

# LaFayette Central School District

## District Plan for Students with Disabilities

2023-2024



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Adopted by BOE: July 2023

## TABLE OF CONTENTS:

A. Rationale.....	2
B. Special Education Mission and Vision.....	3
C. Least Restrictive Environment Policy.....	4-5
D. Response to Intervention.....	6
E. General Description of Programs and Services.....	7
a. General Education Program.....	7
b. Transitional Support.....	7
c. Consultant Teacher Service.....	7-8
d. Related Services.....	8
e. Resource Room Program.....	8
f. Special Class.....	8-9
g. Out-of-District Programs.....	10
h. Preschool Special Education.....	10
i. Parochial and Non-public Schools.....	10
F. Identification of Pupils.....	11-12
G. Evaluation of Program Objectives.....	13
H. Allocation of Space within the District.....	14
I. BOCES Space Plan.....	15
J. Budget.....	15

## A. Rationale

Each Board of Education that receives an apportionment for eligible students (pursuant to § 3602(19) of the Education Law) or preschool students with disabilities (pursuant to § 4410 of the Education Law) shall use such apportionments for special education programs and services which are in accordance with the provisions of Part 200 of the Regulations of the Commissioner of Education. Each Board of Education, which receives such apportionment, shall prepare satisfactory plans at intervals required by Education Law, currently every two years. The district plan (with personally identifiable student information deleted) shall be filed and available for public inspection and shall include but need not be limited to the following (8 NYCRR 200.2(c) (2)):

1. A description of the nature and scope 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 in terms of group size and composition;
2. Identification of the number and age span of students and preschool students to be served by type of disability, and recommended setting;
3. The method to be used to evaluate the extent to which the objectives of the program have been achieved;
4. A 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;
5. A 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 Educational Services (BOCES);
6. The estimated budget to support such plan; and
7. The date on which such a plan was adopted by the Board of Education.

Any change to the allocation of space for special education programs which is not consistent with the district plan developed pursuant to this subdivision (8 NYCRR 200.2(c)), or the special education space requirements plan developed pursuant to subdivision (g) of this section [8 NYCRR 200.2(g)], shall be made pursuant to the provisions of paragraph (g) (5) of this section.

**B. LaFayette Central School District Department of Special Education  
Mission and Vision Statements**

Mission Statement:

LaFayette Central School District's Special Education Department's mission is to develop students' growth mindset while providing equal access to the general education curriculum.

Vision Statement:

LaFayette Central School District's Special Education Department's vision is to provide guidelines and strategies that will increase the school community's ability to prepare students to be contributing members of society.

### C. **Least Restrictive Environment Policy**

The Board fully supports the concept and practice that preschool and school-aged students with disabilities will receive the special education needed by the student, will be educated in age appropriate settings, as close to the student's home as possible, and to the maximum extent appropriate with pupils who are not disabled; and placement of students with disabilities in special classes, separate schooling or other removal from the general education environment occurs only when the nature or severity of the disability is such that even with the use of supplementary aids and services, education cannot be achieved satisfactorily.

This is a reflection of the least restrictive environment ("LRE") policy established by the Board of Regents in May of 1994 and last updated May 1998 in response to changes in Federal special education law. In order to implement this requirement, the Committee on Preschool Special Education and the Committee on Special Education ("CPSE" and "CSE"), in consultation with general and special education staff, must insure that the child's individualized education program ("IEP") is complete and accurate relative to the student's unique need areas.

The following principles and assumptions are associated with an educational structure that can respond more effectively to the diverse needs of students and their families:

1. Services and programs will be made available to students based on their individual needs, without regard to classification.
2. A continuum of alternative placements will be available to meet the needs of students with disabilities.
3. All students with disabilities will have equal access to a high quality program based on their individual needs and abilities and designed to enable them to achieve desired learning results established for all students. Educational placement decisions for students will be determined by a process, which first considers a general education environment in the school the student would attend if he/she did not have a disability.
4. The removal of a student with a disability from the general educational environment occurs only when the needs of the student are such that, even with the use of supplementary aids and services, his/her needs cannot be met. However, consideration must be given to the impact of a student with a disability on the education of other students in the general or special education class when making placement decisions.
5. Efforts will be made to access and coordinate with other available services within a local school district, BOCES, or agency program before a student fails in his or her current educational placement.

