

PROVISION OF IEPs TO TEACHERS AND SERVICE PROVIDERS

In order to fulfill the District's responsibility to provide a free appropriate public education to all eligible students with disabilities, it is the policy of the Board of Education to provide regular and special education teachers, related service providers and other service providers responsible for the implementation of a student's individualized education program ("IEP") with a copy of the IEP, in accordance with the requirements of Education Law §4402(7).

District's Responsibility to Provide IEP Copies

Prior to the implementation of such program, and as soon as practicable after a meeting of the Committee on Special Education ("CSE") or Committee on Preschool Education ("CPSE"), each regular education teacher, special education teacher, related service provider and other service provider² who is responsible for the implementation of a student's IEP shall be given a copy of the IEP. The District will not be required to provide a copy of a student's IEP to a general education teacher if that teacher is not required to implement a service, accommodation, or program modification or to monitor progress toward mastery of goals and/or objectives on the student's IEP. The determination of those teachers who will require a copy of the student's IEP will be made on a case-by-case basis at the CSE or CPSE meeting of each student. Supplementary school personnel (e.g., teacher aide, teacher assistant or other provider) with IEP implementation responsibilities for the student must, prior to its implementation, have the opportunity to review the IEP, and have ongoing access to such IEP, which may be the copy provided to the student's special education teacher or other service provider under whose direction such supplementary school personnel works.

The CSE Chairperson shall designate one, or as appropriate more than one, professional employee of the district with knowledge of the student's disability and education program who shall, prior to the implementation of the IEP, inform each regular and special education teacher, related service provider, other service provider, supplementary school personnel and other provider and support staff person of his or her responsibility relating to the implementation of the IEP and of the specific accommodations, program modifications and supports and/or services that must be provided for the student. The designation of a professional employee will be made on a case-by-case basis, based on who has knowledge of the student's disability and education program.

The District will provide a copy of the student's IEP, prior to implementation, to any program outside the District into which the CSE places a child. It will then be the responsibility of these outside service providers to implement the IEP requirements, including providing copies of the IEP to teachers and related service providers with IEP implementation responsibility,

²The term "other service provider," shall mean 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 and where the district has made the placement.

providing ongoing access to the IEP by supplementary school personnel (e.g., teacher aide, teacher assistant or other provider) and other providers responsible for the implementation of the IEP and informing all individuals of their specific IEP implementation responsibilities.

Copies of an IEP will be provided in electronic or hard copy format. All IEP copies will be provided and individuals will be informed in a timely manner so as not to delay the provision of IEP services. An electronic copy of an IEP may be provided on a computer disc or in a computer file that provides the means to either print the document or to readily reference it on an ongoing basis. Each teacher, related service provider or other service provider must be given his or her own individual copy by which he or she can readily refer to implement the student's IEP. A security system will be implemented to prevent unauthorized internal and external access to the student's IEP when copies are transmitted and/or provided electronically. If an IEP is revised during the school year, copies of the revised IEP will be provided to the student's teachers and related service providers and/or other service provider responsible for the implementation of the IEP consistent with this policy.

If a CSE/CPSE recommends that a student be declassified but eligible to receive accommodations, modifications and/or other support services, such recommendation will be documented on the student's last IEP and be reviewed with relevant staff and service providers each year that such services are in effect. Further, the student's IEP will be provided to teachers and other service providers consistent with this policy.

Confidentiality of IEPs

Any copy of a student's IEP provided pursuant to this policy shall remain confidential and shall not be redisclosed to any other person, in compliance with federal and state laws and regulations, including IDEA and the Family Educational Rights and Privacy Act ("FERPA"). The district may disclose personally identifiable information in a student's education records, including the student's IEP, to school personnel with "legitimate educational interests."

Consistent with FERPA, the district will, at a minimum:

- Protect the confidentiality of the IEPs provided to teachers and others at collection, storage, disclosure and destruction stages;
- Ensure that all persons collecting or using the IEPs receive training or instruction regarding FERPA requirements;
- Ensure that the teachers, related service providers and other service providers who the district determines to have a legitimate educational interest and who receive a copy of the IEP are informed about their respective obligations to maintain confidentiality of the student records, do not disclose personally identifiable

information from the IEP of a student without consent of the parent and return copies of the IEP at the end of each school year or upon issuance of a revised or updated IEP; and

- Upon request, provide the parents with a list of the types and locations of education records, including the IEPs collected, maintained or used by the school district.

Legal References: Educ. Law §4402(7)
8 N.Y.C.R.R. §§200.2(b)(11); 200.4(g)

1st Reading June 19, 2007
2nd Reading & Adoption July 9, 2007