

Special Education District Plan

Ages 3-21

August 2024-August 2027

Acknowledgements

The plan was substantially shaped as a result of ongoing dialogue with special education department members and our school psychologist. Thank you to all who have been part of the dialogue, as well as your time and expertise in helping us to “chart our course” for the future. This plan is a result of continuous collaboration and efforts to maintain a program that is both responsive to student needs and in compliance with changing mandates and standards.

July 2024 Committee:

Stella Ritter, Director of PPS

Felicia DeCrosta Hunter, Jr/Sr HS Department Head

Lisa Stanton, Special Education Elementary Department Head

Sierra Diamond, Social Worker

Sydney DeThomasis, Social Worker

Dr. Stacey Alexander- Mann, School Psychologist

Heather Howe, School Counselor

Kelly Pacette, School Counselor

Paul Pierce, School Counselor

Amanda Guettler, Behavior Specialist

In accordance with Board of Education Policy # 7610 and Part 200.2 (c) the Regulations of the Commissioner of Education, the district plan for students is to provide the following:

1. A description of the nature and scope of special education programs and services;
2. Identification of number and age span of students to be served;
3. Methods to help the school district evaluate progress towards stated objectives;
4. A description of current and future space needs for special education programs;
5. A description of the method by which instructional materials will be made available in usable alternative format to students with disabilities;
6. Board of Education policies & practices associated with programs and space needs;
7. A budget to support the proposed delivery of special education programs;
8. Date when the plan was adopted by the Board of Education.

Table of Contents

Commonly Used Terms.....	4
Students We Currently Support.....	11
Description of Special Education Programs.....	12
Preschool Services.....	12
School Age Services.....	13
Related Services	
Consultant Teacher	
Integrated Co-Teaching	
17 Resource Room	
15:1 Special Class	
12:1:1 Special Class	
12:1:2 Special Class	
12:1 (3:1) Special Class	
BOCES Operated Classes	
Privately Operated Programs	
State Operated Schools	
Guidelines for Providing Public School Services to Children in Non-Public School/Homeschool.....	19
Methods to Evaluate Progress.....	21
Allocation of Space	21
Budget.....	21
Board Policy.....	22

Commonly Used Terms

Academic Intervention Services (AIS) – These are student support services which supplement instruction provided in the general curriculum and are designed to assist students in meeting State learning standards. AIS are available to students with special needs and shall be provided consistent with the student’s Individualized Education Plan (IEP).

Advocacy – The act of supporting or defending a child’s interests and rights.

Annual Review – An annual review evaluation is conducted at least once a year by the Committee on Special Education for each child with a disability for the purposes of recommending the continuation, modification, or termination of the special education program.

Assessment – This is an evaluation procedure used to identify a child’s needs and the family’s concerns and priorities about their child’s development.

Assistive Technology Devices and Services – These are equipment and services that are approved to be used to improve or maintain the abilities of a child to function, including such activities as playing, communicating or eating. (See 504)

Behavioral Intervention Plan (BIP) - a plan that is based on the results of the functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Child With a Disability – A person under the age of 21 who is entitled to attend public school but because of mental, physical or emotional reasons, can only receive appropriate education opportunities from a program of special education.

Cognitive – A term that describes the process used for remembering, reasoning, understanding, and making decisions. Your child’s cognitive abilities will be assessed during the evaluation.

Committee on Special Education (CSE) – The committee appointed by the school Board of Education to determine eligibility and the appropriate level of services for children aged 5-21 years old. The CSE is a multidisciplinary team established to conduct meetings to develop, review, or revise the Individual Education Program (IEP) for a student with a disability.

Confidentiality – The right that personal information about a child and family is not released without parental consent or only when permitted or required by law.

Consent – The written approval a parent gives to the Committee on Special Education to have their child evaluated and receive services. Consent is always voluntary and a parent may revoke it at any time.

Consultant Teacher Services – direct and/or indirect services, as defined in this subdivision, provided to a student with a disability in the student’s regular education classes and/or to such student's regular education teachers.

