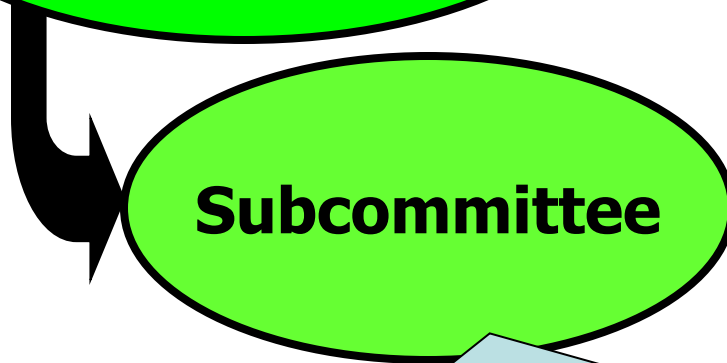
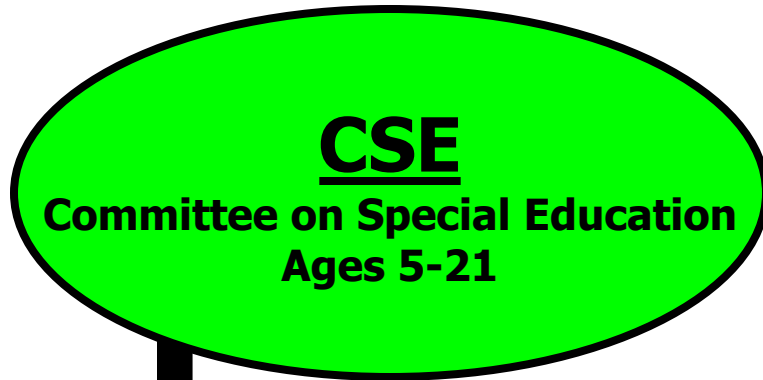


Special Education Timelines and Reference Diagrams



Team structures for CSE / CPSE



Subcommittees may perform all the duties of the CSE **except** for when considering initial placement in a:

- special class
- special class outside the normal school of attendance
- school primarily serving students with disabilities, or outside the district

A parent who disagrees with the recommendation of a subcommittee may request (in writing) a full committee meeting.

CSE & CPSE Membership in NY

<u>Member Title</u>	<u>CSE</u>	<u>Subcommittee</u>	<u>CPSE</u>
Parents of the Student	√	√	√
Not < 1 General Ed. Teacher (If child is <u>or may be</u> in general ed)	√	√	√
Not <1 Special Ed. Teacher/ Provider	√	√	√
School Psychologist	√	For new psych eval. or change to more intensive staff ratio	
District Representative (Chairperson)	√	√	√
Others with knowledge / expertise	√	√	√
Ind. to Interpret Evaluations (may serve dual role with any of the professional members listed above, but not the parent)	√	√	√
School Physician	If requested (72 hrs)		
Additional Parent Member	If requested (72 hrs)		If requested (72 hrs)
Agency Representative – for transition planning	with parent consent	with parent consent	
Student, if appropriate	√	√	
Representative from Municipality			Invited
Representative from Early Intervention			By parent request for transition to CPSE

Member Attendance Not Necessary and Member Excusal

Member's Attendance Not Necessary

Member's Area NOT Being Discussed or Modified

Parent and district can reach mutual written agreement that the attendance of a member in whole or part is not necessary. Reason must be that the member's area of the curriculum or related service is not being modified or discussed.

District must send written request to parent at least 5 calendar days prior to the meeting date.

District should have a policy that identifies who is able to enter into such an agreement on the district's behalf.

Member Excusal

Member's Area IS Being Discussed or Modified

Parent and district can reach consent in writing to excuse a member in whole or part.

District must send written request to parent at least 5 calendar days prior to the meeting date.

Written input into the development of the IEP from the member who would be excused must be provided to the parent least 5 calendar days prior to the meeting.

District should have a policy that identifies who is able to enter into such an agreement on the district's behalf.

Additional Provisions

Parent retains the right to request or agree with the district to excuse a member due to an emergency, such as illness on the day of the meeting, or due to an unavoidable scheduling conflict.

This agreement should be documented in writing.

If the member's area is being discussed, the written input from the member who would be excused must be submitted to the parent for review and consideration a reasonable time before the meeting and before parental consent is obtained.

