requirements about who participates. An IEP is created by an IEP team that must include:</p> <ul style="list-style-type: none"> ● The child’s parent or caregiver ● At least one of the child’s general education teachers ● At least one special education teacher ● School psychologist or other specialist who can interpret evaluation results ● A district representative with authority over special education services <p>With a few exceptions, the entire team must be present for IEP meetings.</p> | <p>The rules about who’s on the 504 team are less specific than they are for an IEP.</p> <p>A 504 plan is created by a team of people who are familiar with the child and who understand the evaluation data and special services options. This might include:</p> <p>The child’s parent or caregiver</p> <p>General and special education teachers</p> <p>The school principal</p> |
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| <p>What's in It</p> | <p>The IEP sets learning goals and describes the services the school will provide. It's a written document.</p> <p>Here are some of the most important things the IEP must include:</p> <ul style="list-style-type: none"> ● The child's present levels of academic and functional performance—how the child is currently doing in school ● Annual education goals for the child and how the school will track progress ● The services the child will get—this may include special education, related, supplementary, and extended school year services ● The timing of services—when they start, how often they occur, and how long they last ● Any accommodations—changes to the child's learning environment ● Any modifications—changes to what the child is expected to learn or know ● How the child will participate in standardized tests ● How the child will be included in general education classes and school activities | <p>There is no standard 504 plan. Unlike an IEP, a 504 plan doesn't have to be a written document.</p> <p>A 504 plan generally includes the following:</p> <ul style="list-style-type: none"> ● Specific accommodations, supports, or services for the child ● Names of who will provide each service |
| <p>Notice</p> | <p>When the school wants to change a child's services or placement, it must tell families in writing before the change. This is called prior written notice. Notice is also required for any IEP meetings and evaluations.</p> | <p>The school must notify families about an evaluation or a "significant change" in placement. Notice doesn't have to be in writing, but most schools do so.</p> |



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| | Families also have “stay put” rights to keep services in place while there’s a disagreement about the IEP. | |
| Consent | A parent or caregiver must consent in writing for the school to evaluate a child. They must also consent in writing before the school can provide the services in an IEP. | A parent or caregiver must consent in writing for the school to evaluate a child. |
| How Often It’s Reviewed and Revised | <p>The IEP team must review the IEP at least once a year.</p> <p>The child must be reevaluated every three years to determine whether services are still needed.</p> | The rules vary by state. Generally, a 504 plan is reviewed each year and a reevaluation is done every three years, or when needed. |
| Funding/Costs | <p>Students receive these services at no charge.</p> <p>States receive additional funding for students with IEPs.</p> | <p>Students receive these services at no charge.</p> <p>States do not receive extra funding for students with 504 plans. However, the federal government can take funding away from programs (including schools) that do not meet their legal duty to serve students with disabilities.</p> <p>IDEA funds cannot be used to serve students with 504 plans.</p> |