6. The responsibility for all students is shared among all staff of the school. Parents and guardians will have an opportunity for meaningful participation in the development of the Individualized Education Program (IEP) as equal partners with school personnel.
7. Students with disabilities will be full participants in all aspects of the school program, including extra-curricular activities, to the maximum extent appropriate to their needs.
8. Students with disabilities in segregated placements will transition to general education, when appropriate.

The Committee on Special Education (or Committee on Preschool Special Education) must first consider placement in general education with appropriate support for the student and the student's teacher(s). Supplemental aids and services may be used for the student to realize an educational benefit (achievement of IEP goals) from the general education placement. The CSE (or CPSE) must also consider unique benefits, academic or otherwise, which the child may receive by remaining in the general education environment with other students who do not have disabilities.

It is also recognized that general education is not appropriate for every student with a disability, and individual circumstances may require placement in other (more restrictive) settings. A student's ability to benefit from regular education, as well as significant harmful effects on the other students in the classroom must also be weighed. The behavior of the student may be disruptive to other students or may unreasonably require the teacher's direct attention, to the detriment of other students. In weighing this factor, the school district must keep in mind its obligation to consider supplementary aids and services to accommodate the student's need for additional support prior to the removal of the student.

#### **D. Response to Intervention (RtI)**

As stated in the April 2008 SED Policy Memo (Implementation of Response to Intervention), authored by James DeLorenzo and Jean Stevens, RtI represents an important educational strategy to close achievement gaps for all students, including students at risk, students with disabilities and English language learners, by preventing smaller learning problems from becoming insurmountable gaps. It has also been shown to lead to more appropriate identification of and interventions with students with learning disabilities. This decision as to whether a student has a learning disability must be based on extensive and accurate information that leads to the determination that the student's learning difficulties are not the result of the instructional program or approach. RtI is an effective and instructionally relevant process to inform these decisions.

The NYS Education Department (NYSED) has established a policy framework for RtI in regulations relating to school-wide screenings, minimum components of RtI programs, parent notification, and use of RtI in the identification of students with learning disabilities. The Regents policy establishes RtI as a school-wide system of organizing instruction and support resources to deliver high quality instruction to meet the diverse needs of learners and recognizes it as one of the research-based Contracts for Excellence allowable programs. LaFayette Central School District has a Board approved RtI manual which outlines district policies and procedures. The policies and procedures outlined in the LCSD RtI manual are in alignment with the Regents policy framework for RtI. This manual can be found on the LCSD home page.

The Regents policy framework for RtI authorizes the use of RtI in the State's criteria to determine learning disabilities (LD) and requires, effective July 1, 2012, that all school districts have an RtI program in place as part of the process to determine if a student in grades K-4 is a student with a learning disability in the area of reading. "Effective on or after July 1, 2012, a school district shall not use the severe discrepancy criteria to determine that a student in kindergarten through grade four has a learning disability in the area of reading." [8 NYCRR section 200.4(j)]

## **E. General Descriptions of Programs and Services**

The ability of a school district to provide individual pupils with appropriate programs and services rests with the availability of a continuum of such programs and services and number of alternative placement options. In making programming decisions for all identified students there is a consistent expectation that all students will be included in a rigorous curriculum with the necessary modifications and accommodations for success. Following are descriptions of each alternative within the full continuum of program and service alternatives that may be required to meet the individual needs of children with disabilities.

### **CONTINUUM OF SERVICES**

Type of Program/Expanded Descriptions:

#### *General Education:*

In this setting, the student receives services that are available to all students. Consultation and/or training and/or supplemental aids and services may be provided to the regular classroom teachers from instructional specialists, itinerant special education staff (via indirect consultation), the building administrator(s), or other members of the total school staff.

Students with disabilities must be assured access to all regular education programs offered by the school district. It is imperative that all students are regarded as general education students first with special education services provided as necessary. The amount of daily participation in regular class programs will depend on the extent to which the student's academic, social, physical, and management needs are similar to those of the non-disabled peers. While placed in this setting, the student may require related services and/or supplementary resource room instruction (and/or direct consultant teacher services) to successfully achieve the goals of the regular education curriculum. The pupil placed in the regular class program may also be enrolled in a special class setting for a portion of the day to receive instruction in a specially designed curriculum.

#### *Transitional Support Services:*

When specified in a student's IEP, this temporary service may be provided by a regular or special education teacher to aid in the provision of appropriate services to a student with a disability transferring to a regular program or service in a less restrictive environment.

