

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

Committee on Special Education (CSE) Membership

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

- a) The parent(s) or persons in parental relation of the student. To ensure that one or both parents are present at each CSE meeting, the District and the parent(s) may agree to use alternative means of participation such as videoconferences or conference phone calls;
- b) Not less than one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one (1) special education teacher of the student, or, where appropriate, not less than one (1) special education provider (i.e., related service provider) of such student;
- d) A representative of the School 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 School 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/person in parental relation to the student with a disability and the School District agree, in writing not less than five (5) 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

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2. The member's area of the curriculum or related services is being modified or discussed in the meeting but, not less than five (5) calendar days prior to the meeting, the excused member has submitted to the parents/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
 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/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 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 shall be made by the party (parents or School 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 eighteen (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 seventy-two (72) hours prior to the meeting by the parents of the student or the School District; and

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An additional parent is not required to attend the meeting unless specifically requested in writing, at least seventy-two (72) hours prior to such meeting by the parents or other person in parental relation to the student in question, the student, or a member of the CSE. The parents or persons in parental relation of the student in question shall 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 NYSED explaining the role of having the additional parent attend the meeting.

Subcommittee on Special Education Membership

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

- a) The parent(s) of the student;
- b) Not less than one (1) regular education teacher of such student (if the student is, or may be, participating in the regular education environment);
- c) Not less than one (1) special education teacher, of the student, or where appropriate, not less than one (1) special education provider (i.e., related service provider) of such student;
- d) A representative of the School 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/student ratio, as set forth in Section 200.6(f)(4) of the Regulations of the Commissioner, 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/person in parental relation to the student with a disability and the School District agree, in writing not less than five (5) calendar days prior to the meeting date, that the attendance of the member is not necessary because:

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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 (5) calendar days prior to the meeting, the excused member has submitted to the parents/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
 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/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 shall be made by the party (parents or School 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 the Regulations of the Commissioner of Education regarding the education of all students with disabilities.

The Director of Special Education shall 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 Committee on Special Education.

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Students

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Alternative Means of Meeting

When conducting a meeting of the Committee on Special Education (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 Section 1400 et seq.
34 CFR Part 300 and Section 300.321
Education Law Section 4402
8 NYCRR Sections 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 Members

Adoption Date: January 21, 2014