- **Direct consultant teacher services:** specially designed individualized or group instruction provided by a certified special education teacher pursuant to subdivision (yy) of this section, to a student with a disability to aid such student to benefit from the student's regular education classes.
- **Indirect consultant teacher services:** consultation provided by a certified special education teacher pursuant to subdivision (yy) of this section to regular education teachers to assist them in adjusting the learning environment and/or modifying their instructional methods to meet the individual needs of a student with a disability who attends their classes.

Committee on Preschool Education- In New York State, every school district has a Committee on Preschool Special Education (CPSE), a program that provides services to children from 3-5 years of age who have or are at risk of having a developmental disability.

Developmental History – Steps or stages of a child’s growth in such skills as sitting, walking, and talking. This information is gathered as part of the social history requirements.

Due Process – Procedures designed to protect a person’s rights. This includes requirements for confidentiality, consent, and complaint mechanisms.

Functional Behavioral Assessment (FBA) - the process of determining why a student engages in behaviors that impede learning and how the student's behavior relates to the environment. The functional behavioral assessment shall be developed consistent with the requirements in section 200.22(a) of this Part and shall include, but is not limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Impartial Hearing – An impartial hearing is a formal process in which a family presents and refutes evidence before an impartial hearing officer (IHO). The impartial hearing officer’s role is to resolve the dispute or complaint regarding the child’s evaluation, IEP, or certain other issues.

Independent Educational Evaluation – means an individual evaluation of a student with a disability or a student thought to have a disability, conducted by a qualified examiner who is not employed by the public agency responsible for the education of the student. Whenever an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria which the school district uses when it initiates an evaluation.

Individualized Education Program (IEP) – A written plan developed by the CSE which specifies the appropriate level of special education programs and services to be provided to meet the unique educational needs of a student with a disability.

Individual Evaluation – any procedures, tests or assessments used selectively with an individual student, including a physical examination in accordance with the provisions of sections 903, 904 and 905 of the Education Law, an individual psychological evaluation, except where a school psychologist has determined pursuant to section 200.4(b) of this Part that a psychological evaluation is unnecessary to evaluate a student of school age, a social history and other appropriate assessments or evaluations as may be necessary to determine whether a student has a disability and the extent of his/her special education needs, but does not include basic tests administered to, or procedures used with, all students in a school grade or class.

Itinerant Services – services provided by a certified special education teacher of an approved program on an itinerant basis at a site determined by the board including but not limited to an approved or licensed pre kindergarten or head start program; the student's home; a hospital; a State facility; or a child care location as defined in section 4410 of the Education Law.

Least Restrictive Environment (LRE) – The placement of students with disabilities in special classes, separate schools or other removal from the regular educational 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 satisfactorily achieved.

Manifestation Determination - A review of the relationship between the student's disability and behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability.

Mediation – A method for solving a problem that uses persons trained in helping people resolve their own problems. In mediation, the school district and parent will try to reach an agreement in which both parties are satisfied.

Native Language – The language or other mode of communication that the family normally uses. Evaluations of your child are required to be administered in the child's dominant language.

Occupational Therapy (OT) – Services delivered by an occupational therapist that relate to self-help skills, adaptive behavior, play, sensory, motor and postural development.

Parent Support Group – Discussion and information-sharing meetings for parents of children with disabilities.

Pendency – A due process right that the parent and child have that allows the child and family to continue to receive services as described on the current IEP while the parent works to resolve a dispute.

Physical Therapy (PT) – Services provided by a physical therapist that relate to large movement difficulties and related functional problems.

Psychological Evaluation – Is a formal or informal process used by a certified school psychologist or licensed psychologist to determine the child’s mental health for purposes of education planning. A variety of psychological, education techniques and examinations are used to determine the student’s developmental, learning, behavioral and other personality characteristics.

Preschool Student with a Disability – Preschool student with a disability is a preschool child as defined in section 4410(1)(i) of Education Law who is eligible to receive preschool programs and services, is not entitled to attend the public schools of the school district of residence pursuant to section 3202 of the Education Law and who, because of mental, physical, or emotional reasons, has been identified as having a disability and can receive appropriate educational opportunities from special programs and services approved by the department. Eligibility as a preschool student with a disability shall be based on the results of an individual evaluation which is provided in the student's native language, not dependent on a single procedure, and administered by a multidisciplinary team in accordance with all other requirements as described in section 200.4

Reevaluation Review – This is a process to reassess the child’s ability and achievement within a three-year period. Previously referred to as triennial evaluation.

