

**GREENBURGH ELEVEN UFSD**  
**POLICY #4321**  
**POLICIES REGARDING STUDENTS WITH DISABILITIES**

1. General Policy.

It is the policy of the Board of Education to provide appropriate programs and maintain records for each residential and day student in the District who has been identified by a Committee on Special Education as having a disability.

2. Compliance With Laws and Regulations.

The Board of Education acknowledges that federal and state laws and regulations require the District to provide appropriate services and programs to students with disabilities. It is the policy of the Board of Education that the District shall comply fully with all such legal requirements.

Due to the large number of laws and regulations relating to students with disabilities, it is not practical for the District to adopt written policies covering every aspect of the District's legal requirements relating to such students.

Accordingly, the following policies are, for the most part, limited to those matters as to which the Board is legally mandated to adopt written policies regarding students with disabilities (see 8 NYCRR § 200.2(b).)

3. Special Circumstances of This District.

The Board of Education notes that this Special Act School District does not serve a traditional residential community and must address a complex and varying profile of student needs.

- The majority of students currently enrolled in this District are residents of The Children's Village who have been referred from a variety of agencies and programs, including OCFS, ACS, DSS, ORR, OMH, and managed care insurance referrals, for whom this District is their home school district ("Home District Students").
- Other students in the District are special education students (both residential and day) who have been placed in the District in accordance with the recommendation of another school district's Committee on Special Education (CSE), for whom an individualized education program (IEP) has been issued by that district's CSE.
- The vast majority of students currently enrolled in the District are students with disabilities.
- Most of the nondisabled students in the District are short- term placements under non-secure detention programs.

- The duration of enrollment in the District varies but can be as short as one day in exceptional cases.
- For many students in the District, a person other than the natural parent has the legal authority to exercise parental rights.

The policies and practices of this District with respect to students with disabilities reflect the foregoing special circumstances.

4. Allocation Of Space For Special Education Programs And Services.

To ensure that adequate and appropriate space is made available for special education classes provided by the District, as well as in programs provided by the Board of Cooperative Education Services (BOCES), the Board of Education will allocate an appropriate amount of space in District facilities to meet the needs of students in such programs.

5. Plans of Service.

The District will prepare and submit to the Commissioner every two years plans of service describing the full range of its special education programs and services. Such description shall refer to all items required by the Commissioner’s Regulations, including but not limited to: (i) the number and age span of children served by these programs, (ii) the methods of evaluation used, (iii) the program's estimated budget (including date of adoption), and (iv) the allocation of adequate and appropriate space in District facilities for special education programs and services.

6. Definition of “Parent.”

For purposes of the following policies regarding students with disabilities, the term "Parent" follows the definition set forth in Section 200.1(ii) of the Commissioner's Regulations and includes, for example, a birth or adoptive parent; a legally-appointed guardian; an individual designated as a person in a parental relation to the child pursuant to Title 15-A of the N.Y. General Obligations Law; or a foster parent, if he or she is not prohibited from acting as a parent. The complete definitions, as set forth in the Commissioner's Regulations, will be followed in this District. Please note that, pursuant to such regulations, The Children’s Village is not permitted to act as the “Parent” for educational purposes.

Legal References:

Paras. 4, 5 and 6: Educ. Law § 3602(10); 8 NYCRR §§ 200.1(ii), 200.2(c).

Revised: January 14, 2009  
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