#### *Consultant Teacher Service:*

Pupils with disabilities who attend regular education classes on a full-time basis may receive direct and/or indirect consultant teacher services to benefit from regular education classes. Consultant teacher services, shall be for the purpose of providing direct and/or indirect services to students with disabilities who attend regular education classes, including career and technical education classes, and/or to such students' regular education teachers. Such services shall be recommended by the CSE to meet specific needs of such students and the student's individualized education program (IEP) shall indicate the regular education classes in which the student will receive consultant teacher services. A special education teacher may provide indirect consultant teacher services to a regular education teacher to assist that teacher in



adjusting the environment or modifying instructional methods in a subject area for a student with a disability.

Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week, except that the CSE may recommend that a student with a disability who also needs resource room services in addition to consultant teacher services, may receive a combination of such services consistent with the student's IEP for not less than three hours each week.

*Related Service:*

Students with disabilities may receive a number of periods a week of related or other support services, provided by appropriate specialists. The extent of these services may range from regular daily sessions to less frequent contacts depending upon the student's individual needs. Related services are those services required to assist a pupil in benefiting from instruction provided in the regular, resource or special class program. Typically, related services, such as physical or occupational therapy, speech pathology, or counseling, are provided to individuals or small groups of pupils, "push-in" or "pull-out." When pupils receive this instruction in small groups, the number of pupils in that group must not exceed five pupils per teacher or specialist.

*Resource Room Program:*

When prescribed in the individualized education program, a resource room program is a special education service. It may be provided to a student with a disability receiving primary instruction in either a regular or special classroom ("push-in" or "pull-out") who requires additional specialized supplementary instruction in an individual or small group setting. Appropriate related services may also be provided. Resource room programs in which pupils are placed must meet the following standards:

1. 1. Instructional groups that include students with a disability may not exceed five students per special education resource room teacher.
2. The composition of instructional groups that include students with disabilities must be based upon the similarity of the individual needs of such pupils according to:
  - a. Level of academic achievement and learning rates;
  - b. Level of social development;
  - c. Level of physical development; and
  - d. The management needs of the pupils in the classroom.
3. The total number of students with disabilities assigned solely to a resource room teacher may not exceed twenty in grades K-6 and twenty-five in grades 7 through 12.

*Special Class:*

These programs are designed for students whose special education needs require specialized instruction on a daily basis in a (partially or totally) self-contained setting with other students who also have disabilities. In all cases, the class size and composition of a special class must be based upon the similarity of educational needs for the enrolled students according to:

- Level of academic achievement and learning rates;
- Level of social development;
- Level of physical development; and

- The management needs of the pupils in the classroom.

Students may be grouped together based upon similar levels of need with others having the same disability or with students having different disabilities. In either case, the students must have similar educational needs.

#### 15:1

A special class of no more than 15 pupils whose instructional and behavior management needs may be met by the assigned teacher with no additional, professional or paraprofessional assistance required.

#### 12:1:1

A special class of no more than 12 students, some or all of whose management needs interfere with the instructional process to the extent that an additional adult is needed within the classroom during each period of instruction to assist with the management needs of such pupils.

#### 12:1:4

A special class of no more than 12 pupils who have severe multiple disabilities and whose instruction is primarily oriented toward habilitation and treatment programs due to the severity of their disability. In addition to the teacher, such classroom groups require the presence of one professional or paraprofessional staff person for each sub-group of three pupils in the classroom at any given time.

#### 6:1:1 and 8:1:1

A special class of no more than 6 or 8 pupils whose management needs in educational, social, and/or physical areas are similar and highly intensive. These needs could not, even with related services, be met in a special class of more than 6 or 8 students. They require a high degree of individualized attention and intervention with at least one paraprofessional to assist the classroom teacher during each period of instruction.

The chronological age range for special classes containing pupils who are less than 16 years of age may not exceed 36 months.

The various program and service options just described are not mutually exclusive; any one or combination of such services may be appropriate to meet the needs of a particular student as determined by the individualized education program approved by the Board of Education and consented to by the student's parents/guardians. However, additional paraprofessionals are employed to serve students who require additional assistance or supervision in less restrictive settings.