Related Services – These are support services such as speech therapy, physical therapy, occupational therapy, psychological services, and counseling services. These services can be delivered in an individual or group setting.

Response To Intervention (RTI) - Instructional interventions provided and specifically designed to meet the needs of a student’s identified area of weakness. This is a process that determines if the student responds to scientific, research-based intervention and is done prior to a referral to CSE.

Section 504 Accommodation Plan – An education plan or modifications for a student suspected of a disability that may not require special education services.

Social History – An assessment conducted to provide information on the social and emotional strengths and needs of the child.

Special Education – Specially designed instruction which includes special services or programs.

Special Education Itinerant Teacher (SEIT) – A preschool special education teacher who provides direct and indirect service in regular programs or a child’s home for students aged 3 and 4.

Speech Therapy (SP or ST) – These are services that are provided by a speech and language pathologist that relate to delays in speech development and communication.

Special Education Department (SED) – This is the state agency that establishes education regulations and provides support to counties and school districts.

Subcommittee – A decision-making committee appointed by the Board of Education which may perform functions similar to CSE with some exceptions.

Special Education Classifications

Student with a Disability: a student with a disability as defined in section 4401(1) of the Education Law, who has not attained the age of 21 prior to September 1st and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the department. The terms used in this definition are defined as follows:

Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3, that adversely affects a student's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a student's educational performance is adversely affected primarily because the student has an emotional disturbance as defined in paragraph (4) of this subdivision. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the criteria in this paragraph are otherwise satisfied.

Deafness: a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification, that adversely affects a student's educational performance.

Deaf-blindness: concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.

Emotional disability: a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a student's educational performance: (i) an inability to learn that cannot be explained by intellectual, sensory, or health factors. (ii) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (iii) inappropriate types of behavior or feelings under normal circumstances; (iv) a generally pervasive mood of unhappiness or depression; or (v) a tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Hearing impairment: an impairment in hearing, whether permanent or fluctuating, that adversely affects the child's educational performance but that is not included under the definition of deafness in this section.

Learning disability: a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, as determined in accordance with section 200.4(j) of this Part. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not

include learning problems that are primarily the result of visual, hearing or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural or economic disadvantage.

Intellectual disability: significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

Multiple disabilities: concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which cause such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic impairment: a severe orthopedic impairment that adversely affects a student's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputation, and fractures or burns which cause contractures).

