

AFTER THE MEETING

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After the CSE meeting has concluded, it is necessary that there be appropriate follow-up within the school district and with the parent to ensure that implementation of the recommendations has occurred. The purpose of this section is to provide suggestions for such follow up.

The parents and others should receive a copy of the IEP as soon as possible after the Board of Education arranges for implementation. CSE minutes should be made available to parents soon after the meeting. The recommended programs and services must be implemented according to timelines. Teachers and service providers must receive a copy of the IEP in order to be informed about their specific responsibilities to implement the IEP including the required accommodations, modifications, and supports. At least once a year, the CSE will review the IEP. A meeting may also be requested sooner to modify the IEP if needed. When parties do not agree, procedures to resolve this disagreement must be followed. These are outlined in this section. The CSE Chairperson also assures that all members of the CSE receive training in their roles, and that the parent of the child being discussed is fully informed so that he or she can participate as a full member of the team. This section offers guidance on best practices for districts as well as many required procedures and processes that should be in place as you plan for effective CSE meetings. Each section references a requirement on best practices immediately followed by a checklist of strategies that could be used to implement the requirement or practice. As a CSE chair, you could inventory current practices with a Y/N or simply (✓) those items you would like to follow-up on through local planning processes.

Citations beginning with “300” refer to federal legislation (IDEA), and citations beginning with “200” refer to Part 200 of the Regulations of the Commissioner of Education for the State of New York. A space is provided after each “Component” for you to check whether the item is completed in your district.

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TABLE OF CONTENTS

	Page
Notice to Parent	57
Consent.....	57
BOE Arranges Implementation.....	58
BOE Concerns	58
Parent Does Not Agree	59
Special Education Mediation	60
Impartial Hearing	60
Copies of IEP	61
Annual Review	62
Process Maintenance.....	62

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Effective Practices for CSE After the Meeting			
COMPONENTS	CLARIFICATION	CONSIDERATIONS	CITATIONS
	✓		
CSE provides prior notice to parent	<p>Parent receives notice and a copy of the evaluation report and documentation of eligibility</p> <p>Parent must be provided a copy of the IEP</p>	Notice must be in native language.	<p>200.4(d)(1)(11) 200.5 (a)</p> <p>300.505(a-d) 300.534(a)(2)</p>
Parent gives consent	<p>Consent means that:</p> <ul style="list-style-type: none"> • the parent has been fully informed in his/her native language of all information for which consent is sought; • the parent has been notified of any records to be released; • the parent understands and agrees in writing; • the parent is aware that consent is voluntary and may be revoked. 	<p>Consent must be obtained:</p> <ul style="list-style-type: none"> • prior to initial evaluation • prior to initial provision of special education services to a student not previously identified • prior to initial provision of special education services in a 12-month program • prior to withdrawing a referral for special education • prior to releasing personally identifiable information • prior to each time the school district proposes to access a parent's private insurance proceeds. 	<p>200.5(b)(1-3) 200.5(f)(3)</p> <p>300.505(a-d)</p>

COMPONENTS	CLARIFICATION		CONSIDERATIONS	CITATIONS
<p style="text-align: center;">Board of Education arranges for implementation</p>	✓	<p>BOE must arrange for appropriate special education programs and services within 60 school days of receipt of consent to evaluate for a student not previously identified as a student with a disability, or within 60 school days of the referral for review.</p>	<p>If the recommendation is for placement in an approved in-state or out-of-state private school, the BOE shall arrange for such programs and services within 30 school days of the Board's receipt of the CSE recommendation</p> <p>There may be no delay in implementing a student's IEP, including any case in which the payment sources being determined.</p>	<p>200.4(e)</p>
		<p>Indicate reason(s) the recommendations was returned to the CSE (a new meeting must be scheduled in a timely manner to review the BOE concerns and revise the IEP, if appropriate)</p>	<p>Assure district policy parallels state regulations</p>	<p>200.4(e)(2) 200.4(c)(3) 200.4(d)(1)(iii)</p>
<p style="text-align: center;">BOE has concerns</p>		<p>BOE may establish a second committee to make a new recommendation (may remand the recommendation from the second committee once, but must accept the second decision of that committee)</p>		<p>300.534(c)</p>