Procedural Safeguards Notice, Prior Written Notice, Meeting Notice and Consent

PSN	Prior Written Notice	Meeting Notice	Consent
<p>Use SED Document, without alterations</p> <p>Provide in native language or mode of communication of parent</p> <p>Parent may elect to receive electronically</p> <p>Must provide PSN:</p> <ul style="list-style-type: none"> • At least once per year • Upon initial referral or parent request for evaluation • Upon first filing of due process complaint notice (mediation or impartial hearing) or State complaint in that year • Upon decision to impose suspension or removal that constitutes a disciplinary change in placement • Upon parent request for a copy 	<p>Provide in native language or mode of communication of parent</p> <p>Prior written notice issued during the 2011-12 school year and thereafter must be on a form prescribed by the Commissioner.</p> <p>Parent may elect to receive electronically</p> <p>Must provide prior written notice (notice of recommendation):</p> <ul style="list-style-type: none"> • a reasonable time before the district proposes or refuses to initiate or change the identification, evaluation, placement of the student or the provision of FAPE • Upon receipt of referral for initial evaluation or prior to conducting a reevaluation • Prior to graduation with a local or Regents diploma, indicating that student will no longer be eligible for special education services (FAPE) • Prior to graduation with a CDOS or Skills and Achievement Commencement Credential indicating that the student continues to be eligible for services until the end of the year he/she turns 21 or until receipt of a high school diploma • Upon parental revocation of consent for provision of special education services 	<p>Provide at least five days prior to the IEP meeting; must be on a form prescribed by the Commissioner</p> <p>Parent may elect to receive electronically</p> <p>Notice must:</p> <ul style="list-style-type: none"> • Inform the parent of the purpose, date, time and location of the meeting and the names and titles of those who will attend • Indicate that the parent has the right to participate as a member of the committee • State that the parent has the right to invite individuals with knowledge or special expertise about his/her child • Inform the parent of their right to request in writing at least 72 hours before the meeting the presence of the school physician and an additional parent member • If the meeting is conducted by a subcommittee, inform the parent of their right to request in writing to refer any matter the parent does not agree with to the full CSE committee 	<p>Obtain prior, written, informed consent for:</p> <ul style="list-style-type: none"> • initial evaluation, including FBA • initial provision of services • releasing personally identifiable information • accessing parent's private insurance • Accessing parent's public insurance or benefits for the first time • conducting reevaluation, except that if parent fails to respond, district may document attempts to obtain consent and then proceed with reevaluation

Other Required Notifications §200.5(a)(6):

The parent shall also be provided written notification as follows: (i) Of decision that no additional assessments are needed for reevaluation; (ii) Of BOE's disagreement with the recommendation of the committee; (iv) When student is at risk of future residential placement; (v) For students recommended for placement in an approved private school, a copy of the school's policy on use of psychotropic medication

Referral vs. Request for Referral

Referral 200.4(a)(1)		Request for Referral 200.4(a)(2)	
By Whom	Process	By Whom	Process
<ul style="list-style-type: none"> •Parent of the child •District designee •Commissioner or designee of a public education agency with responsibility for educating the student (e.g., Office of Mental Health for a child attending a State operated psychiatric Center Education Program) •A designee of an education program affiliated with a child care institution with CSE responsibilities (e.g., Article 81 residential programs with a school component) 	<p>If received by chairperson, copy forwarded to the principal within 5 school days</p> <p>If received by a principal, immediately forwarded to the Chairperson</p> <p>“Date of receipt” = the date received by the committee chairperson or principal, whichever is earlier</p> <p>Chairperson immediately notifies parent of referral, provides Procedural Safeguards Notice, the Parent Guide to Special Education, prior written notice to conduct an initial evaluation, and requests consent to evaluate</p>	<ul style="list-style-type: none"> •Professional staff member of the school district •Licensed physician •Judicial officer •Professional staff member of a public agency with responsibility for welfare, health or education of children •Student who is 18 years of age or older, or an emancipated minor 	<p>Requests for referral submitted by persons other than the student or judicial officer must include:</p> <ul style="list-style-type: none"> •Reasons for the referral and test results, records, or reports •Intervention services, programs or methodologies used to remediate the student’s performance prior to referral, or state reasons why no such attempts were made •The extent of prior parent contact/involvement <p>Upon receiving a request for referral, a school district must within 10 school days, either:</p> <ul style="list-style-type: none"> •Request parent consent to initiate evaluation; or •Provide the parent with a copy of the request for referral; and <ul style="list-style-type: none"> • Inform the parent of his/her right to refer the child for an initial evaluation; and • Offer the parent the opportunity to meet to discuss the request for referral and, as appropriate, the availability of appropriate gen. ed. support services.