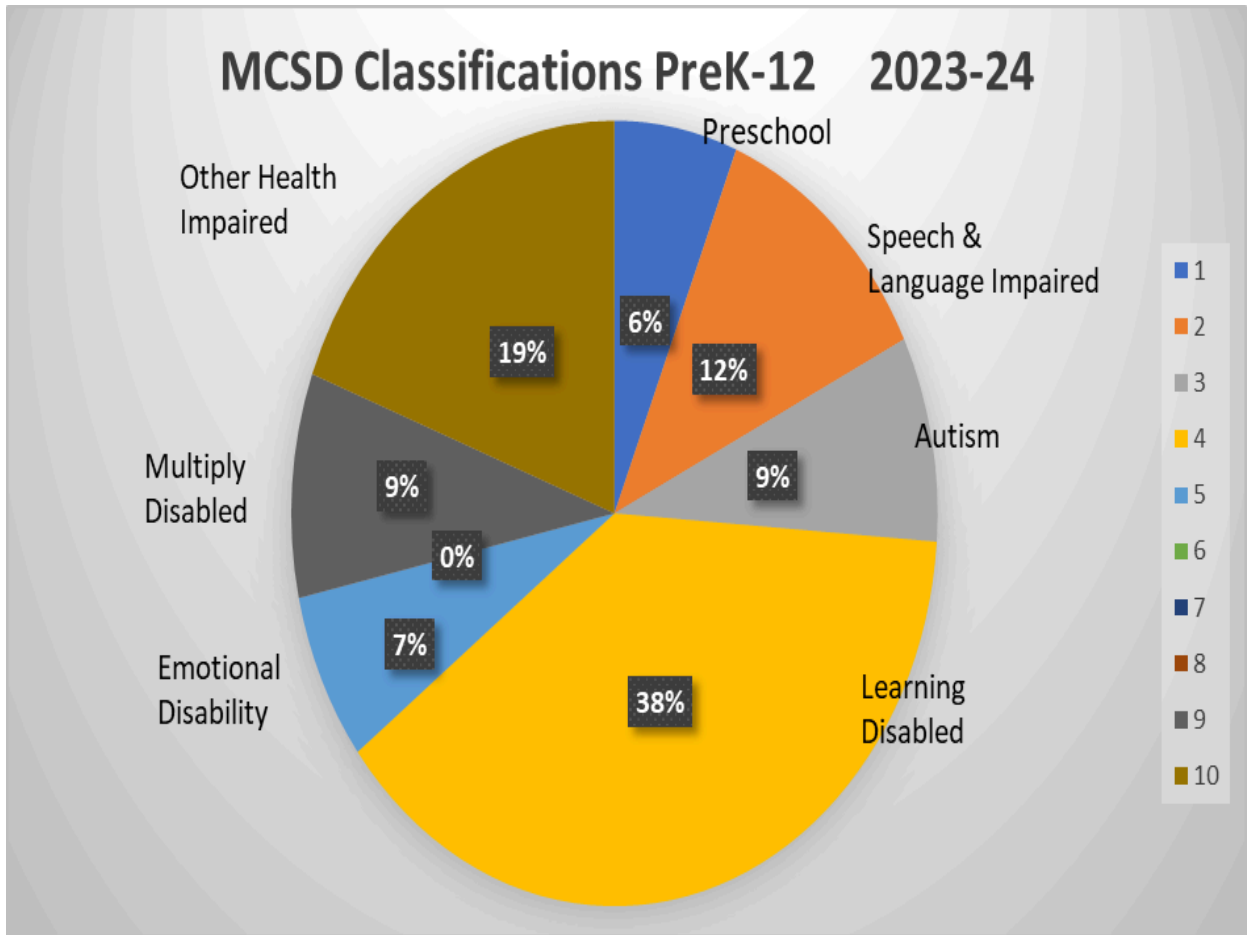
Other health-impairment: having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems, including but not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder or tourette syndrome, which adversely affects a student's educational performance.

Preschooler with a Disability : Children under the age of five and in the Committee on Preschool Education are classified with this overarching term indicating their need for preschool special education services.

Speech or language impairment: a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment, that adversely affects a student's educational performance.

Traumatic brain injury: an acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, anoxia or brain tumors with resulting impairments that adversely affect educational performance. The term includes open or closed head injuries or brain injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not include injuries that are congenital or caused by birth trauma.

Visual impairment including blindness: an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.



Description of Special Education Programs:

The following description of special education services represents program options from the least restrictive environment to the most restrictive. Federal and State regulations, as well as best practice, require that students are educated in the Least Restrictive Environment (LRE) that will meet their individual needs. The LRE is determined by the Committee on Special Education. Refer to BOE Policy #7615.

Current educational research data has shown that students who are taught in an integrated setting demonstrate better academic progress than students taught in segregated settings. While all LRE decisions are based on individual needs, the Middleburgh Central School District is committed to including as many special education students as possible in general education classes, where they have maximum exposure to grade level curriculum and an opportunity for enhanced social development. To this end, and based upon on-going meetings with our special education staff, school psychologists, Licensed Clinical Social Worker, and administrators, we continue to dedicate our resources toward providing Integrated Co-teaching district wide.

Preschool Services ages 3-5

BOE Policy # 7614 Preschool Special Education

Itinerant Services: Itinerant Services are special education or related services that focus on the nature of the child's disability. Itinerant services may be provided in the child's home or in a nursery school setting. This service is provided in conjunction with Schoharie County.

Related Services: Preschool students with disabilities may have itinerant speech therapy, occupational therapy, physical therapy, or social work services, depending on their individual needs. These services are provided at the convenience of the parent, in the home, day care, or nursery school setting.

Special Education Itinerant Teacher: A special education itinerant teacher (SEIT) provides instruction in pre-academic skills and/or social skills to a preschool child with a disability either in the home or in a nursery school setting.