#### *Approved Out of District Programs:*

The school district's special education system is not confined to the school district's boundaries. Its special education programs and services may be provided by a variety of educational agencies that are approved to serve pupils in need of special education. Below is a listing of the

various kinds of agencies that the school district may have to employ to provide a full continuum of programs and services:

- A neighboring school district;
- The Board of Cooperative Educational Services (BOCES) agency;
- State-operated or State-supported Schools (appointment by the Commissioner of Education);
- Approved day or residential private schools within or outside the State (approved by the Commissioner of Education); and
- The home or hospital for students so confined.

*Preschool Special Education:*

The district does not currently operate any NYSED-approved preschool special education programs within the district. The Committee on Preschool Special Education (CPSE) arranges for various programming options using providers or programs approved by the New York State Education Dept. and/or the Onondaga County Health Department:

- Itinerant (“related services”) staff;
- Special education itinerant teachers;
- Half- or full-day integrated special classes;
- Segregated special classes in integrated or segregated buildings; and
- Students are served at their home, in SED-approved program sites, and at approved child care settings.

*Parochial and Non-public Schools:*

Due to recent changes in Federal law, effective July 1, 2007, the LaFayette Central School District (LCSD), as the “district of location” is required to find, identify, evaluate, and serve (or facilitate the service delivery for) all school-age IDEA-students with a disability who are parentally placed at private or parochial schools located within the district’s boundaries. Non-public schools outside of LCSD will receive these same services from their “District of Location.”

## J. Identification of Pupils

The following data reports are collected annually by SED through the Student Information Repository System (SIRS):

- VR 1: Preschool Child Count Report by Race/Ethnicity
- VR 2: School Age Child Count by Age and Disability
- VR 3: School Age Students by Disability and Race/Ethnicity
- VR 4: Preschool LRE Setting Report
- VR 5: School Age LRE Setting Report
- VR 6: District Report of Preschool Students by Primary Service Provider
- VR 7: Provider Report of Preschool Students
- VR 8: District Report of School Age Students by Building Where Enrolled
- VR 9: Provider Report of School Age Students
- VR 10: District Report of School Age Students Exiting Special Education
- VR 11: Notification to School District of Compliance Rate on SPP #11
- VR 12: Notification to School District of Compliance Rate on SPP #12
- VR 13: Preschool Children Provided Programs and Services
- VR 14: District Report of Parentally Placed Students in Nonpublic School Who Were Evaluated
- VR 15: Preschool Outcomes Report – Indicator 7
- VR 16: Students Receiving Coordinated Early Intervening Services

The only data that can be reported directly into the PD Data System are the PD 6 (Personnel Form) and PD 8 (Suspension Data):

- PD-6: Report of Personnel Employed or Contracted to Provide Special Education and Related Services to Students with Disabilities.
- PD-8: Report of Students with Disabilities Subject to Disciplinary Removal.

These data are entered directly into the PD Data System under Self Review Checklists:

- Indicator 4A: Suspension Rate for Students with Disabilities
- Indicator 4B: Suspension Rate for Students with Disabilities by Race and Ethnicity
- Indication 9: Disproportionate Identification of Racial and Ethnic Groups for Special Education and Related Services
- Indicator 10A: Disproportionate Representation of Students with Disabilities by Classification
- Indicator 10B: Disproportionate Representation of Students with Disabilities by Placement
- Indicator 13: Secondary Transition IEP Review for Students with Disabilities

**J. Identification of Pupils (continued)**

The following reports are submitted periodically to SED according to the State Performance Plan (SPP) schedule; New York State will collect data for Federal indicators from a different group of one sixth (1/6) of the school districts on each indicator each year (except New York City). Over a six-year period all school districts that provide educational services to students with disabilities in grades K-12 will report data to the State on all of these indicators. The reader is referred to the "School Report Card" or similar public records to learn more about how our pupils with disabilities scored on the statewide assessments:

1. Enrollment & Classification Rate Indicator
2. Graduation Rate Indicator
3. Drop-Out Rate Indicator
4. State Assessments Indicator
5. Suspensions/Expulsions Indicator
6. School-Age Least Restrictive Environment (LRE) Indicator
7. Preschool Least Restrictive Environment (LRE) Indicator
8. Preschool Outcomes Indicator
9. Parental Involvement Indicator
10. Disproportionality - Identification for Special Education Indicator
11. Disproportionality in Specific Disability Categories Indicator
12. Disproportionality in Special Education Placements Indicator
13. Timely Evaluations (Child Find) Indicator
14. Early Childhood Transition Indicator
15. Secondary Transition Indicator
16. Post-School Outcomes