Withdrawal of Referral

Principal may request a meeting with the parent, student, if appropriate, and, if applicable, the staff member that requested the referral to determine whether the student would benefit from additional general education support services as an alternative to special education.

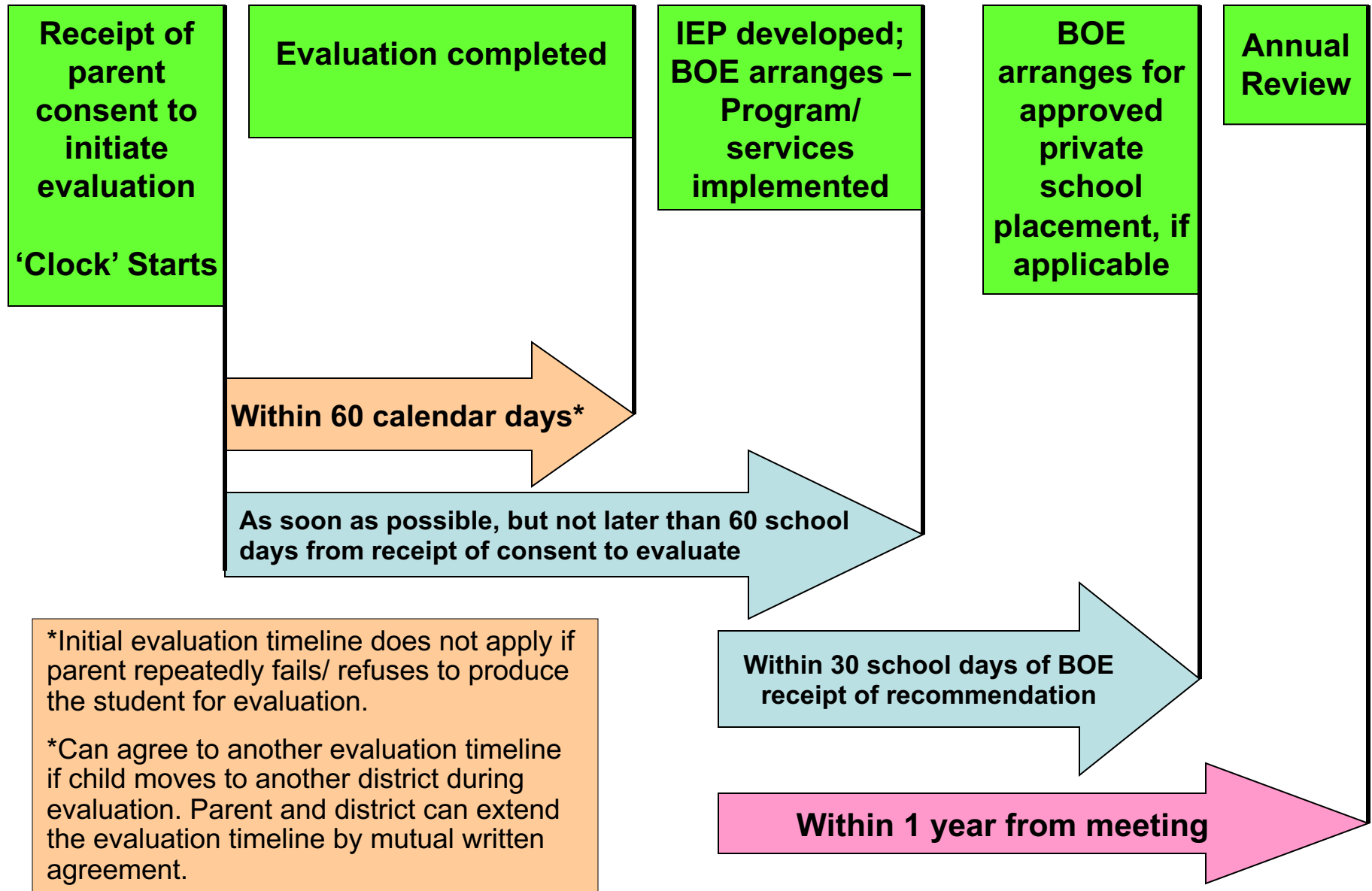
Meeting must occur within 10 school days of receipt of referral.

