

# **Section 11 Charter Schools**

## **ENROLLMENT AND CSE PROCEDURES**

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**RCSD Procedures for Enrollment and Committee on Special Education for Charter School Students with Disabilities**

**NYSED Sec. 300.111 Child find.**

The State must have in effect policies and procedures to ensure that-  
All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.

**20 U.S.C. 1412(a)(3) - (3) Child find**

**(A) In general**

All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State and children with disabilities attending private schools, regardless of the severity of their disabilities, and who are in need of special education and related services, are identified, located, and evaluated and a practical method is developed and implemented to determine which children with disabilities are currently receiving needed special education and related services.

**NYSED Part 200 Section 200.2 Board of education responsibilities**

(a) Census and register of students with disabilities. (1) The board of education or trustees of each school district shall conduct a census in accordance with Education Law, sections 3240, 3241 and 3242, to locate and identify all students with disabilities who reside in the district and shall establish a register of such students who are entitled to attend the public schools of the district or are eligible to attend a preschool program in accordance with section 4410 of the Education Law during the next school year, including students with disabilities who are homeless or who are wards of the State.

(7) Procedures to locate, identify, and evaluate all nonpublic private elementary and secondary school students with disabilities, including religious-school children as required by the Education Law must be established to ensure the equitable participation of parentally placed private school students with disabilities and an accurate count of such students. The child find activities must be similar to activities undertaken for students with disabilities in public schools and must be completed in a time period comparable to that for other students attending public schools in the school district. The school district shall consult with representatives of private schools and representatives of parents of parentally placed private school students with disabilities on the child find process.

**NYSED Education Law § 2853(4)(a)**

Education Law § 2853(4)(a) places committee on special education (CSE) responsibility for charter school students on the school district of residence. The school district of residence is the local educational agency (LEA) under the Individuals with Disabilities Education Act (IDEA) and is responsible for the evaluation, identification and placement of, and IEP development for, charter school students. Education Law §§ 2853(4) and 2851(2)(s) make the charter school responsible for implementation of the IEP in compliance with all federal laws and regulations relating to students with disabilities.

**RCSD Procedures for Enrollment and Committee on Special Education for Charter School Students with Disabilities**

1. When a charter school enrolls a City of Rochester resident, the charter school must contact the RCSD Office of Student Placement for the purposes of dual enrollment. The charter school identifies the student as a general education student or a student with a disability.
2. The Placement Office clerical staff enrolls the student in the Student Management System, Powerschool.
3. The Placement Office clerical staff contacts the Coordinating Administrator of Special Education (CASE) assigned to the Office of Student Placement within 24 hours of enrollment, if the student is a student with a disability, to provide the student name, charter school of enrollment, and former district location that developed the student's current IEP.
4. The Placement CASE immediately requests the IEP from former district and opens a draft IEP (Frontline) that reflects the charter school of enrollment, grade level and recommended programs and services.
5. The Placement CASE notifies the aligned charter school CASE that the student has been enrolled and has a draft IEP.
6. The Charter CASE reviews the IEP and contacts charter school and parent to schedule a CSE Program Review meeting. The purpose of the Program Review is to develop an IEP that reflects comparable services to the current IEP in alignment with the continuum of services provided at the charter school of enrollment.
7. The Program Review will be scheduled as soon as possible. Parent and charter school staff must be provided a meeting notice per Part 200.5 regulations, indicating the time, CSE membership and location of the meeting.
  - The CSE membership includes, at a minimum:
    - General Education Teacher/Charter School
    - Special Education Teacher/RCSD Provided or Charter Provided
    - Parent
    - Student, if appropriate
    - Interpreter, if required
    - LEA Representative
8. CSE Program recommendations for charter school students must consider the educational programs and services, and extracurricular and other nonacademic activities, available in the charter school setting and should attempt to tailor the IEP to meet the individual needs of the student within the context of the charter school program. The role of the charter school staff in the CSE meeting is to discuss how they can support the student within their programs. If the needs of the student are greater than those the Charter can provide, the CSE must identify those gaps in the services the Charter can provide and those the student requires.

# **Section 12 Refugee Families**

**ENROLLMENT AND CSE PROCEDURES**

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**RCSD Procedures for Refugee Families  
Enrollment and Committee on Special Education Processes for Identifying Students Presumed to Have a  
Disability**

**NYSED Sec. 300.111 Child find.**

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All children with disabilities residing in the State, including children with disabilities who are homeless children or are wards of the State, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.

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**RCS D Procedures for Refugee Families  
Enrollment and Committee on Special Education Processes for Identifying Students Presumed to Have a  
Disability**

1. When a family enrolls in the RCS D from a country other than the United States, the Placement Specialist/ staff reviews prior school experiences, attendance and/or interrupted formal schooling. The Specialist may, in consultation with the Coordinating Administrator of Special Education (CASE) assigned to the Placement Office, determine that the student should be identified as a student presumed to have a disability.
2. Placement staff assigns a home school and designates a grade level.
3. The Placement CASE meets with the student's family and determines the immediate educational needs of the student and develops a plan for interim Special Education program and services that should be provided to the student pending CSE recommendations.
4. The Placement CASE assists the family with the referral process.
5. The Placement CASE submits the Parent Request for Referral and submits to the appropriate referral mailbox.
6. The Placement CASE contacts the home school CASE to inform him/her of the recommended interim program and services, initial referral status, and required evaluations and assessment timelines.
7. In the event that a specialized program is recommended as an interim program (such as Home Instruction), the home school CASE and Program CASE collaborate to ensure that the referral and assessment processes are compliant and completed per Part 200.4 Regulations.
8. The CSE follows the procedures and guidelines outlined in the RCS D Procedures for CSE process for Speakers of Other Languages, if appropriate.
9. Evaluations are completed as soon as possible and the CSE convenes to review the evaluation results and determine the eligibility of the student as a student with a disability.
10. The CSE makes a recommendation and the Board of Education arranges for the implementation of the CSE recommendation as soon as possible, but in no case later than 60 school days after receipt of consent to evaluate.