**G. Evaluation of Program Objective**

- A. Individual and group testing in English-Language Arts and Mathematics.
- B. Evaluation by teaching staff using progress notes relative to each student's Individualized Education Program (IEP) goals.
- C. At least one annual review of each student's IEP.
- D. Comprehensive re-evaluation of each student at least once every three years, when appropriate.
- E. Yearly federal project evaluation.
- F. State program compliance audits.
- G. District-wide Kindergarten screening (school readiness) and new entrant screening pursuant to 8 NYCRR 117.
- H. Curriculum-based measurements in all academic areas.
- I. Consistent with the NYSED Quality Assurance Process and the New York State IDEA Part B State Performance Plan, key performance indicators will be monitored and reported:
  - New York State assessments (participation and outcomes)
  - New York State Alternate Assessment (participation and outcomes)
  - Regents' exams (attempted and passed)
  - Numbers and types of diplomas awarded
  - Dropout incidence
  - Classification rate
  - Integration in general education classrooms
  - Placement in separate settings
  - Post-school outcomes
  - Preschool outcomes
  - Parent involvement
  - Child-find timely evaluations and eligibility
  - Secondary transition

#### H. **Allocation of Space within the District**

The Board of Education and administration of the LaFayette Central School District recognizes the importance of ample and appropriate space so that students with disabilities can receive a quality education consistent with that provided to their non-disabled peers. Therefore, it is affirmed that the use of physical space within the district shall be planned and utilized according to the following guidelines:

1. Students with disabilities will be served in settings of ample size, safety and comfort, in all programs or services offered by the District, within regular education or special education.
2. Furthermore, these programs must, consistent with applicable laws and regulations, be accessible for the physically challenged and integrated with programs for non-disabled peers.
3. Resource room support [for supplemental instruction] will be available throughout the district.
4. Special class instruction shall be located throughout the district, unless declining student numbers do not warrant this level of programming. Every reasonable effort shall be made to place a child in his or her "home school."
5. Any additional "unused" space(s) within any school shall be made available to BOCES for reasonable monetary consideration for use by their special education program(s); In September of 2023, one 12:1:1 OCM BOCES class is located at C. Grant Grimshaw Elementary (2 classrooms) and three OCM BOCES 8:1:1 classrooms are housed in the LaFayette Junior-Senior High School (3 classrooms).
6. Spaces used by students with disabilities (whether BOCES placements or District programs) must receive the same degree of "stability" [e.g., freedom from relocation] as is afforded the regular class students.
7. Administrative staff must periodically review and report to the Board the adequacy of existing space for students with disabilities.
8. Any new spaces to be created (via building expansion, renovation and/or construction) must be planned and utilized according to the requirements of Section 200.2 (c) of the Regulations of the Commissioner and existing building codes so that special education students and programs receive fair and equal consideration

I. **BOCES SPACE PLAN**

See above - Section V(5) + (6)

J. **Budget**

A. Budget (2022-2023) approved by the Board of Education and voters of the community to support the special education program and plan

<b>Item Type(s)</b>	<b>Budget Code(s)</b>	<b>Amount</b>
Teaching Salaries - Contractual	A2250.150.01/02/05/06	586,078
Teaching Salaries – Hourly	A2250.151.02/05	78,438
Teaching Salaries – Contractual	R2250.151.00	420,596
Teaching Assistants – Contractual	A2250.155.02/05/06	435,813
Teaching Assistants – Contractual		
Teacher Aides – Contractual	R2250.155.00	25,335
Teacher Aides – Contractual		
Teacher Aides – Hourly	A2250.160.02/05/06	5,500
Non-Instructional Salaries	R2250.161.00	144,324
	R2250.162.00	500
	A2250.165.05	23,000
Tuition	A 2250.470.01	20,000
Furniture/Equipment	A 2250.200.01/02	7,000
	R 2250.200.00	1,500
Contractual	A 2250.400.01/02/05/06	14,000
	R 2250.400.00	4,000
Professional Learning	A 2250.401.01/02/05/06	6,700
Software	A 2250.460.01/02/05/06	4,000
Supplies/Materials (A portion is for curriculum.)	A 2250.500.01/02/05/06	7,000
	R 2250.500.00	,000
BOCES (Special Ed.) Service Agreements	A 2250.490-01	980,844
	R 2250.490.00	301,005
<b>TOTAL (Special Ed.)</b>		<b>3,084,633</b>