COMPONENTS	CLARIFICATION	CONSIDERATIONS	CITATIONS
<p>Parent does not agree</p>	<p>✓</p> <p>Procedural safeguards notice indicates that the parents have the option of mediation as an alternative to an impartial hearing to resolve issues regarding the identification, evaluation and educational placement of students with disabilities and the provision of a free, appropriate public education.</p>	<p>Districts should establish criteria for independent educational evaluations (IEE), including the location of the evaluation and the qualifications of the examiner.</p>	<p>200.5(f)-(g) 200.5(l)(1-2) 201.7(a) 201.11(a-e)</p>
	<p>If the parent disagrees with an evaluation obtained by the school district, the parent has the right to obtain an independent educational evaluation (IEE) at public expense.</p> <ul style="list-style-type: none"> • the CSE must consider the results as long as the evaluation meets the same criteria for evaluation procedures that the school district uses when it initiates an evaluation • the results may be presented at an impartial hearing • the district must provide the parent with information about where an independent educational evaluation may be obtained and the district's criteria • the district may initiate an impartial hearing to show that its evaluation is appropriate 	<p>Boards of Education may establish policy regarding criteria for reimbursement of an IEE, providing such criteria allows for exceptions for unique circumstances. Included in the policy should be:</p> <ul style="list-style-type: none"> • fees • geographic area • minimum professional qualifications • reasonable timelines to request reimbursement 	<p>300.504(a-c) 300.506(a-d) 300.507(a-c) 300.514(a-c) 300.530-536</p> <p>"Individual Evaluations and Eligibility Determinations for Students with Disabilities", January 2002</p>
	<p>Hold another CSE meeting to try to resolve the matter.</p>		
	<p>Mediation is offered at no cost to the parent or district to resolve issues or conflicts in a timely, non-adversarial manner. It is confidential and only the final written agreement may be entered into any impartial hearing that may subsequently held</p>		<p>"Special Education Mediation: Real Solution Where Everyone Wins", July 2001</p>
	<p>A parent or school district may initiate a hearing on matters relating to the identification, evaluation or educational placement of a student with a disability, or the provision of a free, appropriate public education</p>		<p>"Impartial Hearing Process for Students with Disabilities", December 2001</p>

COMPONENTS	✓	CLARIFICATION	CONSIDERATIONS	CITATIONS
Special Education Mediation		<p>Parents must be offered the option of mediation to resolve disputes. Mediation may not deny or delay a parent’s due process rights.</p> <p>Discussions are confidential and may not be used as evidence at impartial hearings.</p> <p>Agreements must be in writing. The agreement amends the IEP and is binding.</p>	<p>School districts must ensure that procedures are established and implemented to allow parties to resolve disputes through mediation, at a minimum, whenever an impartial hearing is requested.</p> <p>The CSE must immediately meet to amend the student’s IEP if an agreement is reached.</p>	<p>“Special Education Mediation: Real Solutions Where Everyone Wins,” July 2001</p>
Impartial hearing process		<p>A parent or school district may initiate a hearing on matters relating to the identification, evaluation or educational placement of a student with a disability, or the provision of a free, appropriate public education</p> <p>Steps for Impartial Hearing:</p> <ol style="list-style-type: none"> 1. Parent requests an impartial hearing in writing. 2. District informs the parent of the right to mediation, provides Procedural Safeguards Notice, and informs of any low-cost legal aid or services available in the area 3. District begins rotational section process for an Impartial Hearing Officer (IHO) in accordance with regulations and within regulatory timelines using the VESID Web-Based Reporting System 4. BOE appoints IHO (BOE may designate a member to appoint) 5. Parents and district come together for a hearing with IHO 6. Student remains in current IEP placement until IHO renders a decision (pendency) 7. IHO renders decision and mails it to the parent, district, and State Education Department 	<p>Request must be in writing</p> <p>District must use Impartial Hearing Web-based Reporting System</p> <p>BOE may designate a board member to appoint IHO</p> <p>Placement may be changed if agreed upon by parent and district or if provisions are made for an expedited due process hearing for certain disciplinary removals</p> <p>If the IHO requests an independent educational evaluation as part of the hearing, the cost must be at public expense</p> <p>The school district must ensure that the hearing is understandable to parents who do not speak English</p>	<p>200.5, 201.11</p> <p>200.5(i)(3)(xiv)</p> <p>300.507-509</p> <p>“Impartial Hearing Process for Students with Disabilities”, December 2001</p> <p>“Procedural Safeguards Notice,” February 2002</p>