Center-Based Services

Center based special education preschool programs may be half-day or full-day programs. They address the overall developmental needs of the child, coupled with related services, according to each child's individual needs. The class size and staffing may vary depending on student needs.

Special Class in an Alternative Setting: Special classes in alternative settings do not include non-disabled peers in the same class as the pre-school student with a disability. This placement is generally recommended when a student has multiple or high needs for special instruction and services.

Special Class in an Integrated Setting: A special class program in an integrated setting includes both disabled and non-disabled students in the same classroom. This placement is generally recommended when a student has fewer needs or less severe delays, and also when it is felt they would benefit from the modeling of non-disabled peers, for social skills and language development.

School Age: 5-21

BOE Policy # 7615 Programs for Students with Disabilities under the IDEA and New York's Education Law Article 89

Related Services

Related services are developmental, corrective, and supportive services that are required to assist the student with a disability. Below is a summary of available related services:

- *Speech/language therapy*
- *Occupational Therapy*
- *Physical Therapy*
- *Counseling*
- *Psychological counseling*

Additional related services such as teacher of the hearing impaired (THI), teacher of the deaf (TOD), teacher of the visually impaired (TVI), and orientation and mobility services (O&M) are contracted through Questar III or another outside agency for delivery to students in district who are identified by the CSE or Section 504 Committees.

Consultant Teacher Services

The District provides direct and/or in-direct Consultant Teacher Services to students with disabilities in general education classrooms K-12. Special education consultant teachers collaborate with general education teachers to plan instructional accommodations and modifications for students with disabilities in general education settings. Instructional **accommodations** *are changes in how a student accesses information and demonstrates learning and do not substantially change the instructional level, content, or performance criteria.* Accommodations may include changes in presentation or format of instruction and/or response format and procedures, instructional strategies and time/scheduling, environmental considerations, equipment and physical setting. **Modifications** *are changes in what a student is expected to learn to provide opportunities to participate meaningfully and productively with other students in classroom and school learning experiences.*

Modifications may include changes in instructional level, content and performance criteria. disabled peers. One way in which consultant teachers and general education teachers collaborate is through flexible grouping and meeting regularly to discuss plans and grouping of students.

Integrated Co-Teaching

This program provides a special education teacher to co-teach with the general education teacher. At Middleburgh Central School District, the Integrated Co-Teaching model is available in grades K-8 in the areas of English/language arts and mathematics, and in grade 9-12 for English/language arts, algebra and geometry. There are several co-teaching models, including supportive teaching, parallel teaching, complementary teaching and team teaching. The co-teaching model pairs a content specialist, the general education teacher, and an access specialist, the special education teacher, to ensure that students with disabilities can be successful in the general education classroom.

- There may be no more than 13 students with IEPs in any general education co- taught classroom. Upon request, the State Education Department may grant a variance for one additional student for a total of 14 students. The percentage of students with disabilities in an integrated classroom does not exceed 50%.

Resource Room

This program is for students with disabilities who are in need of specialized supplementary instruction in a small group setting for a specific subject area such as math or reading.

- No more than 5 students may be placed in a resource room at any one time.
- Students are assigned to a resource room program for not less than three hours per week and not more than 50% of the school day.
- A teacher assigned to teach a resource room full time might have a caseload of 20 students. If the teacher is assigned to teach resource room and other special education classes, the caseload is prorated based on time in each assignment area.
- Students are assigned to a resource room based on similarity of individual needs according to levels of academic achievement, learning characteristics, social and physical development, and management needs.
- The resource room supports general education through small group review, reinforcement of skills, remediation of learning deficits, pre-teaching new concepts, and supplementing reading or math instruction.

