

OPPORTUNITIES FOR PERSONS WITH DISABILITIES

P4321

The Board of Education is committed to providing opportunities for participation in the services, programs and activities of the District to persons with disabilities, equal to that of other persons. The District will fulfill all the requirements of federal and state law and regulation in ensuring access to persons with disabilities.

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 an educational 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 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 insure that professional and paraprofessional staff working with students with disabilities possess the skills and knowledge necessary to meet the needs of students with disabilities through professional development and annual performance reviews.

TRANSPORTATION OF HANDICAPPED CHILDREN

Transportation to public or private schools for children determined by the Committee on Special Education to possess handicapping conditions which can be more appropriately addressed by educational programs outside the Burnt Hills-Ballston Lake School District will be limited to the closest facility in which, in the judgment of the Committee on Special Education, an appropriate program is available to the child.

Reviewed April 1997

Renumbered from P1920 – September 2015

Revised May 2012

Renumbered from P6480.1 – September 2015

Reviewed January 2008

Renumbered from P7340 – September 2015