COMPONENTS	✓	CLARIFICATION	CONSIDERATIONS	CITATIONS
Copies of Individual Education Program (IEP)		<p>Every school district must establish administrative practices and procedures:</p> <ul style="list-style-type: none"> • to ensure that each regular education teacher, special education teacher and related service provider, and other service providers who are responsible for the implementation of a student's IEP be given a paper or electronic copy of the IEP prior to implementation • requires any copy of the IEP remain confidential • requires the Chairperson of the CSE to designate (a) professional employees of the school district with knowledge of the student's disability and education program, prior to the implementation of the IEP, inform each teacher, related service provider or other service provider, paraprofessional and support staff person of his or her responsibility relating to the implementation of the IEP and the specific accommodations, modifications and supports and/or services that must be provided • a copy of the IEP is provided to the student's parents at no cost 	School districts must adopt a policy regarding copies and confidentiality effective February 18, 2003	<p>200.4 (e)(3)</p> <p>Chapter 408 of the Laws of 2002 (Section 4402(7))</p> <p>300.342(a)(2-3)</p> <p>Family Educational Rights and Privacy Act (FERPA)</p>
Individualized Education Program (IEP)		<p>Implementation:</p> <ul style="list-style-type: none"> ▪ all service providers have a copy of the IEP ▪ all supplementary aids, services, and program modifications are provided for the student ▪ transportation needs addressed 	Suitable transportation for students in private residential schools is aidable in certain circumstances and for a set number of trips per school year	<p>200.4(e)</p> <p>200.12(a-b)</p> <p>300.342(a-c)</p> <p>300.456(a-b)</p> <p>"Sample Individualized Education Program (IEP) and Guidance Document", December 2002</p>

COMPONENTS	CLARIFICATION	CONSIDERATIONS	CITATIONS
Annual Review	<p data-bbox="485 305 520 310">✓</p> <p data-bbox="537 315 1297 431">Annual review means an evaluation, conducted at least annually by the CSE, of the status of each student with a disability for the purpose of recommending the continuation, modification, or termination of special education programs and services</p> <p data-bbox="537 467 827 492">The annual review shall:</p> <ul data-bbox="537 529 1178 743" style="list-style-type: none"> • consider the strengths of the student • consider the concerns of the parent • consider the results of the most recent evaluations • consider the student's performance, progress and achievement • consider the student's ability to participation in general education 	<p data-bbox="1346 315 1724 370">May occur as needed and more often than once a year</p> <p data-bbox="1346 375 1749 613">If a child is in a private school placement, the annual review should consider the continued appropriateness of such a placement. Documentation of the continuing need for placement in a private school must be on the IEP.</p>	<p data-bbox="1776 315 1927 410">200.1(c) 200.4(f) 200.6(i)(1)(f)</p>
Process maintenance	<p data-bbox="537 751 1283 776">Continual communication with parents and all service providers</p> <hr/> <p data-bbox="537 833 1125 857">Monitoring student progress, goals and objectives</p>		