Special Class Programs:

The district provides special class programs taught by a special education teacher outside of the general education setting. The chronological age range within special education classes for students less than 16 years of age may not exceed 36 months. If circumstances arise which would result in an age range greater than 36 months, the district would need to apply for a variance to Part 200.6 (g)(5). The district provides the following types of special class programs:

15:1

- The district will operate 15:1 classes when appropriate for student needs.
- A 15:1 class consists of 15 students and a certified special education teacher. Specially designed instruction will be provided to students in this setting to better match academic and instructional needs in a smaller setting

12:1:1

- The district will operate 12:1:1 classes based on need in the elementary (grades 3-5), middle school (grades 6 – 8), and high school (grades 9-12). A 12:1:1 class consists of 12 students, a certified special education teacher and a teacher assistant.
- Students in 12:1:1 special classes are in need of an alternate learning environment, in which they can receive small group instruction in reading, math, social studies and science. These students generally have a severe discrepancy between their academic skill levels and actual grade level that would prevent them from accessing appropriate content from instruction in the general education setting, even with supplementary aides and services.
- Students may spend all or part of their day in the 12:1:1 class, depending on the nature and severity of their academic and management needs. The majority of these students participate in general education classes for Music, Art, P.E., Technology, Family and Consumer Sciences, and Health. High School 12:1:1 students may also participate in general education elective courses and language when appropriate.
- The curriculum in 12:1:1 special classes parallels that of the general education program and includes extensive modifications to methodology that could not be accomplished satisfactorily in a general education setting.
- The High School 12:1:1 students work toward earning units of credit for a Regents or Local diploma.
- Students may also receive the Career Development and Occupational Studies (CDOS) credential in addition to a Regents/local diploma or in lieu of the diploma. The CDOS learning standards are a progression of standards for career development, integrated learning and universal foundation skills. The NYS CDOS Commencement Credential requires documentation that the student has demonstrated knowledge and skills at the commencement level of the CDOS learning standards.

