

## DECLASSIFICATION OF STUDENTS WITH DISABILITIES REGULATION

### **Re-evaluation Prior to Declassification**

Only the Committee on Special Education (CSE) is authorized to declassify a student. Prior to recommending declassification, the Committee shall re-evaluate the student.

### **Prior Notice and Consent to Conduct a Re-evaluation**

Prior to such reevaluation, the CSE shall provide, to the parent or student, as applicable, prior notice that a re-evaluation is being sought for the purpose of considering declassification and shall request input and written consent to conduct any formal assessments or tests recommended.

If the initial request for consent is unsuccessful, alternate measures to obtain consent shall be taken and documented. If reasonable documented attempts have been made to obtain consent and no response is received from the parent or student as applicable, the Committee shall re-evaluate the student, upon notice without written consent.

### **Determination of the Extent of Re-evaluation**

In order to determine the extent of re-evaluation necessary, appropriate school personnel; members of the CSE, with input from the parents and the student, as applicable; and other qualified professionals shall consider and review the existing evaluation data on the student, including evaluations provided by the parents or guardians, current class assessments, observations by teachers, and reports by related service providers and other professionals. This review shall not constitute a CSE meeting. On the basis of this review, the team may conclude that no further data are needed. With proper documentation of notification to the parents or student, as applicable, that they have the right to request additional testing and upon their written confirmation that they do not seek further assessment, a meeting of the CSE shall be scheduled to consider whether, based on the current re-evaluation, to recommend declassification.

### **Consideration of Regular Education Support and Declassification Support Services**

In conducting its review, the CSE shall consider and recommend any regular education supports that may assist the student and shall consider the need for **declassification support services**. If recommended, the Bethlehem Central School District (the District) will specify those services recommended, including the projected initiation date and duration for such services. Declassification services shall be provided for no more than one year following the student's declassification date.

### **Consider Need for Continuation of Testing Accommodations and Second Language Waiver**

In addition, the CSE shall consider the need to continue the student's testing accommodations and, if recommended, shall ensure that such information is transmitted to appropriate school personnel to ensure that such accommodations are made available to the student. The CSE shall also determine, where applicable, whether to extend the second language waiver.

**Consider Need for Referral to the §504 Committee**

Where the CSE declassifies a student under the definition of a student with a disability set forth in the Commissioner's Regulations, the student may continue to have accommodations and/or modifications.

Authority: 8 N.Y.C.R.R. 200.2(b)(8)

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