If they agree to withdraw the referral, this must be documented in writing, including alternative interventions to be tried, data to be collected, the duration of the intervention, and a time to review progress.

A copy of the agreement goes to the parent, the student, if appropriate, the staff member who requested the referral, and cumulative education record file

CSE Process Timeline

For Initial Evaluations



*Initial evaluation timeline does not apply if parent repeatedly fails/ refuses to produce the student for evaluation.

*Can agree to another evaluation timeline if child moves to another district during evaluation. Parent and district can extend the evaluation timeline by mutual written agreement.

CSE Process Timeline

Referral

Date of referral = date written referral is received by CSE chairperson or the building principal, whichever is earlier.

If received by principal, referral immediately forwarded to the CSE chairperson.

If received by CSE, copy of referral forwarded to the building principal within five school days.

CSE chairperson immediately notifies parent, requests consent to evaluate (prior written notice).

Building administrator may request a meeting with parent to consider other interventions. Meeting must happen within 10 school days. They may agree to withdraw the referral. Document agreement.

If no consent after 30 days, chairperson must document attempts to obtain consent and notify BOE that they may request an impartial hearing to seek permission to evaluate without consent.

Evaluation, Eligibility & Recommendation

Begin evaluation process upon receipt of consent. Prior written notice was given to parent with request for consent to evaluate.

Evaluation must be completed within 60 calendar days of receipt of consent. The 60 days does not apply if the child transfers districts during the evaluation (parent and district agree in writing to a specific timeframe), or if the parent repeatedly fails to make the child available for the evaluation. The timeline may also be extended by agreement between parent and district for a child suspected of having a learning disability.

Meeting notice given to parent at least 5 calendar days before CSE meeting.

Hold CSE meeting to determine eligibility and recommendations.

Forward the recommendation to BOE.

Send prior notice to parent of CSE recommendation and evaluation report if not provided to the parent prior to the CSE meeting.

If found to be ineligible, the recommendation must indicate the reasons for ineligibility. A copy of the recommendation and appropriate evaluation information are provided to the building administrator who determines if support services are appropriate.

IEP Implementation

Within 60 school days of consent to evaluate, the BOE must arrange for services per the IEP.

If recommending an approved private school, BOE must arrange for services within 30 school days of receipt of the recommendation.

If BOE disagrees with recommendation, it may ask CSE to reconvene, or may establish a second committee, but must still implement a program within the applicable timeline.

Parent notified of BOE approval and asked for consent for initial provision of services.

Parent provided copy of IEP.

Teachers and service providers are provided a paper or electronic copy of IEP, and the Chairperson designates an employee with knowledge of the student to inform them of their responsibilities for implementing the IEP.

Annual Review

The CSE must meet at least annually to review and, if appropriate, revise the student's IEP, or more often if necessary, when requested by a parent or staff member.

Meeting notice given to parent 5 calendar days before the meeting.

After annual review, provide prior written notice of recommendation and copy of new IEP to parent.

An IEP must be in place at the start of each school year.

After the annual review, the IEP may be amended without a meeting by mutual agreement between parent and district. Amendment must be documented and provided to parent and district staff responsible for implementing the IEP. Upon request, parent given revised copy of entire IEP.

Amending the IEP by written agreement without meeting during the course of the year does not eliminate the requirement for an annual review.

Reevaluation

The student must be reevaluated at least once every 3 years, but more often if necessary, based on student's performance.

Not more than once per year, unless agreed to by parent and district.