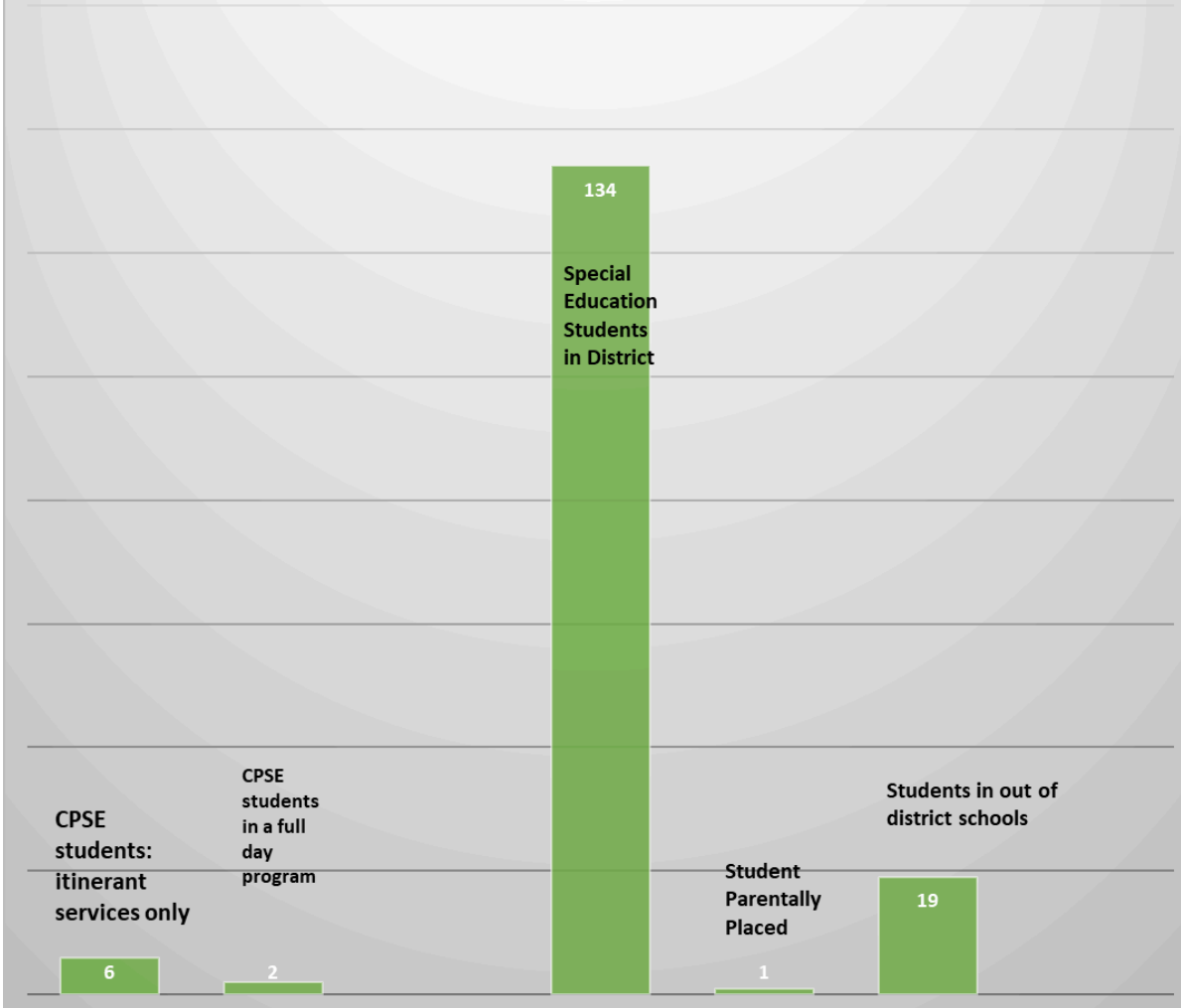
12:1:2

- In an effort to support students' needs in a district based program rather than an out-of-district placement, 12:1:2 programs will be established.
- Students in 12:1:2 special classes are in need of an alternate learning environment, in which they can receive small group instruction in reading, math, social studies and science. These students generally have a severe discrepancy between their academic skill levels and actual grade level that would prevent them from accessing appropriate content from instruction in the general education setting, even with supplementary aides and services.

12:1 (3:1)

- The District currently does not operate a 12:1(3:1) class. Students in 12:1(3:1) class may have severe developmental or multiple disabilities and require a functional academic curriculum and pre-vocational skills training. Due to their cognitive and adaptive behavior delays, they cannot be accommodated satisfactorily in a less restrictive setting even with supplementary aides and services.
 - In addition to the teacher, there shall be one staff person to every three students. The additional staff may be teachers, supplementary school personnel and/or related service providers.
 - There is no chronological age range limitation for groups of students placed in the 12:1(3:1) class.
 - The students in the 12:1 (3:1) are provided with the NYS alternate assessment.
 - The students in the 12:1(3:1) earn credit toward the Skills and Achievement Commencement Credential, a commencement certificate accompanied by documentation of the student's skills and strengths and levels of independence in academic work, career development, and foundation skills needed for post-school living, learning and working.
- students in the 12:1(3:1) earn credit toward the Skills and Achievement Commencement Credential, a commencement certificate accompanied by documentation of the student's skills and strengths and levels of independence in academic work, career development, and foundation skills needed for post-school living, learning and working.

Where special education students are



BOCES/Cobleskill Operated Classes

If we cannot meet a student's need(s), via one of our district's programs, Capital Region BOCES is the "first call" for meeting that student's needs with an appropriate program. By combining student populations across multiple school districts, Capital Region BOCES provides our district with the capacity to provide students with a program more closely tailored to the student's physical, educational, social, and management needs. Programs are supervised by Capital Region administrators and monitored by our district's CSE.

Career Technical Education and Career Services Education classes are available through Cobleskill or Capital Region BOCES to all disabled..

Depending on student need and program availability, the district also maintains relationships with the Cobleskill-Richmondville CSD, Questar III (BOCES), Otsego Northern Catskills BOCES (ONC), Herkimer-Fulton-Montgomery (HFM) BOCES where students attend programs which meet their needs and are approved by the CSE.

Privately Operated Programs

A student is placed in such a program when no public program is appropriate or available to meet that student's particular need(s). The program is supervised by the administration of that facility and is monitored by our district's CSE.

State-Operated Schools

Such schools are administered by the State Education Department to meet the needs of severely impaired youngsters, through a variety of programs. A student gains entrance to such a school either through recommendation of the CSE or through a Commissioner's appointment following an independent parent/guardian application.

Guidelines for Providing Public School Services to Children in Non-Public Schools

Upon written request for an evaluation, the Middleburgh Central School District will convene an initial evaluation process for students attending private or parochial schools in the district of location of the school (Middleburgh).

