

Students

NEW

**SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)****Committee on Special Education (CSE) Membership**

The Board will appoint a Committee on Special Education (CSE) in accordance with relevant law and regulations, 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) At least than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
- c) At least than one special education teacher of the student, or, if appropriate, not less than one special education provider (i.e., related service provider) of the student;
- d) A school psychologist;
- e) A representative of the 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 District. An individual who meets these qualifications may also be the same individual appointed as the special education teacher or special education provider of the student or the school psychologist. The representative of the District will serve as the chairperson of the Committee;
- f) An individual who can interpret the instructional implications of evaluation results, who may also be the CSE member appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;
- g) A school physician, if specifically requested in writing by the parent of the student or by the District at least 72 hours prior to the meeting;
- h) An additional parent member of a student with a disability residing in the District or a neighboring school district, provided that this parent member may be the parent of a student who has been declassified not longer than five years' prior or the parent of a student who has graduated not longer than five years' prior, if specifically requested in writing by the parent of the student, the student, or member of the CSE at least 72 hours prior to the meeting;
- i) Other persons having knowledge or special expertise regarding the student as designated by either the parent or District;
- j) ~~Whenever appropriate, the student.~~

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**SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) (Cont'd.)****Subcommittee on Special Education Membership**

The Board may appoint, as necessary, Subcommittees on Special Education to assist in the timely evaluation and placement of students with disabilities in accordance with applicable law and Commissioner's regulations. The Board will determine the number of subcommittees to be appointed upon the recommendation of the CSE.

**Committee on Preschool Special Education (CPSE) Membership**

The Board will appoint a Committee on Preschool Special Education (CPSE) whose membership varies slightly from the membership of the CSE and will include, but not be limited to, the following members:

- a) The parent(s) of the preschool child;
- b) At least one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- c) At least one special education teacher of the child or, where appropriate, at least one special education provider (i.e., related service provider) of the child;
- d) A representative of the District who is qualified to provide, or supervise the provision of, 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 District and the municipality (who will serve as Chairperson of the CPSE);
- e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the District representative, or a person having knowledge or special expertise regarding the student as determined by the District;
- f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate;
- g) An additional parent member of a child with a disability who resides in the District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program if specifically requested in writing by the parent of the student or by a CSE member at least 72 hours prior to the meeting;

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**SUBJECT: COMMITTEE ON SPECIAL EDUCATION (CSE)/COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) (Cont'd.)**

- h) For a child in transition from early intervention programs and services, at the request of the parent or person in parental relation, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and
- i) A representative of the municipality of the preschool child's residence.

**Member Attendance**

All members of the CSE or CPSE must attend committee meetings except that the parent and District may agree in writing prior to the meeting date that the attendance of a member or members is not necessary or impossible in accordance with applicable Commissioner's regulations and, as a result, may be excused from the meeting.

**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 establish 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 and CPSE.

**Alternative Means of Meeting**

When conducting a meeting of the CSE or CPSE, the parent and the representative of the District appointed to the CSE or CPSE 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, 4410  
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  
#7614 -- Preschool Special Education Program

Adopted: 1/15/05

Revised: 6/13/06; 12/2/08; 5/22/12; 12/10/13; 6/28/16;

OLD change to 763D

**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 regular education teacher of such 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 such 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, determined by the District to have the knowledge and expertise to fulfill this role on the committee;
- 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,

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

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

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 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 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; and
  - j) A school physician, if requested in writing at least 72 hours prior to the meeting by the parents of the student or the School District.
  - 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 individualized education program (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 such parent shall not be employed by or under contract with the School District. Such parent shall 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 such meeting, that the additional parent member attend the meeting. The parents or persons in parental relation

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

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 regular education teacher of such 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 such 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/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 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

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

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
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 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 or Administrator assigned this responsibility under another title 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.

## **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.

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

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 #8501 -- The Role of the Board of Education in Implementing a Student's Individualized Education Program  
#8521 -- Appointment and Training of Committee on Preschool Special Education (CPSE) Members