



## **HUNTINGTON SCHOOL DISTRICT SPECIAL EDUCATION PLAN**

DISTRICT POLICIES, PRACTICES AND  
PROCEDURES FOR ASSURING APPROPRIATE  
EDUCATIONAL SERVICES AND DUE PROCESS  
IN THE EVALUATION AND PLACEMENT OF  
STUDENTS WITH DISABILITIES

**September 1, 2023 – August 31, 2025**

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## **STATEMENT OF ASSURANCES**

The Board of Education of the Huntington Union Free School District as a part of a long standing commitment to excellence in education for all students, supports the provision of special education and related services for students with disabilities under the auspices of the Committee on Special Education and the Committee on Preschool Special Education.

In full support of State and Federal laws pertaining to students with disabilities, it is the intent of this Board of Education to assure that the educational needs of special education students are met. To this end, and in full compliance with the Regulations of the Commissioner of Education Part 200 and Part 201, the Board has reviewed this two-year District Plan for Special Education.

By action of the Board of Education in a regularly scheduled meeting, the Huntington Union Free School District school Board has adopted the Special Education District Plan.

## TABLE OF CONTENTS

<b><u>SECTION 1 – INTRODUCTION</u></b> .....	5
<b><u>SECTION 2 – COMMITTEE ON PRESCHOOL SPECIAL EDUCATION</u></b> ...	21
<b><u>SECTION 3 – COMMITTEE ON SPECIAL EDUCATION (CSE) and SUBCOMMITTEE ON SPECIAL EDUCATION (SCSE)</u></b> .....	33
<b><u>SECTION 4 – ADDITIONAL EVALUATION, IEP and PLACEMENT CONSIDERATIONS</u></b> .....	51
<b><u>SECTION 5 – PROCEDURAL SAFEGUARDS</u></b> .....	70
<b><u>SECTION 6 – RECORDS ACCESS AND CONFIDENTIALITY</u></b> .....	81
<b><u>SECTION 7 – ACCESSIBILITY</u></b> .....	88
<b><u>SECTION 8 – IN-DISTRICT PROGRAMS</u></b> .....	90
<b><u>SECTION 9 - OUT-OF-DISTRICT PROGRAMS</u></b> .....	103
<b><u>SECTION 10 – BUDGET</u></b> .....	109
<b><u>SECTION 11 – MISCELLANEOUS</u></b> .....	110

## **SECTION ONE: Introduction**

### **GENERAL BOARD OF EDUCATION POLICIES**

The Huntington school district is committed to the development and implementation of an appropriate education for students with disabilities who reside in the district in accordance with the following administrative practices and procedures:

- To ensure that students with disabilities have the opportunity to participate in school district programs to the maximum extent appropriate to the needs of each student, including nonacademic and extracurricular programs and activities, which are available to all other students in the public schools of the district.
- To ensure that each preschool student with a disability residing in the district has the opportunity to participate in preschool programs, including timely evaluation and placement.
- To appoint and train appropriately qualified personnel, including the members and chairpersons of the committee on special education and the committee on preschool special education.
- To implement the provisions of Section 200.6 (a) of the Commissioner's Regulations and to provide special services or programs, to the extent appropriate to the needs of the student, to enable the student to be involved in and progress in the general education curriculum.
- To ensure that parents have received and understand the request for consent for evaluation of a preschool student as well as a school age student through the committee on special education.
- To ensure the confidentiality of personally identifiable data, information or records pertaining to a student with a disability. Such personally identifiable information will not be disclosed except in accordance with the Regulations.
- To implement school-wide approaches, which may include a response to intervention process, and pre-referral interventions in order to remediate a student's performance prior to referral to special education.
- To ensure the review and implementation of plans and policies for the appropriate declassification of students with disabilities.
- To ensure the selection and board appointment of an impartial hearing officer consistent with Regulations.
- To ensure that all instructional materials to be used in the schools in the district are available in a usable alternative format for each student with a disability in

accordance with the student's educational needs and course selections at the same time that such materials are available to non-disabled students.

- To ensure that personnel responsible for implementing or assisting in the implementation of a student's IEP receive or are provided access to a copy of the IEP for review prior to its implementation, and are informed of their responsibility to implement the recommendations of the IEP.
- To ensure that measurable steps are taken to recruit, hire, train and retain highly qualified personnel to provide special education programs and services.
- To ensure the establishment of guidelines for the provision of appropriate accommodations necessary to ensure the academic achievement and functional performance of the student in the administration of State and district-wide assessments.
- To ensure that universal design principles be used, to the extent feasible in developing and administering any district-wide assessment programs.
- To ensure that adequate and appropriate space is made available to meet the needs of preschool and school age students with disabilities.
- To ensure that students who reside in the district have received the protection of all other applicable State and Federal laws and regulations.
- To ensure that the school district publicly reports on revisions to its policies, procedures and/or practices upon a finding by the Department that the district has inappropriate policies, procedures or practices resulting in a significant disproportionality by race/ethnicity in the suspension, identification, classification and/or placement of students with disabilities.

### **HUNTINGTON SPECIAL EDUCATION DEPARTMENT** **PHILOSOPHY AND GOALS**

The Huntington School District Board of Education subscribes to the concept that all students must be provided with quality instruction and opportunities for academic achievement. Recognizing its responsibilities towards students with disabilities, the Huntington School District Board of Education has adopted the following statement of philosophy of special education which is the corner stone of its programs.

- To the extent dictated by the child's disability, the student will be educated within the local school wherever possible
- The district is committed to the concept of the least restrictive environment (LRE) which allows for maximum contact and participation with non-disabled peers whenever appropriate

- Where special education services are provided within or out of the district, the services will be limited to those specifically dictated by the nature and need of the disability.
- The goal of special education in Huntington School District is to provide each child with a disability, individualized and specialized instruction which will allow the student to access and progress with the general education curriculum and to maximize the student's functioning toward realization of full potential.
- The District recognizes that in the development of all human beings, there are personal obstacles to be overcome as growth evolves. This is true for all students. Students with disabilities will be seen by the general education staff as having particular obstacles to overcome and shall be helped accordingly.
- The District is committed to help develop constructive attitudes, respect and understanding towards individuals with disabilities in order to promote independence of functioning to the greatest possible degree.
- In accordance with district wide goals, the Board recognizes the necessity for parental support and involvement in the education of each child with a disability, total, open and full available communication with parents is seen as desirable and essential.
- It is the goal of the district to integrate into the school curriculum a program to elicit understanding and acceptance of individual differences and acceptance of people with disabilities.
- It is the goal of the district to provide in-service education for staff regarding the concept of least restrictive environment.

### **SPECIAL EDUCATION PROGRAMS AND SERVICES: OVERVIEW**

As of October 1, 2022, The Huntington School District serves 737 students with disabilities across district programs, state approved out of district day and residential programs, preschool special education and at the St. Patrick's school, a private parochial school located within the boundaries of Huntington School District.

The number of students served in each grade level and program are:

#### **Preschool Students with Disabilities Ages 3-5**

CPSE - Preschool students with a disability: 62

Attending a Regular Early Childhood Program Receiving Special Education Services: 35

Separate Class in Approved 4410 Preschool Program: 13

Residential Program: 0

Home Instruction/Related Services: 14

#### **CSE School Age Students**

Flower Hill Primary School: 35

Jefferson Primary School: 36

Southdown Primary School: 41

Washington Primary School: 32

Jack Abrams STEM Magnet School: 73

Woodhull Intermediate School: 43

Finley Middle School: 87

Huntington High School: 229

BOCES Out of District Placements: 45

State Approved Day Programs: 13

State Approved Residential Programs: 1

Home/Hospital Instruction: 2

St. Patrick' School: 36

In accordance with Section 200.6 of the Regulations of the commissioner of Education, the Huntington School district provides a continuum of services which allows placement of preschool and school-age students in the least restrictive environment consistent with their needs and which provides for the placement of students on the basis of similarity of individual needs.

### **LEAST RESTRICTIVE ENVIRONMENT**

The District provides a wide continuum of services, ranging from placement and support services within the general education classroom to placement in residential settings. The district is committed to the policy of placing students in the least restrictive environment consistent with their needs. ***“Least Restrictive Environment”*** Part 200.1(cc) means that the placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs ***only*** when the nature or severity of the disability is such that even with the use of supplementary aids and services, education cannot be satisfactorily achieved.

- Placement shall be based on the student’s individualized education program and determined at least annually.
- Placement shall be as close as possible to the student’s home, and unless the student’s individualized education program requires some other arrangement, the student shall be educated in the school he or she would have attended if not disabled.
- In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that he or she needs; and



- A student with a disability must not be removed from education in age-appropriate regular classrooms solely because of needed accommodation/modifications in the general curriculum.