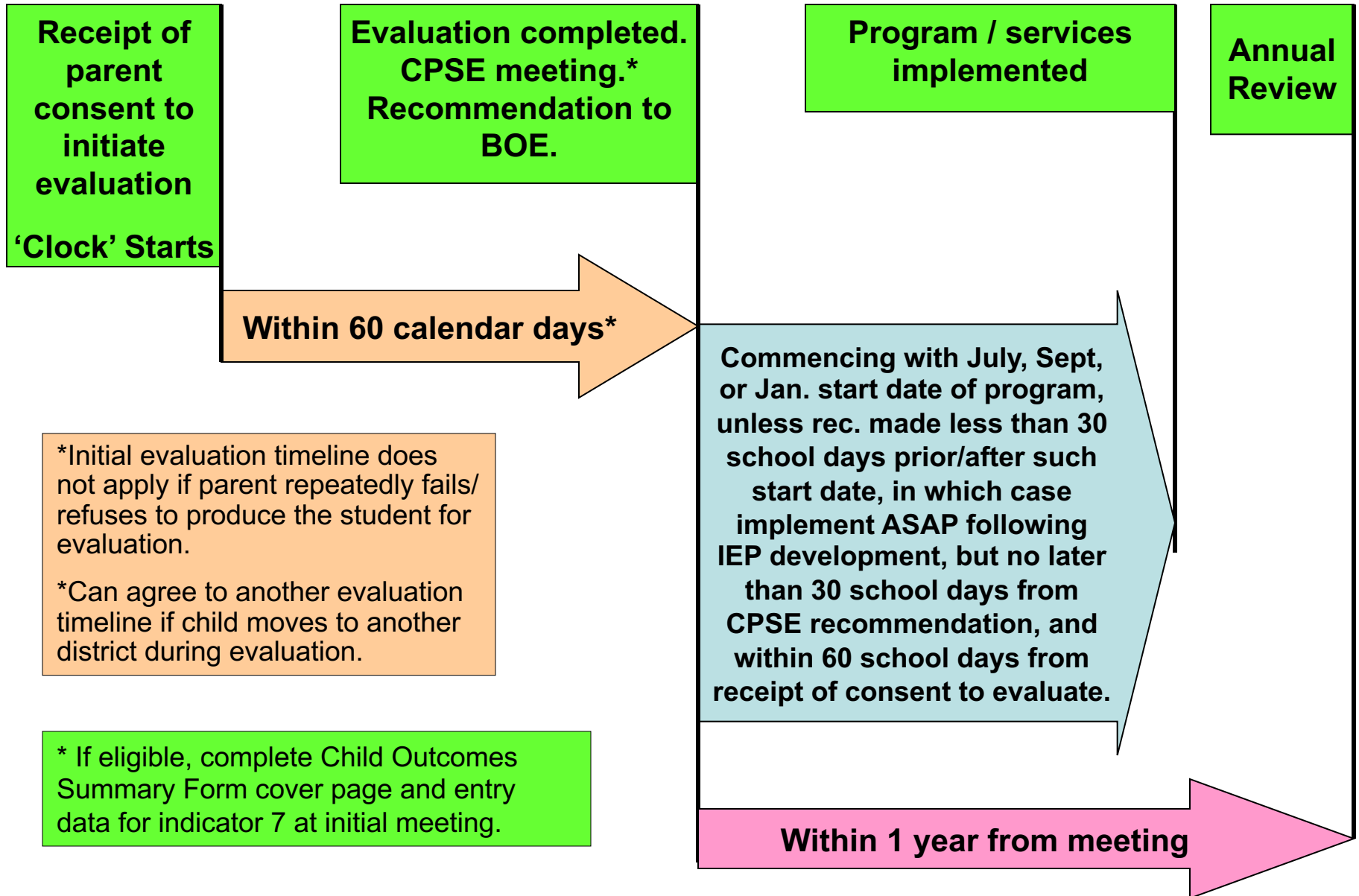
Reevaluation requires parental consent, unless the district can document it has attempted to get consent and the parent did not respond.

Parent and CSE may agree in writing that the reevaluation is not needed. Document agreement..

District must complete and consider a reevaluation prior to declassifying a student.

Committee must meet to discuss the reevaluation results. This meeting may be consolidated with other committee meetings. If consolidating meetings, the meeting notice must indicate the dual purpose of the meeting.

