



CITY SCHOOL DISTRICT OF ALBANY EDUCATION OF STUDENTS WITH DISABILITIES

Pursuant to applicable federal and state law and regulations, the Board of Education of the City School District of Albany hereby adopts the following policies and procedures with respect to the education of students with disabilities:

1. **Census and Register of Students with Disabilities:** The Board of Education directs the Director of Special Education Services to establish procedures for, and to annually conduct a census in accordance with Education Law §3240, 3241 and 3242, to locate and identify all students with disabilities who reside in the district and shall establish a register of such students with disabilities who are entitled to attend the public schools of the district or are eligible to attend a preschool program in accordance with §4410 of the Education Law during the next school year. The register of such students and others referred to the district as possibly having a disability shall be maintained and revised annually by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE), as appropriate.

The Director of Special Education Services shall assure the availability of statistical data to readily determine the status of each student with a disability in the identification, location, evaluation, placement and program review process. Census data shall be reported annually to the Board of Education by October 1st to the Committee on Special Education or Committee on Preschool Special Education, as appropriate.

The procedures and activities undertaken to locate, identify and evaluate all nonpublic, private and religious school students with disabilities residing in the district shall be comparable to those activities undertaken for students enrolled in district schools. The Director of Special Education Services shall consult with appropriate representatives of private school students with disabilities, that may include representatives of organizations of nonpublic school groups, selected parents of students with disabilities enrolled in nonpublic schools and selected representatives of the nonpublic schools in the district on how to carry out the location, identification and evaluation process.

At a minimum, the census data shall include the following data each child in the district identified as a student with a disability:

- a. The student's name, address and birth date;
- b. The student's parent's names, address(es), and the dominant language spoken in the student's home;
- c. The student's suspected disability;
- d. Dates of referral, evaluations and recommendations of the Committee on Special Education, or Committee on Preschool Special Education, the student's placement and annual program reviews;
- e. Site where the student is currently attending, and;
- f. If the student is not receiving an appropriate public education, statement of reasons.

The data shall be organized to readily determine whether each student is receiving an appropriate public education, a partial education or no education at all. All persons involved in the collection of data shall have received prior training and written information regarding the procedures to be followed in the collection of data.

The Director of Special Education Services shall prepare, and keep on file, summary reports of student data, including numbers of students who are served and those that are unserved and if unserved, the reasons why. A summary report of the students served shall be submitted by the Director of Special Education Services to the State Education Department in the manner prescribed by the Commissioner.

The Director of Special Education Services shall keep the register and related summary reports, which shall be available to the district superintendent or other representatives of the State Education Department.

2. Administrative Practices and Procedures: The Board of Education hereby adopts the following policies and directs the Director of Special Education Services to establish procedures which ensure that:

- a. Resident students with disabilities who are otherwise qualified have the opportunity to participate in school district programs, to the maximum extent appropriate to their needs including any extracurricular programs and activities, which are available to all other students enrolled in the public schools of the district;
- b. Resident preschool students with disabilities have the opportunity to participate in preschool programs;
- c. Appropriately qualified personnel, including the members and chairpersons of the Committee on Special Education and/or subcommittees, and the Committee on Preschool Special Education are appointed and trained to carry out the functions required by state and federal law and regulations;
- d. Resident students with disabilities are provided with appropriate special education and services necessary to meet the student's individual needs in the least restrictive environment, to the maximum extent appropriate, and to ensure that students with disabilities placed together for the purpose of special education are grouped by similarity of individual needs;
- e. Parents of preschool children who may have a disability receive and understand the request for consent to conduct an evaluation of the student and;
- f. Confidentiality of personally identifiable data, information or records pertaining to a student with a disability is ensured and that such personally identifiable information or be disclosed by any officer or employee of the State Education Department or any school district, or member of a Committee on Special Education or Committee on Preschool Special Education, to any person other than the parent or such student, except in accordance with §300.560 through 300.575 and Part 99 of title 34 of the Code of Federal Regulations.
- g. Pre-referral intervention strategies and approaches are implemented school wide throughout the district in order to remediate student performance prior to referral to special education; and

- h. Declassification of students with disabilities receives regular consideration when appropriate; that a student be reevaluated prior to declassification and that educational and support services be provided to each student upon declassification.