### **PROCEDURES TO IMPLEMENT LRE REQUIREMENTS**

- The student will receive a comprehensive, nonbiased, individual evaluation in the student's dominant language or other mode of communication, unless it is clearly not feasible to do so, to determine his/her educational needs. In making a determination of a student's eligibility, the CSE shall not determine a student to be a student with a disability if the determinant factor is lack of instruction in reading or math or limited English proficiency. The CSE must review evaluation information to determine whether any additions or modifications to special education services are needed to enable the student to participate, as appropriate, in the general curriculum.
- Prior to placement in special education, the CSE will ensure that the appropriateness of the resources of the general education program, including educationally related support services, have been considered.
- A student's educational program will be developed with the meaningful involvement of the student's parent or guardian and teacher and the student, when appropriate. The Committee will include persons knowledgeable about the student, the meaning of the evaluation data, and the continuum of placement options. IDEA requires that at least one of the student's regular education teachers must be a member of the Committee (if the student is, or may be, participating in the regular education environment). In addition, the representative of the school district qualified to provide or supervise the provision of special education services must be knowledgeable about the general curriculum and the availability of resources of the school district. The individual knowledgeable about the evaluation data must be able to interpret the instructional implications of the evaluation results.
- The Committee on Special Education or Committee on Preschool Special Education will first consider placement in general education with appropriate support for the student and the student's teachers. The IEP must include statements of the student's present levels of educational performance, including how the student's disability affects involvement and progress in the general curriculum; or for preschool students, as appropriate, how the disability affects the child's participation in appropriate activities.
- Measurable annual goals must be related to meeting the student's needs that result from the disability to enable the student to be involved in and progress in the general curriculum and meet each of the student's other educational needs that result from the disability. In addition to the goals, students on New York State Alternate Assessment will have benchmarks or short-term objectives which must be related to meeting the student's needs.
- Alternative placements, such as special classes, special schools or other removal from the general education environment, will be considered only when the CSE/CPSE determines that a student's education in regular classes cannot be satisfactorily achieved even with the use of supplementary aids and services.

- The IEP of the student will include an explanation of the extent to which the student will not participate with students who do not have disabilities.
- The parent or guardian and the board of education will be provided a recommendation from the CSE/CPSE, which describes the program and placement options considered for the student and a rationale for those options not selected.
- The CSE/CPSE must indicate clearly defined expected benefits to the student from the special education program selected in the areas of academic achievement, functional performance or learning characteristics, social development, physical development and management needs.
- The CSE/CPSE will conduct an annual review of the student's needs for continuation or modification of the provision of special education programs and services. Such review shall consider the educational progress of the student and the student's ability to participate in general education programs.

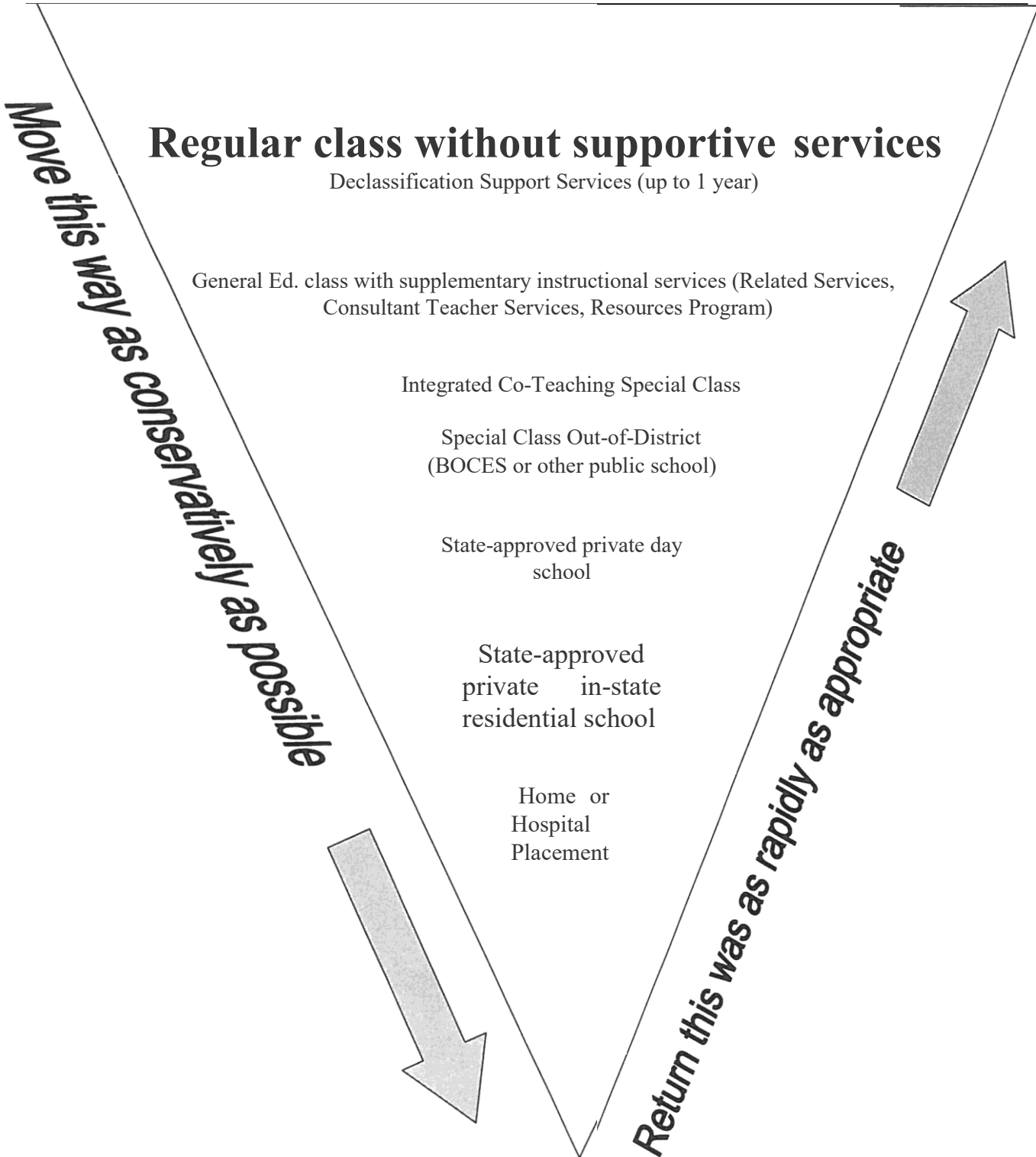
The Huntington School District is committed to the policy of placing students in the least restrictive environment consistent with their identified needs. The district is prepared to provide the full continuum of services as described in 200.6 of the Commissioner's Regulations, always considering core instruction with supports within the general education environment whenever appropriate.

#### **Committee on Special Education: CONTINUUM OF SERVICES**

The Huntington School district provides a full continuum of services to meet the individual needs of students with disabilities. Consideration of service recommendations always follow and consider Least Restrictive guidelines from least restrictive first to more restrictive if needed for the student. Special Education services are provided in the Least Restrictive Environment for each individual student:

# Huntington Union Free School District Continuum of Services

Special Education services are provided in the Least Restrictive Environment



## **TRANSITIONAL SUPPORT SERVICES**

When specified in a student's Individualized Education Program, transitional support services are provided to a teacher on a temporary basis to aid in the provision of an appropriate educational program to the student with a disability who is transferring to a general education program or to a less restrictive program or service. These services are temporary and do not continue beyond one year. In Huntington, these services may be provided by the building psychologist, a special education teacher, a speech/language therapist, physical therapist, occupational therapist or other appropriate professional who understands the specific needs of the student with a disability.

## **DECLASSIFICATION SUPPORT SERVICES**

Students exiting special education may be considered for declassification services. Declassification support services are defined in the Part 100 Regulations. Testing modifications may be continued as recommended by the CSE. If a student has been receiving special education services but the Committee on Special Education determines that the student no longer requires such services and can be placed in a general education program on a full-time basis, the recommendation shall:

- identify the declassification support services,
- indicate the projected date of initiation, and
- frequency and duration of such services, not to exceed one year;
- duration of testing accommodations.
- If, prior to declassification, the CSE has determined that a student has a disability such that they are unable, due to their disability, to learn a language and has excused the student from the language other than English requirement for graduation, and this has been documented on the IEP, this exemption would continue upon declassification. It is recommended that this continued exemption be documented on the student's declassification document which will be forwarded to the building principal.

