

**Required**

**Local**

**Notice**

### **DECLASSIFICATION OF STUDENTS WITH DISABILITIES**

The Board of Education recognizes that it may be appropriate to declassify some students with disabilities. A student may mature and develop skills such that they no longer require the special program, support services or accommodations offered by an Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Services Plan (SP). The Committee on Special Education (CSE), the CSE Subcommittee or, the Committee on Preschool Special Education (CPSE), as applicable, is responsible for making this judgment, while adhering to the requirements of federal and state law and regulation.

#### *Prior to Consideration of Declassification*

Prior to determining that a student is no longer eligible for special education services and should be placed in a full-time regular education program, the CSE, CSE subcommittee, or CPSE, as applicable, will conduct a declassification evaluation of the student in accordance with the process and procedures prescribed for the evaluation and reevaluation of students with disabilities, by applicable law and regulations. Parents will be given the direct opportunity to speak privately with evaluators prior to the evaluation to provide input to such evaluator regarding their questions and concerns.

The District will provide the student's parents with a copy of all reevaluation reports, including the IEP draft regarding the eligibility determination a minimum of one (1) week prior to the CSE/Sub CSE meeting.

#### *Other Considerations*

If the student has been receiving special education services, but it is determined by the CSE that the students no longer need special education services and can be placed in a regular educational program on a full-time basis, the recommendation shall: identify the declassification support services, as defined in section 200.1(ooo) of the Commissioner's Regulations, if any, to be provided to the student and/or the student's teachers; and indicate the projected date of initiation of such services, the frequency of provision of such services, and the duration of such services, provided that such services shall not continue for more than one (1) year after the student enters the full-time regular education program. A discussion with the parent regarding this process will optimally occur at least thirty (30) days prior to the CSE, CSE subcommittee, or CPSE meeting.

However, the CSE, CSE subcommittee, or CPSE members may determine after reviewing existing evaluation data that no additional information is needed to determine the student's continued eligibility for services.

When a determination is made that no additional data are needed for reviewing a student's continued eligibility for special education services, the CSE, CSE subcommittee, or CPSE Chairperson, as applicable, will notify the student's parents of that determination thirty (30) days prior to the CSE meeting and the reasons for it, and of their right to nonetheless request an additional assessment. Unless the student's parents make such a request, the district will not conduct any further assessments.

Consistent with applicable law and regulation, the district will not conduct a declassification evaluation if the reason why a student is determined to be ineligible for special education services is that he or she has either:

1. Graduated with a regular high school or Regents diploma; or
2. Exceeded the age of eligibility for services.

However, in such an instance the district will provide the student with a summary of his or her academic achievement and functional performance that also includes recommendations on how to assist the student in meeting his or her post-secondary goals.

*Declassification Support Services*

It is the goal of the Board of Education to provide an opportunity for the student to succeed in the transition to the regular education program. In order to facilitate that success, the CSE/CPSE may offer educational and support services for a period of time, not to exceed one (1) year. Declassification support services may include:

1. For the student, psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services.
2. For the student's teachers, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel.

The CSE/CPSE will ensure that the appropriate teachers and service providers are informed of the need for the transition services, and will specify the nature and duration of those services.

Cross-ref: 4321, Programs for Students with Disabilities Under the IDEA and New York's Education Law Article 89

Ref: 8 NYCRR §§200.1(ooo); 200.2 (b)(8), 200.4 (b)(4-6), (c)(3)

Adoption date: March 18, 2015

Abolished: June 13, 2018