

# **Special Education Fact Sheet**

Our procedures follow the New York State Regulations of the  
Commissioner of Education Part 200

## **Questions and Answers**

### **What steps do I take if my child is struggling in school?**

First, talk with your child's teacher and if appropriate, the guidance counselor to discuss your concerns. There are resources within general education that may be considered, including Response to Intervention (RTI), Academic Intervention Services (AIS), and other building level services.

If building level supports are not resulting in adequate student progress, you may contact the building administrator. A special education referral may be considered to determine if your child is eligible for Special Education services.

### **What is Response to Intervention?**

[Address the Diverse Needs of Learners - Response to Intervention](#)

### **What is Special Education?**

Special Education is instruction that is specially designed to meet the unique needs of students who have disabilities which impact their ability to access the curriculum. Special education and related services can include special instruction in the classroom, at home, in hospitals or institutions or in other settings. The definition of special education comes from IDEA, the Individuals with Disabilities Education Act. This law gives eligible students with disabilities the right to receive special instruction and services that are specially designed to:

- meet their unique needs (that result from having a disability);
- help them learn the information and skills that other students are learning in the general education curriculum.

### **Who do I contact?**

**Committee on Pre-school Special Education (CPSE)**

Secretary:

Karen McNee - 680-1377

CPSE Chairperson

Thomas Colgan - 680-1324

**Committee on Special Education (CSE)**

Director of Special Education and Pupil Services:

Michele Fenster - 680-1025

Assistant to the Director of Special Education/CSE Chair:

Eleanor Young - 680-1024

**What are the steps in the referral process?**

If you suspect your child has a disability, you can make a referral in writing to the Director of Special Education, or your child's principal. You will then receive a packet that will include a prior written notice form, consent for evaluations form and the Procedural Safeguards.

**What is the timeframe once a referral is made?**

Upon district receipt of the signed consent form, the evaluation process will begin. The timeframe of 30 school days will begin for the Committee on Preschool Special Education and 60 calendar days for the Committee on Special Education.

**What evaluations are required in the Special Education process?**

- Psychological
- Educational
- Social History
- Physical
- Classroom Observation

**Other related service evaluations may include:**

- Speech Language
- Occupational Therapy
- Physical Therapy
- Psychiatric
- Behavioral

### **Who administers the evaluations?**

The district chooses evaluators who have expertise in the specific areas.

### **Can the parent bring private evaluations?**

You may bring private evaluations for the committee to review and consider in making determinations. These private evaluations may be used in conjunction with district evaluations. Private evaluations should be shared with the committee within a reasonable timeframe prior to the meeting.

### **What additional information may be shared?**

- Teacher, parent, and student input
- Report Cards
- Academic history
- Attendance record
- Medical information
- State Testing Results

### **How is eligibility determined?**

Students with disabilities, who need special education and related services, are found eligible when they meet the IDEA definition of a “child with a disability” in combination with state law and regulations.

### **Who are the members of the committee on preschool special education? (CPSE )**

The membership of each committee on preschool special education shall include, but not be limited to:

- (i) the parents of the preschool child;
- (ii) not less than one regular education teacher of the child whenever the

child is or may be participating in the regular education environment;

**(iii)** not less than one special education teacher of the child, or, if appropriate, not less than one special education provider of the child;

**(iv)** a representative of the school district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of preschool special education programs and services and other resources of the school district and the municipality. The representative of the school district shall serve as the chairperson of the committee;

**(v)** an additional parent member of a child with a disability residing in the school district or a neighboring school district and whose child is enrolled in a preschool or elementary level education program, provided that such parent is not a required member if the parent(s) of the child request that the additional parent member not participate;

**(vi)** an individual who can interpret the instructional implications of evaluation results, provided that such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill this role on the committee;

**(vii)** other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the committee on special education;

**(viii)** for a child in transition from early intervention programs and services, at the request of the parent, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and

**(ix)** a representative of the municipality of the preschool child's residence, provided that the attendance of the appointee of the municipality shall not be required for a quorum.