## **RELATED SERVICES**

Related services means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech-language pathology, audiology services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling services, orientation and mobility services, medical services as defined by regulations, parent counseling and training, school nurse services, school health services, school social work, assistive technology services, other appropriate developmental or corrective support services, appropriate access to recreation including therapeutic recreation and includes the early identification of and assessment of disabling conditions in students. Related services does not include a medical device that is surgically implanted, the optimization of that device's functioning, maintenance of that device, or the replacement of that device.

- The frequency, duration and location of each service shall be identified on the IEP based on the individual student's need for the service.

- Speech/language services will be provided a minimum of two (2) 30-minute sessions each week. Total caseload for teachers will not exceed sixty-five (65).
- When a related service is provided to a number of students at the same time, the number of students in the group shall not exceed five.
- Parent Counseling and Training -means assisting parents in understanding the special needs of their child; providing parents with information about child development; and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP. For parents of students placed in out of district programs with class ratios of 6:1:+1, 8:1+1, and 12:1:4 or in district 12:1+3:1 setting, provision shall be made for parent counseling and training for the purpose of enabling parents to perform appropriate follow up intervention activities at home. The above ratios may not be offered in district programs but students may be placed in classrooms with the above ratios in a state approved out of district program. In addition, provisions will be made for parent counseling and training for parents of students with Autism.

### **CONSULTANT TEACHER SERVICES**

Consultant teacher services shall be for the purpose of providing direct and/or indirect services to students with disabilities enrolled full-time in general education classes including career and technical education. Such services shall be recommended by the Committee on Special Education to meet specific needs of such students and shall be included in the student's individualized educational program (IEP). If a student receives consultant teacher services as recommended on the IEP, core instruction occurs in the general education classroom and supplemental support/instruction is provided by the consultant teacher. Consultant teacher services shall be provided in accordance with the following provisions:

- Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week. The IEP shall specify the location/subject area that the consultant teacher services will take place.

### **RESOURCE ROOM PROGRAMS**

The resource room program is for the purpose of supplementing the general or special classroom instruction of students with disabilities who are in need of such supplemental instruction programs.

- The instructional group in each resource room period does not exceed five (5) students, who are grouped according to their similarity of need.
- Students shall spend a minimum of three (3) hours per week, except that a Committee on Special Education may recommend that for a student with a disability who also needs Consultant Teacher Services in addition to Resource Room Services, may receive a combination of such services consistent with the student's IEP for not less than three hours per week. The student will not spend more than 50 percent of the day in the resource room program.

- The total number of students assigned to a resource room teacher shall not exceed twenty (20) at the elementary level and twenty-five (25) at the middle and high school levels.
- Resource room services may be provided either in a pull-out or push-in program or a combination of both.

### **INTEGRATED CO-TEACHING**

Integrated co-teaching services means the provision of specially designed instruction and academic instruction provided to a group of students with disabilities and nondisabled students. Huntington school district offers at least one integrated co-taught class at each grade level from kindergarten through 12<sup>th</sup> grade.

The maximum number of students with disabilities receiving integrated co-teaching services in a class shall not exceed 12 students. School personnel assigned to each class shall minimally include a special education teacher and a general education teacher. Additional personnel, including supplementary school personnel, assigned to such classes by the district, may not serve as the special education teacher. Students who are recommended for integrated co-teaching will be assigned to an elementary school that has integrated co-teaching sections within the Huntington school district boundaries although not necessarily in the student's home zoned school.

### **SPECIAL CLASS**

A special class is defined as a class consisting of students with the same disabilities or with differing disabilities who have been grouped together because of similar individual needs for the purpose of being provided a special education program. The chronological age range of students who are less than sixteen (16) years of age shall not exceed thirty-six (36) months. Students recommended for special classes will be provided services in the schools that have special class sections within the Huntington School District boundaries although not necessarily in the student's home school. The district offers at least one section of 15:1+1 and 12:1+ (3:1) special classes at each grade level from kindergarten through 12<sup>th</sup> grade.

### **OUT-OF-DISTRICT PLACEMENT**

Students with disabilities whose needs are too intensive to be addressed appropriately in an in-district special education program, may be placed in one of the following, listed from least restrictive to more restrictive:

- Special class operated by another school district
- A BOCES program
- An approved Private School (day)
- 4201 or State Operated School
- an approved Residential Placement

### **HOME AND HOSPITAL INSTRUCTION**

Students with disabilities who are recommended for home and/or hospital instruction by the CSE shall receive instruction as follows:

- elementary school students (grades 1-6) will be provided a minimum of five (10) hours per week;

- secondary school students (7-12) will receive a minimum of ten (15) hours of instruction per week.

### **PROVISION OF APPROPRIATE SPECIAL EDUCATION SERVICES TO ENABLE INVOLVEMENT AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM**

All students with disabilities who reside in the School District shall be provided with an appropriate Individual Education Program (IEP) that meets the student's unique educational needs as determined and recommended by the Committee on Special Education (CSE) and arranged for by the Board of Education. This IEP shall be designed to enable involvement and foster progress in general education to the extent appropriate to the needs of the student. In designing the IEP, the CSE will consider the present levels of performance and the expected learning outcomes of the student. The student's academic, social development, physical development, and management needs will be the basis for written annual goals and short-term objectives.

In keeping with this policy, the CSE will consider mainstreaming or integrated co-teaching classes at each initial, program review or annual review for the student as well as the appropriate support or related services needed for the student to make educational progress within this environment. Progress or educational benefit shall be indicated by successful academic progress, including improvement in skills, achievement on State mandated examinations, ability to perform activities of daily living and an increase in adaptive behavior. Progress will also be considered in the social areas, including relationships with peers and adults, feelings about one's self, and the adjustment to school and community environments. Physical development areas such as the student's improvement in motor or sensory areas, health, vitality and physical skills and the decrease of management needs that require environmental modifications or human resources shall also be considered as progress.

The District will ensure equal access to a diploma for all students with disabilities through its establishment of heterogeneous Regents classes, integrated co-teaching classes and special education classes that provide equivalent instruction. Appropriate academic intervention services shall also be considered and determined by the building principal to assist students with disabilities in meeting their academic goals. These services shall be in addition to the special education services deemed appropriate by the CSE. No student, by virtue of designation as a student with a disability, shall be precluded from receiving equivalent instruction unless the CSE has determined that the student requires New York state alternate assessment and/or is on the pathway for a commencement and skills credential. If the student has the potential to achieve a regular high school diploma but requires a restrictive environment outside the district, the CSE will seek placement in a program that provides equivalent instruction.

The District will also ensure equal access for students with disabilities to after school activities such as clubs, sports, or evening activities. Students, who are receiving

education in out-of-district facilities, as recommended by the CSE, shall also have an equal opportunity to participate in these activities, as deemed appropriate.

### **IMPLEMENTATION OF SCHOOL-WIDE APPROACHES AND PRE-REFERRAL INTERVENTIONS**

In accordance with the IDEA and Part 200.2 (b) of the Commissioner's Regulations, the district has developed policies and procedures outlining pre-referral interventions for students. The District's Response to Intervention Plan establishes pre-referral interventions to assist a student's educational process before consideration of referral to the Committee on Special Education (CSE). In keeping with this policy, it is the responsibility of the school's principal and building level team to investigate all possible avenues of general education support services that would enable the student to achieve the learning standards. Such services may include, but are not limited to, Academic Intervention Services and Support Services. These services must be afforded to all students who do not meet the minimum designated standards on State assessments, and to English Language Learners (ELL) students who do not achieve the annual CR Part 154 performance standards. In addition, in accordance to the Part 117 screening regulations, a description of these services will be approved by the Board of Education and reviewed every two years. Supplemental instruction in English, language arts, math, social studies, and science as well as support services to deal with barriers to student progress such as attendance, discipline, health, family nutrition, and transient issues will be afforded to students who score below level 3 on elementary or intermediate state assessments or who score below the local state designated performance levels on any one of the state examinations required for graduation.

All school-wide approaches to provide remediation activities for students who are at risk of not meeting state standards or meeting graduation requirements will be considered prior to making referrals to the CSE. Instructional Support Teams in each building utilizing a Response to Intervention (RTI) Problem-solving model. These approaches may also include but are not limited to teacher aide/assistant support, student or volunteer tutorial assistance, counseling support, behavior management support plans, speech improvement and computer assisted programs. The principal shall notify each student's parents whenever Academic Intervention Services (AIS) are provided and shall ensure that written quarterly progress reports are provided in the native language of the parents. These school-wide approaches shall serve as pre-referral interventions prior to consideration of special education programs through the Committee on Special Education (CSE). Refer to the Districts RTI plan for further information.

