



## SHOULD MY CHILD BE CONSIDERED FOR SPECIAL EDUCATION?

It may be that your child is not doing well in school, perhaps failing several subjects and you are wondering why. If you suspect a disability or have been given a diagnosis by a medical practitioner, you can consider a referral to your school district's Committee for Special Education (CSE). You may also want to meet with your child's teacher and principal to share information about your child's skills, abilities, and needs. After doing so, you may wish to state your concern and put the reasons for your suspicions into writing and provide copies of any prior evaluations and diagnoses to the chairperson of the CSE or the principal at your child's school. You may discover that your child is eligible for support within the regular education program. This may be: short-term counseling through educationally related services, speech and language improvement services, curriculum and instructional modifications, or Academic Intervention Services.

**Dear Parents,**

The Committee on Special Education (CSE) of the component school district in which you reside reviews students with special education needs. A formal process for review is detailed in this brochure.

There are many resources available, such as Ulster BOCES, to answer any questions you might have about providing the best educational program for your child.

With best regards,



**Marlene Anderson-Butler**

*Director of Special and Alternative Education*





Upon receipt of your request, the district will conduct a comprehensive evaluation and provide information about your child's abilities and needs. A specialized team, including a Special Education teacher and one other member of the school staff with knowledge about your child's suspected disability and how it relates to your child's progress and participation in his or her classroom, will test and assess your child.

### **The components of the evaluation must include:**

- ✓ a physical examination.
- ✓ a psychological evaluation, if appropriate.
- ✓ a social history.
- ✓ an observation of your child in his or her current educational setting.
- ✓ other tests related to the area of suspected disability, such as a speech and language evaluation or a functional behavioral assessment.
- ✓ vocational assessments, if the child is 12 years or older.
- ✓ evaluative information that you desire to share with the committee, such as a neurological evaluation or psychiatric evaluation.



## MY CHILD HAS BEEN EVALUATED, NOW WHAT?

Once the evaluation is completed, you will be invited to a meeting of the CSE. If the meeting is set for a time or place that makes it impossible for you to attend, you have the right to ask to have this changed. This is important since you have important information to share about your child. You must be given a copy of the evaluation report. The evaluation results will be reviewed and the CSE (a multidisciplinary team of professionals, including the teacher that knows your child the best) will decide if your child has a disability and is eligible for Special Education services or programs. Other members of the committee are you, as the parent of the student, a regular education teacher, a Special Education teacher, a professional with knowledge about the evaluation results, and a school psychologist. The committee may also include the school physician or a professional that has special expertise regarding your child or the evaluations, such as a related service provider (speech, occupational, or physical therapist). A parent member is also there to help you to understand the evaluation reports and the

process. You may also bring anyone who is a support to you or who is knowledgeable about your child's needs.

Once the evaluations have been reviewed, the CSE will decide if your child has a disability.

If it is decided that your child does not require Special Education services or programs, the CSE will give you information about why your child is ineligible. They will send this information to the principal of your child's school. The principal can work with the teachers and staff at the school to see if there are other options to assist your child, for example, working with a reading specialist, counselor, or another specialist.

If the CSE feels that your child is eligible for federal services because of a disability that impairs "a major life function," they will refer your child to a multidisciplinary team at the school.

You have the right at any time to disagree with the findings. You may request an independent evaluation at the district's expense or mediation and/or an impartial hearing to resolve the differences.

## WHEN IS A STUDENT CONSIDERED DISABLED?

A student with a disability is a student, who “because of mental, physical, or emotional reasons, has been identified as having a disability and who requires special services and programs” (Part 200.1(zz) of the Regulations of the Commissioner of Education). The approved disabilities in New York State are: autism, deafness, deaf-blindness, emotional disturbance, hearing impairment, learning disability, mental retardation, multiple disabilities, orthopedic impairment, other health-impairment, speech or language impairment, traumatic brain injury, and visual impairment, including blindness. These definitions are defined in Part 200.1 (zz) of the Regulations of the Commissioner of Education.



her teachers may give to assist him or her to reach those goals and objectives. Your child may require special equipment and program or curriculum modifications to reach these goals. The way your child will take tests will be examined as well. The CSE will then determine where and how the services or program will take place. If your child is not going to be educated in the regular education program, the IEP must state the amount of time and reasons

why. Your consent is required for enrollment in Special Education services and programs. Once again, you have the right to disagree with the plan of action and may ask for mediation or an impartial hearing.

## MY CHILD HAS BEEN CLASSIFIED AS SPECIAL EDUCATION, WHAT HAPPENS NEXT?

A plan of action called the Individual Educational Plan (IEP) will be developed taking into account your child's strengths and your concerns for his or her education. The CSE will develop annual goals and objectives for your child, as well as the supports that his or



## WHAT ARE MY RIGHTS AS A PARENT?



- You have the right to obtain a copy of the CSE's evaluation report.
- You have the right to bring anyone who is a support to you or who is knowledgeable about your child's needs with you to the meeting of the CSE.
- You have the right, at any time, to disagree with the findings of the CSE. You may request an independent evaluation at the district's expense or mediation and/or an impartial hearing to resolve the differences.
- You have the right to review your child's progress and current level of performance on a yearly basis and will be invited to do so. This is called the Annual Review. A Re-evaluation will be conducted every three years.





## H E L P F U L   C O N T A C T S

### **Special Education Training and Resource Center (SETRC)**

Ulster County BOCES  
175 Route 32 North  
New Paltz, NY 12561  
Phone: (845) 255-1402, Extension 1250  
Fax: (845) 255-3836  
E-Mail: lbarbera@mhrinc.org  
Website: [www.ulsterboces.org](http://www.ulsterboces.org)

### **Hudson Valley Regional Office of the NYS Education Department Special Education Quality Assurance**

1950 Edgewater Street  
Yorktown Heights, NY 10598  
Phone: (914) 245-0010  
Fax: (914) 245-2952  
E-Mail: [aconners@mail.nysed.org](mailto:aconners@mail.nysed.org)  
Website: [www.nysed.org/vesid](http://www.nysed.org/vesid)

### **Dispute Resolution Services**

25 Lucas Avenue  
Kingston, NY 12401  
Phone: (845) 331-6136  
Fax: (845) 331-6021  
E-Mail: [ulsterinfo@drcservices.org](mailto:ulsterinfo@drcservices.org)

### **Resources for Accessible Living**

592 Ulster Ave  
Kingston, NY 12401  
Phone: (845) 331-0541  
Fax: (845) 331-2076  
E-Mail: [rcal@ulster.net](mailto:rcal@ulster.net)

### **Parent to Parent NYS**

500 Balltown Road  
Schenectady, NY 12304  
Phone: (518) 381-4350  
1-800-305-382-1958  
Fax: (518) 382-1958  
E-Mail: [info@parenttoparentnys.org](mailto:info@parenttoparentnys.org)  
Website: [www.parenttoparent.org](http://www.parenttoparent.org)

### **The Advocacy Center**

277 Alexander Street, Suite 500  
Rochester, NY 14607  
Phone: (585) 546-1700  
1-800-650-4967  
Phone Spanish: (585) 797-0032  
Fax: (585) 546-7069  
E-Mail: [advocacy@frontiernet.net](mailto:advocacy@frontiernet.net)  
Website: [www.advocacycenter.com](http://www.advocacycenter.com)