

(X) Required**() Local****(X) Notice**

INDIVIDUALIZED EDUCATION PROGRAM DISTRIBUTION

The Board of Education believes that in order for each student with disabilities to receive the full benefit of his/her Individualized Education Program (IEP), individuals responsible for implementing the IEP must, prior to the implementation of the IEP, fully understand the scope of their responsibility and the specific accommodations, modifications and supports to be provided.

To this end, this policy aims to establish procedures to ensure that any person having both direct contact with a student with an IEP and a responsibility to provide a service, accommodation or program modification for the student in accordance with that student's IEP, shall be informed of his/her responsibilities under the IEP, and shall receive or have access to a copy of the student's IEP, as specified below.

I. IEP Copies

At a CSE or CPSE meeting for each student, a determination will be made as to which general education teachers, special education teachers, related service providers and other service providers have responsibility to implement the recommendations on the student's IEP. "Other service provider" means a representative of another public school district, charter school, BOCES program, child care institution school, Special Act school district, State-supported school, approved private in-state or out-of-state school and an approved preschool provider where the student receives or will receive IEP services.

The CSE and CPSE Chairpersons shall ensure that a paper or electronic copy of each student's IEP is provided to each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for implementation of a student's IEP. These individuals responsible for implementing an IEP shall, in turn, ensure that all supplementary school personnel (i.e., teacher aides and teaching assistants) and other providers responsible for assisting in IEP implementation are given the opportunity to review their copy of the IEP prior to program implementation as well as have ongoing access to such copy.

II. Notification of IEP Responsibilities

In addition to disseminating copies of a student's IEP, CSE and CPSE Chairpersons must designate one or more professional employees of the district with knowledge of the student's disability and program to inform each regular education teacher, special education teacher, related service provider, other service provider, supplementary school personnel, and other provider and

support staff person of his or her responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional, as appropriate.

III. Confidentiality

All copies of a student's IEP provided or made accessible under this policy must remain confidential, and shall not be redisclosed to any other person, except in accordance with the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). To ensure such confidentiality, the CSE and CPSE Chairpersons shall include with each IEP copy provided or made accessible under this policy, a copy of the Board's policy on student records confidentiality. All IEP copies must remain in a secured location on school grounds at all times. If IEP copies are transmitted and/or provided electronically, security systems (e.g., password protect a file or folder) must be implemented to prevent unauthorized internal and external access to the student's IEP.

IV. Documentation

The designated professional employee(s) defined in section II above shall obtain the signature of each person covered by this policy, indicating that he or she:

1. has received either a copy of the student's IEP or the opportunity to review the IEP prior to its implementation, as required under state law and regulation;
2. has been informed of their responsibilities to implement the IEP;
3. has knowledge of where the IEP is to be maintained; and
4. has an understanding of the confidentiality requirements.

At the end of the school year or whenever the IEP has been revised, the CSE and CPSE Chairperson shall collect all IEP copies provided under this policy and destroy them.

Cross-ref: 4321, Programs for Students with Disabilities Under IDEA and Article 89
5500, Student Records

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g; 34 CFR Part 99
Education Law §4402(7)
8 NYCRR §§200.1(hh); 200.2(b)(11); 200.4(e)(3); 200.16(e)(6)
New York State Education Department, Vocational and Educational Services for Individuals with Disabilities (VESID), SED Guidance Document, Providing copies of the IEPs for Students with Disabilities, May 13, 2003 (<http://vesid.nysed.gov/specialed/publications/policy/chap408final.htm>).

Adoption date: July 9, 2007