In Huntington, the district RTI plan is updated annually and administrative teams meet regularly to review and discuss the efficacy and effectiveness of the RTI program.

Each buildings School Based Inquiry Team and Response to Intervention teams will meet regularly (at minimum 3x yearly) to review student data and to make



recommendations regarding the level and frequency of interventions for students receiving supportive services.

If students do not respond to tiered intervention, the RTI team can determine whether a referral to the CSE is appropriate.

**COMMITTEE ON SPECIAL EDUCATION (CSE) AND  
COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)  
APPOINTMENT AND TRAINING**

To implement its commitment to the education of students with disabilities, the Board of Education annually appoints a Committee on Special Education (CSE), Subcommittee and a Committee on Preschool Special Education (CPSE). The Committees are appointed in accordance with the provisions of New York Education Law, Sections 4402 and 4410 and Section 200.3 of the Regulations of the Commissioner of Education.

Major functions of the CSE and CPSE include:

- Identifying, evaluating and recommending placement for students with disabilities;
- Assuring that appropriate due process safeguards are provided for each student;
- Maintaining an annually revised register of all students with disabilities who reside in the district and who are eligible to attend preschool or public school during the coming school year;
- Establishing a network for communication and sharing of resources with other educational and community service agencies;
- Reporting to the Board of Education on the adequacy and status of programs, services and facilities made available to school-age students with disabilities by the school district, and, for preschool students, by public and private agencies within the County of Suffolk;
- Reporting to the State Education Department on the number of preschool or school-age students, if any, within the district who are not receiving appropriate school-age or preschool services and the reasons for any such lack of service.

**RESPONSIBILITIES**

The Committees have the responsibility to ensure that all necessary procedures for the identification, diagnosis, placement and annual review of the status and progress of every student with a disability are carried out in accordance with federal and state law and regulations.

Subcommittees are authorized to perform the functions of the Committee on Special Education except when a student is considered for initial placement in:

- a special class; or
- a special class outside of the student's school of attendance; or
- a school primarily serving students with disabilities in a school outside the student's district.

Upon a written request from a parent or a legal guardian of a student, the subcommittee will immediately refer to the Committee on Special Education for its review any recommendation of the subcommittee concerning the identification, evaluation, educational placement or provision of a free appropriate public education to

a student that is not acceptable to the parent or person in parental relationship to the student.

The Committee on Special Education is responsible for oversight and monitoring of the activities of each subcommittee to ensure compliance with federal and state law and regulations. Each subcommittee must annually report the status of each student with a disability within its jurisdiction to the Committee.

### **TRAINING CSE/CPSE MEMBERS**

The district is committed to ensuring that all members of the CSE and CPSE are appropriately trained for their responsibilities on their respective committees. Committee members are made aware of their responsibilities to ensure that services are identified to allow the student to be involved in and progress in the general education curriculum. Specific administrative practices for training these members, including general education teachers and parents, to carry out the provisions of Part 200 as amended in the Individuals with Disabilities Education Improvement Act 2004 include:

- arranging for attendance at Special Education and Student Support Services department meetings regarding CSE/CPSE issues;
- conducting district based training on a regular basis;
- providing copies of written guidelines pertaining to district practices and procedures for referring and evaluating preschool and school-age students suspected of having a disability;
- participating in annual CSE/CPSE training provided by the New York State Education Department;
- disseminating the Parent's Guide to Special Education in New York State for Children Ages 3-21 Parts 200 and 201 of the Commissioner's Regulations, all amendments to the Regulations of the Commissioner, and informational bulletins and pamphlets, including memorandum from SED, to all committee members;
- inviting committee members to site visits of special education placements to familiarize them with placement options available to resident special education students;
- Utilizing RSE-TASC as a training resource; and utilizing the district attorney as a resource person, if needed to interpret specific information for the committee members.

### **GENERAL STAFF DEVELOPMENT**

The Board of Education is committed to hiring, training and retaining highly qualified personnel responsible for carrying out all of the mandates of the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") and the Commissioner's Regulations regarding students with disabilities. Accordingly, it is the Board's policy to recruit, hire and train appropriately qualified special education personnel to provide

special education programs and services, including members and chairpersons of the Committee on Special Education and the Committee on Preschool Special Education.

All special education personnel shall be appropriately qualified to carry out their duties regarding students with disabilities, and shall possess the training, licensing and certification required by New York State Law.

As part of an ongoing effort to assist special and general education teachers to better understand the needs of students with special needs, staff development plays a critical role in preparing teachers to work with diverse learners. Each year the need for staff development will be determined by reviewing the student needs and reviewing the survey conducted by the Teacher Center, as well as reviewing needs identified by members of the CSE. Staff development will be supported by the District Professional Development Plan.

For those teachers who are involved in integrated co-teaching programs, staff training consisting of a workshop on the principles of inclusion and adapting curriculum for students with special needs. In addition, on-site training regarding a variety of evidence-based learning strategies will be offered to staff through professional development.

In addition to staff meetings, in-service courses, Superintendent's Conference Day, as well as individual meetings between special and general education teachers, the Teacher Center and District Professional Development Plan members collaborate in order to determine overall needs of our students. This staff development program for teachers' details goals and objectives for the current school year as well as listing goals for the district during the next five years to train teachers to better meet the needs of students with special needs. This training will include supporting teachers to identify positive behavior interventions and strategies needed for students with disabilities to be successful in the general education environment.

## **SECTION 2: Committee on Preschool Special Education**

### **COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)** **MEMBERSHIP**

At its yearly organization meeting, the Board of Education shall appoint a Committee on Preschool Special Education comprised of at least the following mandated members:

- 1 the parents of the preschool child;
- 2 the regular education teacher of the student if the child is, or may be, participating in the regular education environment;
- 3 the special education teacher or special education service provider of the child;
- 4 the CPSE chairperson or a representative of the school district who is qualified to provide, or supervise the provision of specially-designed instruction to meet the unique needs of students with disabilities who is knowledgeable about the general curriculum and about the availability of the resources of the local educational agency. The representative of the school shall serve as the chairperson of the committee;
- 5 an additional parent member of a student with a disability residing in the school district or a neighboring school district, providing that the additional parent member may be the parent of a student who has been declassified within a period not to exceed five years or the parent of a student who has graduated within a period not to exceed five years, if specifically requested in writing by the parent of the student, the student or by a member of the committee at least 72 hours in advance of the meeting
- 6 an individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular or special education teacher or provider or district representative described above;
7. other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party who invited the individual to be a member of the CPSE.
8. for a child in transition from early intervention programs and services, the appropriately licensed or certified professional from the Department of Health's Early Intervention Program; **at the request of the parent**, invite an EI service coordinator or other representative of the EI system to participate in the initial CPSE meeting.
9. an appropriately licensed or certified professional from the municipality is invited but not required.

### **Role and Responsibilities of the CPSE Chairperson**

The CPSE Chairperson will

- preside over the CPSE meeting;
- carry out the functions of a CPSE chairperson including but not limited to:
- notifying parents when a referral or request for referral has been received;
- documenting attempts to obtain parental consent to an initial evaluation;
- informing a parent that does not grant consent for an initial evaluation, that upon request, that parent will be given an opportunity to attend an informal conference to ask questions regarding the proposed evaluation; and
- providing a parent and a referring person a copy of an agreement to withdraw a referral.
- determining the location of any meeting held to review or evaluate a preschool child; and
- participating in a transition planning conference for a child transitioning from early intervention (EI) services to preschool special education and services to review the child's program options and establish a transition plan (or designating another individual to participate in this meeting); and
- informing the parent (s) of a child previously served under EI of his/her right to request that an invitation to an initial CPSE meeting be sent to the EI service coordinator or other representatives of the EI system to assist in the smooth transition of services.

### **Excusal of Committee Member**

A member of the CPSE other than the student's parent may be excused from attending a meeting, in whole or in part, when the meeting involves a modification or discussion of their area of the curriculum or related services if:

- the parents and the school district consent in writing to the excusal; and
- the excused member submits to the parent and the rest of the CPSE, written input into the development of the student's IEP, and in particular written input with respect to their area of curriculum or related services, prior to the meeting.

A parent retains the right to request and/or agree with the school district to excuse a CPSE member at any time including where:

- the member is unable to attend because of an emergency or unavoidable scheduling conflict and
- 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, in order to afford the parent a reasonable time to review and consider the request.

Requests for excusals do not apply to the parents of the student or the appointee of the municipality.

Location of the CPSE meetings are determined by the CPSE Chairperson and are explicitly stated in meeting invitations. CPSE meetings are held throughout the school

year and during the summer months. Written notice of CPSE meetings is provided to parents as least five days in advance of the meeting date.