## **Who are the members of the committee on special education? (CSE)**

The membership of each committee shall include, but not be limited to:

- (i)** the parents or persons in parental relationship to the student;
- (ii)** not less than one regular education teacher of the student whenever the student is or may be participating in the regular education environment;
- (iii)** not less than one special education teacher of the student, or, if appropriate, not less than one special education provider of the student;
- (iv)** a school psychologist;
- (v)** a representative of the school district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of resources of the school district, provided that an individual who meets these qualifications may also be the same individual appointed as the special education teacher or the special education provider of the student or the school psychologist. The representative of the school district shall serve as the chairperson of the committee;
- (vi)** an individual who can interpret the instructional implications of evaluation results. Such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill this role on the committee;
- (vii)** a school physician, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting;
- (viii)** an additional parent member of a student with a disability residing in the school district or a neighboring school district, provided that the additional parent member may be the parent of a student who has been declassified within a period not to exceed five years or the parent of a student who has graduated within a period not to exceed five years. Such parent is not a required member if the parents of the student request that the additional parent member not participate in the meeting;
- (ix)** other persons having knowledge or special expertise regarding the student, including related services personnel as appropriate, as the

school district or the parent(s) shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the committee on special education; and

(x) if appropriate, the student.

### **What is the classification category for preschool student?**

All eligible preschool students are classified as a “Preschool Student with a Disability.”

### **What are the 13 classification categories for school age students that determine eligibility?**

- Autism
- Deafness
- Deaf-blindness
- Hearing Impairment
- Intellectual Disability
- Multiple Disabilities
- Other Health Impairment
- Orthopedic Impairment
- Visual Impairment
- Emotional Disturbance
- Learning Disability
- Speech or Language Impairment
- Traumatic Brain Injury

### **What is the least Restrictive Environment?**

By federal law, your child must be educated with their non disabled peers whenever possible.

### **What is a Free and Appropriate Public Education (FAPE)?**

This is the basic legal standard for special education services. Services must be provided free of charge. They must also be appropriate for your child. “Appropriate” means that the services address your child’s educational needs and result in reasonable educational progress.

### **What is an Individual Education Program (IEP)?**

A written plan created by CSE or CPSE that describes your child's educational needs and the help that will be provided at school to address those needs. The IEP describes the help that will be provided to enable your child to make educational progress.

### **How is the IEP implemented?**

The IEP will be implemented by all teachers, service providers and supplementary school personnel who work with your child.

### **Who has access to the student's IEP?**

The parents, regular education teacher, special education teacher, related service provider and supplementary school personnel such as a teaching assistant or teacher aide.

### **What is an Annual Review?**

This is a meeting of the CPSE or CSE to update your child's Individualized Education Plan (IEP). The IEP must be updated at least once a year.

### **What is a Reevaluation?**

According to the Regulations of the Commissioner of Education, the CSE must arrange for an appropriate reevaluation for each student recommended to receive special education services at least every three years. The reevaluation will be for the purpose of determining your child's educational needs and continuing eligibility for special education.

### **If parent disagrees with the recommendation what steps can be taken?**

You are entitled to your due process rights. Please refer to your Procedural Safeguards document for further information.

### **Is a 504 Accommodation Plan a special education service?**

No, Section 504 of the Rehabilitation Act of 1973 is a national civil rights law. Its purpose is to make sure that students with physical or mental disabilities will receive specific supports and services that will help him or her fully participate at school. Students who have an IEP cannot also have a 504 plan.

## **Helpful Links**

[Association for the Education of Gifted Underachieving Students](#)

[IEP Implementation](#)

[Copies of IEP's for Students with Disabilities](#)

[NYACTS](#) - An initiative for Adults and Children on the Autism Spectrum

[Hudson Valley Special Education Parent Center](#)

[Parent & Educator Workshops](#)

[IDA Fact Sheets On Dyslexia and Related Language-Based Learning Differences](#)

[Rockland BOCES Special Education Division](#)

[Special Education Southern Westchester BOCES](#)

[The International Dyslexia Association](#)

[Brain Injury of America](#)

[Autism Society of America](#)

[LD Online - World's Leading Website on Learning Disabilities and ADHD](#)

[National Dissemination Center for Children with Disabilities](#)

[Vocational and Educational Services for Individuals with Disabilities](#)