

Students

SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS

Committee on Special Education (CSE) Membership

The Board will appoint a Committee on Special Education (CSE) whose membership will include, but not be limited to, the following members:

- a) The parent(s) or persons in parental relation of the student;
- b) Not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one special education teacher of the student, or, where appropriate, not less than one special education provider (i.e., related service provider) of the student;
- d) A representative of the District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District. An individual who meets these qualifications may be the same individual appointed as the special education teacher or provider in c) above or the school psychologist in i) below. The representative of the District will serve as the chairperson of the Committee;
- e) An individual who can interpret the instructional implications of evaluation results, who may be a CSE member selected from the regular education teacher, the special education teacher or provider, the school psychologist, or the District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;
- f) A member as described in letters b) through e) of this subheading is not required to attend the CSE meeting, in whole or in part, if the parent or person in parental relation to the student with a disability and the District agree, in writing not less than five calendar days prior to the meeting date, that the attendance of the member is not necessary because:
 1. The member's area of the curriculum or related services is not being modified or discussed in the meeting; or
 2. The member's area of the curriculum or related services is being modified or discussed in the meeting but, not less than five calendar days prior to the meeting, the excused member has submitted to the parents or persons in parental relation and the CSE written input into the development of the individualized education program (IEP), particularly with respect to their area of curriculum or related services; or

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Students

SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS (Cont'd.)

3. The committee member is unable to attend due to an emergency or unavoidable scheduling conflict and the District submits the written input listed in 2. above to the parents or persons in parental relation within a reasonable time prior to the meeting and prior to obtaining written consent to the excusal by the parents or persons in parental relation;
 - g) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise will be made by the party (parents or District) who invited the individual to be a member of the committee;
 - h) The student with a disability, as appropriate. The District must invite the student with a disability to attend the student's CSE meeting if a purpose of the meeting will be the consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals. If the student does not attend the CSE meeting, the District must take other steps to ensure that the student's preference and interests are considered. To the extent appropriate, with the consent of the parent or a student 18 years or older, the District must also invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services;
 - i) A school psychologist;
 - j) A school physician, if requested in writing at least 72 hours prior to the meeting by the parents of the student or the District; and
 - k) An additional parent, residing in the District or a neighboring school district who is a parent of a student with a disability, of a student who has been declassified and is no longer eligible for an IEP, or a parent of a disabled student who has graduated. This parent member may serve for a period of five years beyond the student's declassification or graduation provided the parent will not be employed by or under contract with the District. This parent will not be a required member unless the parents or other person in parental relation to the student, the student, or a member of the CSE specifically requests in writing at least 72 hours prior to the meeting, that the additional parent member attend the meeting. The parents or persons in parental relation of the student in question will receive proper written notice of their right to have an additional parent attend any meeting of the committee regarding the student, along with a prepared statement from SED explaining the role of having the additional parent attend the meeting.

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SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS (Cont'd.)

Subcommittee on Special Education Membership

The Board will appoint, as necessary, a Subcommittee on Special Education whose membership will include, but not be limited to, the following members:

- a) The parent(s) of the student;
- b) Not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one special education teacher, of the student, or where appropriate, not less than one special education provider (i.e., related service provider) of the student;
- d) A representative of the District who is qualified to provide or administer or supervise special education and who is knowledgeable about the general education curriculum and about the availability of resources of the District. This individual may also fulfill the requirements of c) or e) of this section. The representative of the District will serve as the chairperson of the Subcommittee;
- e) A school psychologist, whenever a new psychological evaluation is reviewed or a change to a program option with a more intensive staff to student ratio, as set forth in Commissioner's regulations, is considered;
- f) A member as described in letters b) through e) of this subheading is not required to attend the subcommittee meeting, in whole or in part, if the parent or person in parental relation to the student with a disability and the District agree, in writing not less than five calendar days prior to the meeting date, that the attendance of the member is not necessary because:
 1. The member's area of the curriculum or related services is not being modified or discussed in the meeting; or
 2. The member's area of the curriculum or related services is being modified or discussed in the meeting but, not less than five calendar days prior to the meeting, the excused member has submitted to the parents or persons in parental relation and the CSE written input into the development of the IEP, particularly with respect to their area of curriculum or related services; or

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Students

SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON SPECIAL EDUCATION (CSE)/SUBCOMMITTEE ON SPECIAL EDUCATION MEMBERS (Cont'd.)

3. The committee member is unable to attend due to an emergency or unavoidable scheduling conflict and the District submits the written input listed in 2. above to the parents or persons in parental relation within a reasonable time prior to the meeting and prior to obtaining written consent to the excusal by the parents/persons in parental relation;
 - g) At the discretion of the parent or the Committee, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate. The determination of knowledge or special expertise will be made by the party (parents or District) who invited the individual to be a member of the subcommittee;
 - h) An individual who can interpret the instructional implications of evaluation results, who may be a member described in letters "b" through "g" of this subheading; and
 - i) Whenever appropriate, the student with a disability.

Training

The training of qualified personnel is essential to the effective implementation of Commissioner's regulations regarding the education of all students with disabilities.

The Director of Special Education will be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's regulations as well as members of the CSE.

Alternative Means of Meeting

When conducting a meeting of the CSE, the parent and the representative of the District appointed to the CSE may agree to use alternative means of meeting participation, such as videoconferences and conference calls.

Individuals with Disabilities Education Act (IDEA) 20 USC § 1400 et seq.
34 CFR Part 300 and § 300.321
Education Law § 4402
8 NYCRR §§ 200.2(b)(3), 200.3, and 200.4(d)(4)(i)(d)

NOTE: Refer also to Policies #7613 -- The Role of the Board in Implementing a Student's Individualized Education Program
#7632 -- Appointment and Training of Committee on Preschool Special Education (CPSE) Members

Adoption Date: April 22, 2019