Consensus is the preferred decision making process at a CPSE meeting. Parents of the student being reviewed and other knowledgeable persons are encouraged to share information, outside evaluations and reports with the committee so that the best decisions can be made for the student.

**Preschool Student with a Disability** refers to a preschool student who has been identified by the Committee on Preschool Special Education (CPSE) who is eligible to receive preschool programs and services, and is not entitled to attend the public schools of the district. To be identified as having a disability, a preschool student shall either:

- Exhibit a significant delay or disorder in one or more functional areas related to cognitive, language and communicative, adaptive, social-emotional or motor development which adversely affects the student's ability to learn. Such delay or disorder shall be documented by the results of the individual evaluation which includes, but is not limited to, information in all functional areas obtained from a structured observation of a student's performance and behavior, a parental interview and other individually administered assessment procedures, and, when reviewed in combination and compared to accepted milestones for child development, indicate:
- A 12 month delay in one or more functional area(s), or
- A 33 percent delay in one functional area, or a 25 percent delay in each of two functional areas, or
- If appropriate standardized instruments are individually administered in the evaluation process, a score of 2.0 standard deviation below the mean in one functional area, or a score of 1.5 standard deviations below the mean in each of two functional areas; or
- Meet the criteria for Autism, Deafness, Deaf-Blindness, Hearing impairment, Orthopedic Impairment, Other Health Impairment, Traumatic Brain Injury, or Visual Impairment.

○  
**Eligible Child**

The definition of "eligible child" has been amended in section 2541(8)(a) of Public Health Law. Language has been added to allow only those infants or toddlers with a disability who have been determined to be eligible for programs and services under section 4410 of the Education Law, to continue to receive early intervention (EI)

services past their third birthday or to transition to preschool special education programs and services at the request of their parent(s).

A child's eligibility for continued receipt of EI services ends on the child's third birthday, unless the child has been referred to the Committee on Preschool Special Education (CPSE) and determined to be eligible for preschool special education programs and services. Public Health Law establishes time periods when only 4410 eligible children can continue to receive early intervention services if requested by the parent(s), as follows:

- Children, who turn three years of age between January 1<sup>st</sup> and August 31<sup>st</sup>, are eligible to continue to receive early intervention services until September 1<sup>st</sup> of that calendar year.
- Children who turn three years of age between September 1<sup>st</sup> and December 31<sup>st</sup> are eligible to continue to receive early intervention services until January 2<sup>nd</sup> of the following calendar year.

**First Eligible for Services** is the earliest date on which a student becomes eligible for services as defined in current regulations. Students in Family Court placements may, if the parent so chooses, continue to receive such services through August 31<sup>st</sup> of the calendar year in which the student first becomes eligible to receive services under Section 4410. A student can be considered a preschool student with a disability through the month of August of the school year in which he or she first becomes eligible to attend kindergarten.

The Committee shall first consider providing special education services in a setting where age-appropriate peers without disabilities are found.

## **CPSE PROCEDURES**

### **Referral**

The Committee on Preschool Special Education (CPSE) is responsible for arranging for the evaluation of any student who is suspected of having a disability, who meets the age eligibility requirements specified in the Regulations, and is a resident of the school district. The evaluation process begins when a written request for an evaluation is made by either:

- The child's parent or person in parental relationship
- A designee of the school district in which the student resides, or the public school district the student legally attends or is eligible to attend
- The commissioner or designee of a public agency with the responsibility for the education of students
- A designee of an education program affiliated with a child care institution with a committee on special education responsibility pursuant to section 4002 (3) of the education law.



**The evaluation timeline begins when the CPSE Chairperson receives both receipt of a written request (referral) for evaluation and the parent has provided informed written consent to conduct an evaluation.** The initial evaluation shall be completed within sixty (60) days of receipt and of consent to evaluate.

The referral can be made at any time during the school year. The referral should specify the extent to which the preschool student has received any services prior to the referral. When the CPSE receives a referral, the chairperson will meet with the parent describing the evaluation procedures and request parental consent for evaluation. A list of county approved evaluation sites will be provided to the parent. Translation will be provided as needed. In the event that informed written consent is not provided, the committee shall implement the district's practices for ensuring that the parents have received and understood the request for consent, which may include phone calls, in person visits/appointment with the parent and home visits if necessary.

### **Evaluation and Recommendations**

The individual evaluation of a preschool child shall include relevant functional and developmental information regarding the child's abilities and needs relating to participation in age-appropriate activities.

This evaluation will include the following, at no cost to the parent:

- A physical examination;
- An individual psychological examination, except when a school psychologist determines after an assessment that further evaluation is unnecessary;
- An observation of the preschool child in the child's learning environment, including the general education classroom (whenever possible) or in an environment appropriate for a student of that age, to document the student's academic performance or behavior in the areas of difficulty;
- A social history; and
- Other appropriate assessments or evaluations, including a functional behavioral assessment for a student whose behavior impedes his or her learning or that of others as necessary to ascertain the physical, mental and emotional factors that contribute to the suspected disabilities.

The evaluator will use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. Tests will be administered in the student's dominant language or other mode of communication, unless it is clearly not feasible to do so. The tests will be validated for the specific purpose for which they are used and will be administered by trained personnel. Tests will be administered so as not to be racially or culturally discriminatory and to ensure that they measure the extent to which the student has a disability and needs special education, rather than measure the student's English language skills. The CPSE will arrange for specialized evaluations where necessary. These assessments may include, but are not limited to, bilingual evaluations, psychiatric and neurological examinations, audiological

evaluations, visual evaluations, and assistive technology assessments. Specialized evaluations are not limited to the initial evaluation process; they may be indicated and requested through the CPSE at any time.

When completed, the evaluation reports will be submitted to the CPSE and a CPSE meeting will be scheduled. The parents will be provided with a copy of the reports and a preschool evaluation summary. The results of the evaluation will be provided to the parent in their native language or other mode of communication. Reasonable measures will be made to ensure that the Parent attends the meeting. This means:

- A written notice is sent to the parent at least five days prior to the meeting date advising them of the meeting. This notice will inform the parents of the purpose, date, time and location of the meeting and the name and title of the persons who will be in attendance at the meeting. Meeting notices are completed on a form prescribed by the commissioner.
- Prior written notice means written statements developed in accordance with Section 200.5(a) of the Part 200 Commissioner's Regulations, and provided to the parents of a student with a disability a reasonable time before the school district proposes to or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.
- The parent and the school district may agree to use alternative means of meeting participation such as video conferences and telephone conference calls.

### **Recommendations and Provision of Services**

Prior to making any recommendation that would place a child in an approved program of the agency that conducted the initial evaluation, the committee may exercise discretion to obtain an evaluation of the child from other approved evaluators.

The CPSE submits a recommendation to the Board of Education and to the parent of the preschool student within (60) days of the date of the receipt of consent to evaluate. If the committee determines the student is ineligible for special education, written notification will indicate the reasons for the finding. If the committee determines that a student has a disability, an IEP (Individual Education Program) is prepared which specifies the nature of the disability, the student's present levels of performance, including how the disability affects participation in age appropriate activities, measurable annual goals, including benchmarks or short term objectives, management needs, supplementary aides/service and the type of special education program and/or services recommended. IEP's developed will be on a form prescribed by the commissioner and will include parent input in the development of the plan. The CPSE will seek, in every case, to recommend a placement in the least restrictive environment consistent with the needs of the student. If, for any reason, the recommendation of the Committee differs from the preference of the parent, the report shall include the reasons for the Committee's recommendations. The notice will also indicate that, in the event that the

parent does not provide consent for placement, no further action will be taken by the CPSE until such consent is obtained.

### **Placement**

Upon receipt of the CPSE's recommendation, the Board of Education will arrange for the student to receive appropriate special programs and services no later than 30 school days from recommendation of committee. Services will not be provided without parental consent but if the parent disagrees with the recommendation of the Board and prefers an alternative program, he/she may request special education mediation or an impartial hearing review and may appeal the decision to the Commissioner of Education. Review of placement decisions will be conducted in accordance with the same rules of procedural due process applicable to the placement of school-aged students. Placement in an approved program will take place as soon as possible following Board approval. If the Board of Education disagrees with the Committee's recommendation, it may remand the recommendation to the Committee for further review.

### **Annual Review**

An annual review is conducted for every preschool student who has been classified as having a disability. The purpose of the annual review is to review the student's progress towards individual goals; determine the appropriateness of each student's Individualized Education Program (IEP); develop the IEP for the following school year; and the need to continue or modify the student's preschool special education program. The yearly review ensures that the IEP will continue to meet the student's educational needs. In addition to the members of the CPSE, which includes the parent of the student, the student's teacher must also attend. Parents will receive a written notice, at least five (5) days prior to the meeting that indicates the time, date, location and persons expected to attend. Reasonable measures will be taken to ensure that the parent attends the meeting. This notice must also inform the parents that they may invite other persons to attend the meeting, who have knowledge or special expertise regarding the student.

