**Hancock Central School 4321**

**PROGRAMS FOR STUDENTS WITH DISABILITIES**

The Board of Education shall provide all students with disabilities a free appropriate education in the least restrictive environment. The Board shall appoint a Committee on Special Education (CSE) to identify, evaluate and recommend placement of students with disabilities who are in need of special services or programs. The Board shall also appoint subcommittees, if necessary, to ensure the timely evaluation and placement of students.

 Each student with a disability shall have an equal opportunity to participate in the full range of programs and services of the school district, including extracurricular programs and activities, which are available to all other students enrolled in the district’s public schools.

 The Board will consider prospective members of the CSE and other personnel with regard to their educational and personal qualifications, working knowledge of students with disabilities, objectivity and dedication.

 The Board directs the Superintendent of Schools to establish administrative practices and procedures which shall include:

1. Identifying and maintaining information about students with disabilities residing in the district;

2. Ensuring that students with disabilities and their parent(s)/guardian(s) receive prior written notice whenever the district proposes or refuses to initiate or change the identification, evaluation or educational placement of a student;

3. Ensuring that each student with a disability receives a comprehensive, nonbiased evaluation to determine his/her educational needs;

4. Developing an individualized education program (IEP) for each student with a disability;

5. Appointing and training appropriate qualified personnel including the members of the CSE;

6. Maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjoining counties in which the district is located;

7. Ensuring that adequate and appropriate space is available to meet the needs of students with disabilities; and

8. Reporting to the State Education Department the number of children with disabilities that are being served, as well as those not served.

 It is the responsibility of the Board to arrange for the appropriate, approved services recommended by the CSE. Should the Board disagree with the recommendation of the CSE, the Board will either return the recommendation to the original CSE for further consideration or establish a second CSE to develop a new recommendation for the student within the time frames contained in state law and regulations.

 Placement may be appealed by a parent/guardian to an impartial hearing officer appointed by the Board. Mediation shall be offered to such parents/guardians to resolve complaints regarding the education of students with disabilities at the same time notice of the availability of an impartial hearing is provided.

 The CSE shall make an annual report on the status of each student with a disability and report on the adequacy of special education programs and services to the Board.

 The Board directs the Superintendent to develop and maintain a plan which incorporates information concerning the provision of services for students with disabilities, pursuant to the Regulations of the Commissioner of Education.

Ref: Education Law §§3602(19); 4401 et seq. (Article 89)

 Judiciary Law Article 21-A

 20 USC §1232g (FERPA)

 20 USC §§1400 et seq. (IDEA)

 34 CFR §§300.12; 300.503

 8 NYCRR Part 200; §279.2

 Opinion of Office of Special Education & Rehabilitative Services, 18 IDELR 527 (1991)

 *Russman v. Sobol,* 85 F.3d 1050 (2d. Cir. 1996)

 *Florence County School Dist, Four v. Carter, by and through Carter,* 510 U.S. 7 (1993)

 *Zobrest v. Catalina Foothills Sch. Dist.,* 509 U.S. 1 (1993)

 *Northeast CSD v. Sobol,* 79 NY2d, (1992)

 *Aguilar v. Felton,* 473 U.S. 402 (1985)

 *School Comm. Of Burlington v. Dept. of Education of Massachusetts,* 471 U.S. 359 (1985)

 *Matter of a Handicapped Child,* 31 EDR 488 (1992)

 *Matter of a Handicapped Child,* 31 EDR 17 (1991)

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 *Matter of a Child with a Handicapping Condition,* 30 EDR 129 (1990)

 *Matter of a Child with a Handicapping Condition,* 26 EDR 439 (1987)

 *Matter of a Child Suspected of Having a Handicapping Condition,* 23 EDR 140 (1983)

 *Matter of Three Handicapped Children,* 21 EDR 353(1981)

 *Matter of Wohl,* 22 EDR 650 (1983); aff’d 105 AD2d 999 (3rd Dept. 1984); aff’d 66 NY2d 818 (1985)

 *Matter of Board of Education of Sayville UFSD,* 18 EDR 608 (1979)

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