

ESTABLISHING SUBCOMMITTEES ON SPECIAL EDUCATION

Pursuant to State and federal law, the North Colonie Central School District Board of Education shall make available to all students eligible under the Individuals with Disabilities Education Act and Article 89 of the Education Law, and their implementing regulations, a free appropriate public education in the least restrictive environment appropriate to meet their individual needs. In order to further aid in this responsibility, in accordance with the New York State Education Law and applicable provisions of the Regulations of the Commissioner of Education, it is hereby the North Colonie Central School District's ("the District") policy to establish and appoint subcommittees on special education to assist the Board of Education.

A. Appointment

Upon the recommendation of the Committee on Special Education ("CSE"), the Board of Education hereby appoints nine (9) subcommittees on special education to operate in the District's Blue Creek Elementary School, Boght Hills Elementary School, Forts Ferry Elementary School, Latham Ridge Elementary School, Loudonville Elementary School, Maplewood School, Southgate Elementary School, Shaker Junior High School, and Shaker High School, respectively, with the Board of Education being able to appoint an additional number of subcommittees to operate in those respective buildings upon the recommendation of the CSE.

The Board of Education will appoint members of the subcommittees on special education based upon their specific educational and personal qualifications, working knowledge of students with disabilities, objectivity and dedication. Chairpersons for the respective subcommittees on special education established by the Board of Education shall be appointed by the Board of Education. Subcommittee members shall be provided appropriate training in order to properly carry out their responsibilities, pursuant to the District's policy for its CSE. It is the intent of the Board of Education to promote the training of District officials and personnel regarding the respective roles and responsibilities of the Board of Education, CSE, subCSE, administrators and other staff members.

B. Membership

Pursuant to this paragraph, the membership of each subcommittee on special education shall include, but not be limited to:

1. The parents or person(s) in parental relationship to the student;
2. Not less than one regular education teacher of the student whenever the student is or may be participating in the regular education environment;
3. Not less than one of the student's special education teachers or, if appropriate, not less than one special education provider of the student;

4. A representative of the District who is qualified to provide, administer or supervise special education and who is knowledgeable about the general curriculum and who is knowledgeable about the availability of resources of the school district, who may also fulfill the requirement of subparagraph (3) or (5) of this membership paragraph;

5. A school psychologist, whenever a new psychological evaluation is reviewed or a change to a more restrictive program option, as set forth in the Regulations of the Commissioner, is considered;

6. An individual who can interpret the instructional implications of evaluation results, who may be a member appointed pursuant to subparagraphs (2) through (5) or (7) of this membership paragraph;

7. Such other persons having knowledge or special expertise regarding the student, including related services personnel as appropriate, as the committee or the parent shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or the District) who invited the individual to be a member of the subcommittee on special education; and

8. The student, if appropriate.

C. Function and Operation

Each subcommittee may perform the functions of a committee on special education pursuant to the provisions of the state Education Law and shall operate as otherwise provided by the District's policies for the District CSE, except when: (i) a student is considered for initial placement in a special class; or (ii) a student is considered for initial placement in a special class outside of the student's school of attendance; or (iii) whenever a student is considered for initial placement in a school primarily serving students with disabilities or a school outside of the District.

Upon receipt of a written request from the parent, legal guardian or person in parental relationship to a student, the subcommittee shall immediately refer to the CSE any matter in which the parent or person in parental relationship to such student disagrees with the subcommittee's recommendation concerning the identification, evaluation, educational placement or provision of a free appropriate public education to such student.

D. Reporting to CSE

Each subcommittee shall report annually the status of each student with a disability within its jurisdiction to the CSE. The CSE shall be responsible for oversight and monitoring of the activities of each subcommittee to assure compliance with the requirements of applicable law and regulations.

References: Education Law § 4401 *et seq.* (Article 89)
20 U.S.C. 1400 *et seq.* (IDEA)
34CFR Part 300
8 NYCRR Part 200 *et seq.*

Adopted: December 22, 2008