### **Amendment to CPSE Meeting After the Annual Review**

After an IEP has been developed at the annual review meeting, a parent and the school district may agree not to convene a meeting of the CPSE to make changes to a student's IEP, and instead may develop a written document to amend the student's IEP under the following circumstances:

- the parent makes a request to the school district for an amendment to the IEP and the parent and the district agree in writing; or
- the school district provides the parent with a written proposal to amend a provision or provisions of the IEP that:
  - i. is conveyed in language understandable to the parent, and
  - ii. informs and allows the parent the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes.
- the parent must agree in writing to such amendments.

- the parent must be provided prior written notice (notice of recommendation) of the changes to the IEP.
- the CPSE must be notified of any changes made to the IEP.

The parent must also receive, either a:

- rewritten IEP; or
- document that amends or modifies the IEP (or, upon parent request, a revised copy of the entire IEP with the amendments incorporated).

Amendments made to an IEP without a meeting do not affect the requirement that the CPSE must review the IEP at the annual meeting, or more often if necessary.

### **Withdrawal of Referral**

Written consent of the parent or guardian is required prior to initiating an evaluation for a student who has not previously been identified as having a disability. In the event that parent permission is withheld, the parent shall be given the opportunity to attend an informal conference with a designated professional most familiar with the proposed evaluation. If, at this meeting the parent decides that the referral is not warranted, the referral shall be withdrawn.

## **CONTINUUM OF SERVICES** **COMMITTEE ON PRESCHOOL SPECIAL EDUCATION**

A Preschool Student with a Disability refers to a preschool student who has been identified by the Committee on Preschool Special Education (CPSE) and is eligible to receive preschool programs and services. To be identified as having a disability, a preschool student shall exhibit a significant delay or disorder in one or more functional areas related to cognitive, language and communicative, adaptive, social-emotional or motor development which adversely affects the student's ability to learn. Such delay or disorder shall be documented by the results of the individual evaluation which includes, but is not limited to, information in all functional areas obtained from a structured observation of a student's performance and behavior, a parental interview and other individually administered assessment procedures, and when reviewed in combination and compared to accepted milestones for child development indicate:

- a. a twelve (12) month delay in one or more functional area(s), or
- b. a 33 percent delay in one functional area, or a 25 percent delay in each of two functional areas, or,
- c. if appropriate standardized instruments are individually administered in the evaluation process, a score of 2.0 standard deviations below the mean in one functional area, or a score of 1.5 standard deviations below the mean in each of two functional areas.
- d. the preschool child meets the criteria as Autistic, Deaf, Deaf-Blind, Hard of Hearing, Orthopedically Impaired, Other Health Impaired, Traumatic Brain Injury or Visually Impaired, including Blindness.

## **PROGRAM RECOMMENDATIONS**

The CPSE must consider the appropriateness of services to meet the student's needs in the least restrictive environment. The CPSE is required to first consider providing special education services in a setting where age-appropriate peers without disabilities are typically found, prior to recommending the provision of special education services in a setting which includes only preschool children with disabilities. The following order and continuum of services should be reviewed and discussed in the following order:

- a. related services only
- b. special education itinerant services only
- c. related services in combination with special education itinerant services
- d. half-day special class integrated setting
- e. full-day special class integrated setting<sup>1</sup>
- f. half-day special education class
- g. full-day special education class
- h. in-state residential program

If the CPSE determines that a student needs a single service, that service must be provided only as a related service or only as a special education itinerant service.

The Committee shall first consider providing special education services in a setting where age-appropriate peers without disabilities are found.

## **RELATED SERVICES**

Those services defined in Section 4401 of Education Law, i.e., speech-language pathology, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, medical services as defined by regulation, orientation and mobility services, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation, and other appropriate developmental or corrective support services and other appropriate support services and includes the early identification and assessment of disabling conditions of students. Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning, maintenance of that device, or the replacement of that device.

Related services are provided at a site determined by the Board of Education including, but not limited to:

- An appropriate or licensed pre-kindergarten
- A Head Start Program
- The worksite of the provider

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<sup>1</sup> Prior to considering a special class in a setting with only children with disabilities, the CSPE should consider placement in a setting that includes age-appropriate peers without disabilities. A special class shall be considered only when the nature and severity of the child's disability is such that education in a less restrictive environment with the use of supplementary aids and services cannot be achieved satisfactorily.

- The child's home
- A hospital
- A state facility
- A childcare location

The initial location for the delivery of one or more related services must be stated on the IEP.

### **SPECIAL EDUCATION ITINERANT SERVICES**

Provided by a certified special education teacher of an approved program on an itinerant basis at a site determined by the Board of Education including, but not limited to:

- An approved or licensed pre-kindergarten
- The work site of the provider
- A Head Start program
- A student's home\*
- A hospital
- A state facility
- A childcare location

Changes of location for the provision of services may occur without the review of the CPSE.

***\*Students may receive services in the home if the Board of Education determines that documented medical or special needs indicate that the student should not be transported to another site.***

SEIT providers are responsible to ensure that special education teachers providing SEIT are providing specially designed instruction to aid the preschool child with a disability to benefit from the regular early childhood program and to participate in age appropriate activities and that the learning environment and instructional methods are adjusted to meet the individual needs of the preschool child.

The purpose of Special Education Itinerant Services is to provide individual or group instruction and/or direct services to preschool students with disabilities:

- **Direct Services**: Specialized individual or group instruction to a preschool student to aid the student in benefiting from the early childhood program.
- **Indirect Services**: Consultations provided by a certified special education teacher to assist the student's teacher in adjusting the learning environment or modifying instructional methods to meet the individual needs of a preschool student with a disability who attends an Early Childhood program.

Special Education Itinerant Services are provided not less than two hours per week, and the total number of students with disabilities assigned to the special education teacher should not exceed 20.

The IEP for the student must specifically indicate if the student is to receive direct or indirect SEIS and the frequency, duration and location for each.

Generally, SEIT is not provided for the entire time the child is attending a regular childhood setting. Children who require continuous oversight of their entire program by a special educator or who require a significant number of hours (i.e. 11-15 hours or more per week) to achieve goals may need other supports and services or may be better served in a special class, with first consideration being given to an integrated setting.

The frequency of SEIT is determined by the CPSE and based on the child's individual needs and in consideration of the schedule of the child's attendance at the child care location selected by parents.

SEIT must be provided by a New York State certified special education teacher. While most children receive SEIS from a teacher certified in special education or speech and hearing, children with hearing impairment may require a certified teacher of the deaf, children with visual impairments may require a certified teacher of the blind and visually impaired, and bilingual children may require a certified bilingual teacher of special education.

### **INTEGRATED SPECIAL CLASS**

This is a special class of no more than twelve (12) preschool students which is staffed by at least one special education teacher and one paraprofessional. A special class in an integrated setting may be provided in a class of no more than twelve preschool students with disabilities staffed by a special education teacher and a paraprofessional, which is housed in the same special space as a preschool class with non-disabled students taught by another teacher.

### **SPECIAL CLASS (half or full day)**

A special class is defined as a class consisting of students with the same disabilities who have been grouped together because of similar individual needs for the purpose of being provided a special education program in a special class.

- Chronological age range within special classes shall not exceed 36 months.
- Maximum class size shall not exceed 12 preschool students with at least one teacher and one or more supplementary school personnel assigned to each class. If the CPSE recommends a preschool student to an approved program which has no space available in the specific special class which will meet the student's unique needs as recommended on the IEP, the approved program may temporarily increase the enrollment of a class up to a maximum of 13 preschool students for the remainder of the school year. If the attendance during the instructional time exceeds 12 students, another staff member shall be assigned to the class.
- Services shall be provided not less than 2 ½ hours per day, 2 days per week.

## **RESIDENTIAL SPECIAL EDUCATION PROGRAMS AND SERVICES**

In-state residential special education programs and services shall be provided to each preschool student with a disability for whom such services have been recommended for a minimum of five hours per day, five days per week. Placement in such residential programs shall be approved by the commissioner in accordance with section 200.6 of the regulations.