In accordance with the District's Child Find requirements, Middleburgh as the District of Location, will refer the student to the Committee on Special Education of the District of Location and the District of Residence.

Home-schooled Students:

Pursuant to Chapter 217 of the Laws of 2008, which was signed by the Governor on July 7, 2008, students with disabilities who are in home instruction programs pursuant to section 100.10 of the Regulations of the Commissioner of Education are eligible to receive special education services from their school district.

To be eligible for special education services, a home-schooled student must be entitled to attend the public schools without payment of tuition pursuant to Education Law §3202(1). In addition, such students would be required to have an individualized home instruction plan (IHIP) that the superintendent of schools of the school district in which the home school is located has determined to be in compliance with section 100.10 of the Regulations of the Commissioner of Education. Where the student is educated at home, the school district of location is the same as the student's school district of residence.

School districts should notify all parents of students with disabilities who are in home instruction programs pursuant to section 100.10 of the Regulations of the Commissioner of Education that:

- For home-schooled students who are students with disabilities, the Committee on Special Education (CSE) would develop an individualized education services program (IESP) for the student. The IESP would be developed in the same manner and have the same contents as an individualized education program (IEP). An IESP is developed in consideration of the parents' decision to homeschool their child.
- In order to receive services, the parent must request special education services in writing to the board of education of the school district of location by June 1 preceding the school year for which the request for services is made. However, for a student who is first identified as a student with a disability after the first day of June preceding the school year for which the request is made and prior to the first day of April of such current school year, the parent must submit the written request for services within 30 days after the student was first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.

Methods to Evaluate Progress:

Middleburgh utilizes student performance on Statewide ELA and Math examinations, NWEA, IREADY testing, report cards, and performance on Regents Exams to measure student progress toward graduation. New York State Special Education Performance Plan Indicator data also assists in providing feedback regarding student achievement and graduation rates.

Students may be evaluated using group (NWEA, IREADY) and individual achievement tests. Data is also collected on each student's Response to Intervention. For some students, the New York State Alternate Assessment provides a portfolio of skills and progress toward meeting their individual educational goals. Additionally, data collection for the new Skills and Achievement Commencement Credential and the CDOS credential will provide information regarding student progress.

Allocation of Space for Special Education Programs & Services

BOE Policy # 7611 Allocation of Space for Special Education Programs

The Board of Education recognizes its responsibility to allocate adequate and appropriate space for special education classes, programs and services that are provided by the District or by BOCES. The Board affirms a commitment to serve students with disabilities in settings with non-disabled peers.

Therefore, school administrators will monitor the number of students with disabilities and the services required for those students and will anticipate future needs in order to identify current and future space needs. Planning for special education programs and services will maximize physical integration of regular and special education programs.

The Superintendent will consider special education space needs as part of the annual budget cycle and during all long range facilities planning.

Special Education Budget

A budget to support the proposed delivery of special education programs will be developed annually, based on the number of special education students and their individual needs. The budget will include the funding necessary to support in-house programs, as well as Capital Region BOCES/other BOCES special education programs and private placements. An additional sum of money is added to the special education budget each year in anticipation of new special education students moving into the district as well as an amount for unexpected additional needs of current students that might arise. The budget is prepared annually and reviewed by the Director of Pupil Personnel Services, Business Office, Superintendent and the Board of Education.

Board of Education Policies:

BOE Policy #7620 Programs for Students with Disabilities under the IDEA and New York's Education Law Article 89

BOE Policy # 7615 Provision of Special Education Services in the Least Restrictive Environment

BOE Policy # 7611 Allocation of Space for Special Education Programs

BOE Policy # 7680 Independent Educational Evaluations

BOE Policy # 7620 Confidentiality and Access to Individualized Education Programs, Individualized Education Services Programs and Services Plan

BOE Policy # 7640 Availability of Alternative Format Instructional Materials for Students with Disabilities

BOE Policy # 7213 Districtwide and Statewide Assessments of Students with Disabilities

BOE Policy #7614 Preschool Special Education

BOE Policy # 7222 Diploma Options for Students with Disabilities

BOE Policy – Rights of Students with Disabilities under Section 504

BOE Policy #7611 Guidelines for Providing Public School Services to Children in Non-Public Schools