

Guidelines on the Use of New York State Mandated MEETING NOTICE FORMS

All Meeting Notices provided to a parent of a student with a disability or parent of a student suspected of having a disability must, beginning September 1, 2009, be on a form prescribed by the Commissioner.

WHAT IS A MEETING NOTICE? A meeting notice is information in writing given to a parent prior to a meeting of the Committee on Special Education (CSE), Subcommittee on Special Education or Committee on Preschool Special Education (CPSE).

WHY IS A MEETING NOTICE REQUIRED? The meeting notice is an important step that the school district must take to ensure that one or both of the student's parents have the opportunity to participate in each Committee meeting for their child and to understand the purpose of the meeting as well as who is expected to attend the meeting. If a parent is unable to attend the meeting, the district must afford the parent the opportunity to participate by other means such as video conferencing or telephone conference calls.

WHEN MUST THE PARENT RECEIVE THE MEETING NOTICE? The parent must receive a meeting notice any time the CSE, Subcommittee or CPSE proposes to conduct a meeting related to the development or review of a student's individualized education program (IEP) or the provision of a free appropriate public education (FAPE) to the student. A meeting does not include informal or unscheduled conversations involving school personnel and conversations on issues such as teaching methodology, lesson plans or coordination of service provision if those issues are not addressed in the student's IEP. A meeting also does not include preparatory activities that school personnel engage in to develop a proposal or response to a parent's proposal that will be discussed at a later meeting.

A parent should be notified of a Committee meeting early enough so that he/she will have an opportunity to attend the meeting. The regulations require the parent to receive the notice at least five days before the meeting. However, when the parent and school district agree to a meeting that will occur within five days, or when the purpose of the meeting is to meet the timelines related to suspension or removal of a student for disciplinary reasons (e.g., expedited evaluation or determination of services during suspension), the meeting notice may be provided to the parent less than five days prior to the meeting.

The parent may elect to receive the notice of meetings by an

electronic mail (e-mail) communication if the school district makes such option available.

**WHO MUST
RECEIVE A
MEETING NOTICE?**

The meeting notice must be given to the parent of the student. For preschool students, the meeting notice must be given to each CPSE member, including the appointee of the municipality, and the parent of the preschool child, in writing by first class mail, postage prepaid, facsimile or personal service.

**WHAT
INFORMATION IS
INCLUDED IN A
MEETING NOTICE?**

The meeting notice includes the following information.

*INFORMATION AS TO
WHEN AND WHERE
THE MEETING WILL
BE HELD*

The meeting notice must include the date, time and location of the meeting.

The meeting should be scheduled at a mutually agreed upon time and place and in a location that is physically accessible to the parent. The school must have a detailed record of its attempts and the results of those attempts to arrange a mutually agreed upon date, time and location.

In addition, for preschool students, to the extent possible, any meeting of the CPSE must be held at a location and time mutually convenient to the members of the CPSE and the parent of the preschool student. This may include, but is not limited to, the worksite of the evaluator, the municipal representative of the CPSE or the chairperson of the CPSE.

*PURPOSE OF THE
MEETING*

The meeting notice must include the purpose of the meeting. The purpose should be stated with enough specificity that the parent is prepared for what might be discussed at the meeting. Examples of the purpose(s) of a meeting include:

- To review the results of the initial evaluation or reevaluation.
- To determine a student's eligibility or continuing eligibility for special education services.
- To develop an initial IEP.
- To review and, if appropriate, revise the IEP.
- To determine the student's need for extended school year services.
- To discuss a student's post-secondary goals and transition services.
- To discuss declassification support services.
- To determine services to be provided during a suspension for disciplinary reasons.

*PARENT RIGHT
WHEN THE
MEETING WILL BE
CONDUCTED BY A
SUBCOMMITTEE ON
SPECIAL EDUCATION*

If the meeting will be conducted by a Subcommittee on Special Education, the meeting notice must include a statement that upon receipt of a written request from the parent, the Subcommittee will refer to the CSE any matter on which the parent disagrees with the Subcommittee's recommendation.

New York State law authorizes use of a Subcommittee on Special Education for school-age students but not for preschool students.

*WHO IS EXPECTED
TO ATTEND THE
MEETING*

The meeting notice must identify who is expected to be in attendance at the meeting by name and title.

If the purpose of the meeting is to consider postsecondary goals and transition services, the notice must indicate that the school district will invite the student. The meeting notice must also identify the other agencies responsible to provide or pay for transition services that, with parental consent or consent of the student who is age 18 or older, will be invited to send a representative to the meeting.

The meeting notice must include a statement that the parent has the right to decline, in writing, the participation of the additional parent member at the meeting.

The meeting notice must include a statement that the parent has the right to be accompanied by individuals with knowledge or special expertise about his or her child, as determined by the parent. The district may ask the parent to identify, by name and title, other individuals invited by the parent who will attend the meeting.

For CSE: the notice must include a statement that the parent has the right to request, in writing at least 72 hours before the meeting, the participation of the school physician member (this does not apply to Subcommittee or CPSE meetings).

For CPSE: the notice must include a statement that:

- the parent can address the CPSE in person or in writing; and
- if the child is transitioning from an early intervention (EI) program, at the parent's request, a service coordinator or other representative of the EI program will be invited to participate in the meeting to assist with the smooth transition of services.

The parent and the school district may agree that the attendance of a member of the CSE, CPSE or Subcommittee on Special Education (other than the parent of the student or the municipality representative of the CPSE) is not necessary or that a member may be excused in accordance with the following procedures:

- **Member's attendance not necessary:** A member of the CSE, CPSE or Subcommittee is not required to attend a meeting, in whole or in part, if the parent and the school district agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting.
- **Excusal of member:** A member of the CSE, CPSE or Subcommittee may be excused from attending a meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the:
 - parent and the school district consent, in writing, to the excusal; and
 - excused member submits to the parent and the Committee written input into the development of the IEP, and in particular, written input with respect to his or her area of curriculum or related services prior to the meeting.

The request to excuse a member or to agree that a member's attendance at a meeting is not necessary, and the written input into the development of the IEP from the member proposed to be excused, must be provided not less than five calendar days prior to the meeting date in order to afford the parent a reasonable time to review and consider the request. However, the parent retains the right to request and/or agree with the school district to excuse a member at any time, including where the member is unable to attend because of an emergency or unavoidable scheduling conflict. In this case, the school district must submit the written input for review and consideration by the parent(s) within a reasonable time prior to the meeting and prior to obtaining parental consent to the excusal.

**ARE ALTERATIONS
TO THE STATE'S
MANDATED
MEETING NOTICE
FORMS ALLOWED?**

A school district may not alter or omit any of the wording of the content in the State's mandated forms. However, it may insert the form on school district letterhead and it may provide additional attachments, as it deems appropriate to the individual student, with the meeting notices.