## **12 MONTH SPECIAL EDUCATION PROGRAMS AND SERVICES**

12-month special services and/or programs shall be provided to eligible preschool students with disabilities consistent with their individual needs, as specified in their individualized education programs. Preschool students with disabilities may be considered for such special services and/or programs in accordance with their need to prevent substantial regression if they are:

- Preschool students whose management needs are determined to be highly intensive and require a high degree of individualized attention and intervention; or
- Preschool students with severe multiple disabilities, whose programs consist primarily of habilitation and treatment; or
- Preschool students whose special education needs are determined to be highly intensive and require a high degree of individualized attention and intervention or treatment in the home; or
- Preschool students whose needs are so severe they can be met only in a seven day residential program; or
- Preschool students, not described above, whose disabilities are severe enough to exhibit the need for a structured learning environment of 12 months duration to prevent substantial regression as determined by the CPSE.

A list of all New York State Education Department approved preschool special education programs is available on the NYSED website at:

<http://www.p12.nysed.gov/specialed/preschool/approved-preschool-special-education-program-sites.html>



## **SECTION 3: Committee on Special Education (CSE) and Sub-Committee on Special Education (SCSE)**

### **COMMITTEE ON SPECIAL EDUCATION**

#### **MEMBERSHIP**

**At its yearly organization meeting, the Board of Education shall appoint a Committee on Special Education comprised of at least the following mandated members:**

- The parent's or persons in parental relationship to the student;
- The general education teacher of the student if the student is, or may be, participating in the general education environment;
- The special education teacher or special education service provider of the student;
- A school psychologist;
- The CSE chairperson who is a representative of the district qualified to provide, or supervise the provision of, specially-designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general curriculum and about the availability of the resources of the local educational agency. Such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill the role of the committee;
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular education teacher, special education teacher or provider, the school psychologist, or district representative described above;
- The school physician, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting;
- An additional parent member of a student with a disability who resides in the district or a neighboring school district, provided that the additional parent member may be the parent of a student who has been declassified within a period not to exceed five years or the parent of a student who has graduated within a period not to exceed five years, if specifically requested in writing by the parent of the student, the student or by a member of the committee at least 72 hours prior to the meeting.
- Other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate;
- whenever appropriate, the student.

Consensus is the preferred decision-making process. Parents of the student being reviewed and other knowledgeable persons are encouraged to share information, outside evaluations and reports with the Committee.

Written notice of meetings is provided to the parents at least five days in advance of the meeting date. Meetings of the CSE are held in the District Special Education Office, as well as the eight school buildings throughout the district.

### **ROLE AND RESPONSIBILITY OF THE CSE CHAIRPERSON**

The CSE Chairperson will:

- preside over the CSE meeting;
- carry out the functions of a CSE chairperson, including but not limited to:
- designating for each student a professional employee of the school district with knowledge of the student's disability and education program to inform
- each teacher, assistant and support staff person of his or her responsibility to implement the recommendations on a student's IEP;
- carrying out responsibilities related to referrals and requests for referrals such as forwarding a copy of a referral to the building administrators within five days of its receipt.
- notify parents when a referral or request for referral has been received;
- document attempts to obtain parental consent to an initial evaluation;
- inform a parent that does not grant consent for an initial evaluation, that upon request, the parent will be given an opportunity to attend an informal conference to ask questions regarding the proposed evaluation; and
- provide a parent and a referring person a copy of an agreement to withdraw a referral.
- determine the location of any meeting held to review or evaluate a student.

## **HUNTINGTON COMMITTEE ON SPECIAL EDUCATION MEMBERS**

Parent of Student:	A person in a parental relationship to the student as Per Public Law 105:17 Part 200 Section 200.3 (a)(1)(i) CR	
LEA Representative/CSE Chairperson:	Diana Rich, Director School Psychologists Special Education Chairpersons Special Education Coordinator Principals (as alternates)	
Regular Education Teacher*:	At least one regular education teacher of the student whenever the student is or may be participating in the regular education environment.	
Special Education Teacher*:	Special Education Teacher, or when appropriate, at least one Special Education provider to student.	
Psychologists:	Andrea Becker Dr. Cynthia Fletcher Dr. Nancy DeVito Dr. Mary DiBenedetto Nina DiGioia Dr. Julissa Garris-Shade* Kathleen Mallen-Ozimkowski Jasmina Nakeveska * Melody Renick Christina Martino TBD	
Parent Members:	If requested by parents 72 hours in advance of meeting.	
Social Workers:	Kathryn Costa Catherine Juliano Mary Guzman-Lewis*	Gisselle Soto* Linda Kohan * Maria Cannonica*
School Physician:	Dr. Colletta, if specifically requested in writing by the parent of the student or by a member of the school, with at least 72 hour notice	
Other persons	having knowledge of student:	

Student: The student, if appropriate.  
Note: Bilingual School Psychologists and Social Workers are identified with an “\*”.

### **HUNTINGTON SUB-COMMITTEE ON SPECIAL EDUCATION MEMBERS**

The Huntington Sub-Committee on Special Education members includes all members listed above with the exception of the parent member. The parent and the school district may agree that the attendance of a member of the CSE, CPSE or subcommittee on special education is not necessary or that a member may be excused in accordance with the following procedures:

- **Member’s attendance not necessary:** The parent and school district may agree and the parent may place in writing their request and/or permission to waive a committee members attendance, in whole or in part, at the CSE meeting. The parent and the district may agree to excuse such members if the curriculum and/ or discipline area are not being reviewed, discussed or amended at the meeting.
- **Excusal of member:** A member of the committee may be excused from attending a meeting of the committee or subcommittee, 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
  - the 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 their area of curriculum or related services prior to the meeting.
- Requests for excusals do not apply to the parent of the student for whom the meeting is to be held or the appointee of the municipality in the case of a CPSE.

### **PROCEDURES OF THE COMMITTEE ON SPECIAL EDUCATION (CSE)**

#### **Referral**

In accordance with New York Education Law Section 4402 and Part 200.2, 200.4 and 200.5 of the Commissioner’s Regulations, the CSE is responsible for evaluating all school-age students suspected of having a disability, identifying a disability (or determining that no disability exists), and recommending placement and type of special education programs and/or services within sixty (60) days of the date of receipt of consent for evaluation. Referrals can be made at any time during the twelve-month year.

A student suspected of having a disability shall be referred in writing to the Chairperson of the Committee on Special Education or to the building Administrator of the school, which the student attends or is eligible to attend for an individual evaluation and determination of eligibility for special education programs or services.

A student suspected of having a disability may be referred for an initial evaluation by the:

- student's parent
- designee of the school district in which the student resides or the public school district the student legally attends or is eligible to attend;
- commissioner or designee of a public agency with responsibility for the education of the student; and/or
- designee of an education program affiliated with a child care institution with CSE responsibility.

**Note:** *While only a referral by a parent or school district initiates the procedures to conduct an initial evaluation to determine if the student is a student with a disability, a school district must, in its child find procedures, consider a "request for referral" from the following individuals consistent with the procedures described below.*

### **Request for referral for an initial evaluation**

A written request that the school district or agency refer the student for initial evaluation may be made by a:

- professional staff member of the school district in which the student resides, or the public or private school the student legally attends or is eligible to attend;
- licensed physician;
- judicial officer;
- professional staff member of a public agency with responsibility for welfare, health or education of children; or
- student who is 18 years of age or older, or an emancipated minor, who is eligible to attend the public schools of the district.

The written request for referral must:

- state the reasons for the referral and include any test results, records or reports upon which the referral is based that may be in the possession of the person submitting the referral;
- describe in writing, intervention services, programs or instructional methodologies used to remediate the student's performance prior to referral, including any supplementary aids or support services provided for this purpose, or state the reasons why no such attempts were made; and
- describe the extent of parental contact or involvement prior to the referral.

### **Procedures for request for referral**

When a written request for referral for an initial evaluation made to the school where the student resides or legally attends or is eligible to attend is received by the building administrator or any other employee of the school, it must be forwarded to the committee chairperson immediately upon its receipt.

- Upon receiving a request for referral, a school district must within 10 school days, either:
  - request parent consent to initiate the evaluation; or
  - provide the parent with a copy of a request for referral; and
    - inform the parent of his/her right to refer the student for an initial evaluation; and
    - offer the parent the opportunity to meet to discuss the request for referral and, as appropriate, the availability of appropriate general education support services for the student

All new entrants to the district who have not been previously screened are screened at the time of enrollment and such screening, if it indicates a possible disability, can lead to a CSE referral.

A copy of all referrals will be forwarded to the Director of Special Education, immediately upon receipt by district personnel.

The Committee will notify the parent or persons in parental relationship to the student that a referral for an evaluation has been received. The CSE will then:

- Request consent for evaluation;
- Provide the parent with procedural safeguards notice;
- Provide the parent with sources to obtain assistance in understanding the referral and evaluation process;
- Provide the parent "A Parent's Guide to Special Education". Translations are provided, as needed.