3. **District Plans:** The director of Special Education Services will prepare and maintain a satisfactory district plan as required by Education Law §3602 (10) and Part 200.2 (c)(1) of the Regulations of the Commissioner, which shall include, at a minimum, the following:

- a. A description of the nature and scope of the full continuum of special education programs and services currently available to students and preschool students residing in the district, including but not limited to descriptions of the district's resource room programs and each special class program provided by the district including the group size and composition, as well as, transitional support services and consultant teacher services.
- b. Identification of the number and age span of students and preschool students to be served by type of disability and recommended setting;
- c. The methods to be used to evaluate whether the objectives of the program have been achieved;
- d. A description of the policies and practices of the Board of Education to ensure the continual allocation of appropriate space for special education programs within the District that meet the needs of students and preschool students with disabilities;
- e. A description of the policies and practices of the Board of Education to ensure that appropriate space will be available to meet the needs of resident students and preschool students with disabilities who attend special education programs provided by board of cooperative educational services;
- f. The estimated budget to support such plan; and
- g. The date the plan was adopted by the Board of Education.

Any change in the allocation of space for special education programs which is not consistent with the regional special education space requirements established by the Board of Cooperative Educational Services (BOCES) shall be made upon notice to the appropriate district superintendent of schools within the time lines set by the district superintendent. The district superintendent shall then submit to the Commissioner for approval an amendment to the special education space requirements plan no later than 90 days after receipt if such notice by the district superintendent.

The district plan, with personally identifiable student information deleted, shall be filed with the Director of Special Education Services and available for public inspection and review by the Commissioner.

4. **Approval of Services for Students with Disabilities:** The Board of Education shall, upon completion of an Individual Education Plan (IEP), arrange for appropriate special education programs and services for the student as recommended by the Committee on Special Education. The Board of Education shall notify the parent of its action in accordance with §4402(2)(b)(2) of the education law and shall ensure that such services, determined to be appropriate, are provided within thirty (30) days of the recommendation.

5. **Approval of Services for Preschool Students with Disabilities:** The Board of Education shall, upon completed of an IEP, arrange for appropriate special education programs and services for the preschool student with a disability, as recommended by the Committee on Special Education, from among the services and programs approved for such purpose by the Commissioner. The Board of Education shall notify the parent, the municipality and the Commissioner of its action in accordance with §4410 of the education law and shall ensure that such services, determined to be appropriate, are provided within thirty (30) days of the recommendation.

6. **Maintenance of Lists:** The Board of Education, through the Committee on Special Education/Committee in Preschool Special Education Chairperson shall establish and maintain a list of:

- a. Persons qualified to serve as a surrogate parent pursuant to Part 200.5 (e) of the Regulations of the Commissioner; and
- b. Preschool programs within Albany County and preschool programs in adjoining counties. The list of preschool programs shall be available for dissemination at appropriate sites including, but not limited to, pre-kindergarten day care and head start programs within the district, and early childhood direction centers.

7. **Contracts with other School Districts:** In cases where the district contracts with another school district to provide special education or related services to a resident student with a disability, the receiving district shall serve as the CSE for that student.

8. **Comprehensive System of Personnel Development (CSPD) Plan:** The Director of Special Education services shall prepare and annually submit to the Board of Education for its consideration, a local CSPD Plan demonstrating that all personnel providing services to students with disabilities are adequate as prescribed by the Commissioner of Education. This report, upon adoption by the Board of Education, shall be submitted annually to the Commissioner of Education by such date as is prescribed by the Commissioner. The CSPD Plan shall include, but shall not be limited to, a description of the professional development activities provided to all professional and paraprofessional staff who work with students with disabilities to assure that they have the skills and knowledge necessary to meet the needs of students with disabilities.

9. This policy supercedes any pre-existing policies on this matter.