CPSE Process Timeline



CPSE Process Timeline

<u>Referral</u>	<u>Evaluation, Eligibility & Recommendation</u>	<u>IEP Implementation</u>	<u>Annual Review</u>	<u>Reevaluation</u>
<p>Date of referral = date written referral is received by CPSE chairperson or other district staff member, whichever is earlier.</p> <p>If received by professional staff member of the district, referral immediately forwarded to CPSE chairperson.</p> <p>CPSE chairperson immediately provides prior written notice to parent and seeks consent to evaluate. Notice includes list of evaluators, process for choosing evaluator, and right of parent to deny consent.</p> <p>Parent chooses evaluator from list provided by CPSE.</p> <p>If parent denies consent, CPSE chairperson ensures they have understood the request for consent to evaluate. If the parent continues to withhold consent, the process ends.</p>	<p>Chosen evaluator conducts evaluation.</p> <p>Evaluation <u>and</u> initial CPSE meeting must be completed within 60 calendar days of receipt of consent.</p> <p>Copies of report and summary provided to CPSE & county representative.</p> <p>Copy of evaluation summary to parent before meeting.</p> <p>Meeting notice given to parent at least 5 calendar days before meeting.</p> <p>Hold CPSE meeting to determine eligibility and recommendations.</p> <p>At meeting, complete Child Outcomes Summary Form cover page and entry data.</p> <p>Forward recommendation to BOE and municipality.</p> <p>Parent sent written notice of recommendation and request for consent for services.</p> <p><u>If found to be ineligible</u>, the recommendation must indicate the reasons for ineligibility. A copy of the recommendation and evaluation reports is provided to the parent.</p>	<p>BOE must arrange for services per the IEP commencing with July, Sept, or Jan. start date of program, unless recommendation is made less than 30 school days prior/after such start date, in which case implement ASAP following IEP development, but no later than 30 school days from CPSE recommendation, and within 60 school days from receipt of consent to evaluate.</p> <p>Parent, county, and providers notified of BOE approval. Parent asked for consent for initial provision of services.</p> <p>CPSE sends request for approval of reimbursement (STAC-5) to the municipality and evaluator within 30 days of meeting.</p> <p>Parent provided copy of IEP. Teachers and service providers are provided a paper or electronic copy of IEP, and the Chairperson designates an employee with knowledge of the student to inform the service providers of their responsibilities for implementing the IEP.</p>	<p>The CPSE must meet at least annually to review and, if appropriate, revise the student's IEP, or more often if necessary, when requested by a parent or staff member.</p> <p>Meeting notice given to parent at least 5 calendar days before meeting.</p> <p>After annual review, provide prior written notice of recommendation and copy of new IEP to parent.</p> <p>An IEP must be in place at the start of each school year.</p> <p>After the annual review, the IEP may be amended without a meeting by mutual agreement between parent and district. Amendment must be documented and provided to parent and staff responsible for implementing the IEP. Upon request, parent given revised copy of entire IEP.</p> <p>Amending the IEP by written agreement without meeting during the course of the year does <u>not</u> eliminate the requirement for an annual review.</p>	<p>The student must be reevaluated at least once every 3 years, but not more than once per year, unless agreed to by parent and district.</p> <p>Reevaluation requires parental consent, unless the district can document it has attempted to get consent and the parent did not respond.</p> <p>Only approved evaluators may conduct CPSE reevaluations and written authorization of the CPSE is required.</p> <p>Notify municipality at least 5 business days prior to date of reevaluation.</p> <p>Submit STAC-5.</p> <p>Consider need for additional evaluative information at time of transition to CSE.</p> <p>An evaluation done for transition to CSE is a "reevaluation" since child was already classified.</p> <p>For child exiting CPSE to CSE or declassification, if it is your district's assigned year to report on State Performance Plan indicator # 7, complete the Child Outcomes Summary Form exit data.</p> <p>The CPSE must complete and consider a reevaluation prior to declassifying a student.</p>

EI to CPSE Transition Timeline

Service Coordinator provides written notification to the CPSE in the child's local school district if parent has not objected

Transition conference convened by SC. Attended by EI official, service coordinator and CPSE chairperson or designee

EI official gets consent for referral to CPSE

Receipt of parent consent for CPSE evaluation - begin CPSE timeline

CPSE meeting & eligibility determination before 3rd birthday.
EI eligibility ends on 3rd birthday, unless found eligible for CPSE

If CPSE-eligible, can begin receiving services under CPSE or continue in EI until:

- August 31 (if birthday is between January 1 and August 31)
- January 2 (if birthday is between September 1 and December 31)

No fewer than 90 days before the child's potential eligibility for CPSE services*

At least 90 days before the child's eligibility for CPSE services, or no fewer than 90 days or no more than nine months before the child's 3rd birthday

*CPSE Eligibility:

- B-day between 1/1 & 6/30, eligible on 1/2.
- B-day between 7/1 & 12/31, eligible on 7/1

Third Birthday

Timeline is 'backdated' from third birthday
Use calculator at: <http://eservices.nysed.gov/ei/endex.html>