The building administrator, upon receipt of a referral or copy of a referral, shall request a meeting with the parent and the student, if appropriate, to determine whether the student would benefit from additional general education support services as an alternative to special education, including the provision of support services, speech and language services, academic intervention services, and any other services designed to address the learning needs of the student and maintain a student's placement in general education with the provision of appropriate educational and support services.

The meeting shall be conducted within 10 school days of the building administrator's receipt of the referral and shall not impede a committee on special education from continuing its duties and functions.

If the referral to the CSE is not withdrawn by agreement, and the parent does not consent to the initial evaluation within thirty (30) days of the date of receipt of referral, the CSE chairperson shall document attempts, including but not limited to, telephone calls made or attempted and the results of those calls and correspondence sent to the parents and any responses received by the Chairperson or other representatives of the committee to obtain parental consent and shall notify the board of education that they may utilize due process to permit the district to conduct an evaluation of the student without the consent of the parent.

### **Evaluation and Recommendation**

The initial evaluation will consist of procedures to determine whether a student is a student with a disability and to determine the educational needs of such a student. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education. The evaluation will include a variety of assessment tools and strategies, including information provided by the parent to gather relevant functional, developmental and academic information about the student that may assist in determining whether the student is a student with a disability and the content of the student's individualized education program, including information related to enabling the student to participate and progress in the general education curriculum.

The individual evaluation of the referred student must include, at no cost to the parent, at least:

- A physical examination;
- An individual psychological examination, except when a school psychologist determines after an assessment of a school age student that further evaluation is unnecessary. Whenever a psychologist determines that a psychological evaluation is unnecessary, the psychologist will prepare a written report of such assessment, including a statement of the reasons the evaluation is unnecessary, which shall be reviewed by the committee;
- An observation of the student in the student's learning environment including the general classroom setting or, in the case of a student of less than school age or out of school, an environment appropriate for a student of that age to document the student's academic performance and behavior in the areas of difficulty;
- A social history;
- Other appropriate assessment or evaluations, including a functional behavioral assessment for a student whose behavior impedes his or her learning or that of others, as necessary to ascertain the physical, mental, behavioral and emotional factors which contribute to the suspected disabilities.

The district will ensure that assessments and other evaluation materials used to assess a student:

- are provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally;
- are used for purposes for which the assessments or measures are valid and reliable:
  - are administered by trained personnel in accordance with the instruction provided by those who developed such assessments; and
  - are selected and administered so as not to be discriminatory on a racial or cultural basis;
  - include those tailored to assess specific areas of educational need and not merely those which are designed to provide a general intelligence quotient;
  - are selected and administered to ensure that, when an assessment is administered to a student with impaired sensory, manual or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level or whatever other factors the assessment purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills, except where those skills are factors which the test purports to measure;
- when used to assess a student with limited English proficiency be selected and administered to ensure that they measure the extent to which the student has a disability or needs special education, rather than measure the student's English language skills;
- No single measure or assessment is used as the sole criterion for determining whether a student is a student with a disability or for determining an appropriate educational program for a student;
- The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or the specialist with certification or knowledge in the area of the suspected disability;
- The evaluation is sufficiently comprehensive to identify all of the student's special education needs, whether or not commonly linked to the disability category in which the student has been identified;
- Technically sound instruments are used that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors;
- Assessment tools and strategies are used that provide relevant information that directly assists persons in determining the educational needs of the student;
- The student is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, vocational skills, communicative status and motor abilities;
- Students age twelve (12) and those referred to special education for the first time who are age twelve (12) and over, shall receive an assessment that includes a review of school records and total assessments, and parent and student interview to determine vocational skills, aptitude and interests;



- The results of the evaluation are provided to parents or persons in parental relationships in their native language or mode of communication, unless it clearly not feasible to do so;
- Assessments of students with disabilities who transfer from one school district to another school district in the same academic year are coordinated with such student's prior and subsequent schools, as necessary, and as expeditiously as possible to ensure prompt completion of full evaluations;
- No student shall be required to obtain a prescription for a drug or other substance.

The CSE will arrange for specialized evaluations where necessary, using appropriate resources outside of the district. These assessments may include, but are not limited to, bilingual evaluations, psychiatric and neurological examinations, audiological evaluations, visual evaluations, vocational evaluations and assistive technology assessments. Specialized evaluations are not limited to the initial evaluation process; they may be indicated at any time. The CSE shall maintain a list of appropriate resources and certified professionals for this purpose. Parents may request a copy of completed evaluations in advance of the CSE meeting; however, interpretation of test results, parent, team input as well as review of multiple measures of performance are considered, reviewed and discussed at the CSE meeting. Test results in isolation should be reviewed with caution.

When an evaluation is completed, a CSE meeting is convened. Reasonable measures will be taken to ensure that the parent attends the meeting. This means:

- A written notice will be sent to parents at least five days prior advising them of the meeting. The parent may elect to receive the notice of the meetings by an electronic mail (e-mail) communication if the school district makes such option available.
- In the event the parent still cannot be reached, the student's school will be contacted in an effort to enlist their assistance in reaching the parent via a note sent home with the student.
- Attempts will be documented on the IEP file on IEP Direct and on a separate form.
- For a subcommittee meeting, the special education or primary related service provider will make and document attempts to contact the parent. This will include two telephone calls and a note sent home with the student. A form will be completed and sent to the Special Services office documenting the telephone calls and note sent home.
- When conducting a meeting of the Committee on Special Education, the parent and the school district may agree to use alternative means of meeting participation, such as videoconferences and conference telephone calls.

## **ELIGIBILITY DETERMINATION**

The CSE will consider evaluation information including any evaluations provided by the parent. The CSE must ensure that the appropriateness of reading and math instruction and all general education resources including educationally related support services and academic intervention services have been considered prior to determining that the student should be placed in a special education program. In interpreting evaluation data for the purpose of determining if a student is a student with a disability, and determining the educational needs of the student, the committee on special education must draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior; and ensure that information obtained from all these sources is documented and carefully considered. The school district must provide a copy of the evaluation report and the documentation of eligibility to the student's parent. In making a determination of eligibility for special education and related services, a student shall not be identified as a child with a disability if the determinant factor is lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies or math or limited English proficiency. In determining whether a student has a learning disability, the district may use a process that determines if the student responds to scientific, research-based intervention as part of the evaluation procedures. The district is not required to consider whether a student has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical computation or mathematical reasoning. A student with a disability remains eligible to receive special education services even if the student is advancing from grade to grade.

The CSE will ensure that parents receive and understand all evaluation reports and documentation of eligibility in their native language, including the results of required evaluations when the student is determined no longer to be eligible for special education. Whenever feasible this should occur when the evaluation reports are shared with other members of the CSE before any meeting to discuss the identification, evaluation or educational placement of the student or the provision of a free appropriate public education to the student. Consensus is the preferred decision making process.

When an evaluation is completed, the committee, including the parent and, if appropriate, the student, meets to review the evaluation information to determine eligibility for special education and, if appropriate, develop an Individualized Education Program (IEP). When evaluations are conducted for the purpose of determining a student's eligibility or continuing eligibility for special education, the CSE will provide a copy of the report and the documentation of the determination of eligibility to the student's parent at no cost. The results of the evaluation will be communicated to the parent in their native language or other mode of communication.

In developing the recommendations for the IEP, the Committee must consider the results of the initial or most recent evaluation, the student's strengths, weaknesses, the

concerns of the parents, the academic, developmental and functional needs of the student, including as appropriate, the results of the student's performance on any general State or district-wide tests, and other factors unique to the student's disability.

If the committee determines that the student is **ineligible** for special education:

- The committee will provide notice to the parent of the recommendation. The parent will receive procedural safeguards and a copy of the evaluation report and the documentation of determination for ineligibility
- The committee will provide recommendations to the building Administrator for consideration of support services to address student's needs.
- The committee will provide the recommendations to the Board of Education.

If the student has been receiving special education services, but it is determined by the Committee on Special Education that the student no longer needs special education services and can be placed in a regular education program on a full-time basis, the recommendation shall:

- Identify the declassification support services to be provided to the student, and/or the student's teachers; and
- Indicate the projected date of initiation of the services, the frequency of provision of the services, provided that these services shall not continue for more than one year after the student enters the full-time regular education program.

If the committee determines that the student is **eligible** for special education:

- The committee will develop a written recommendation (IEP).
- The committee will document least restrictive environment considerations.
- The committee will document special considerations for students whose behavior impedes learning, students who are deaf or hard of hearing, students who are blind or visually impaired, students with limited English proficiency and students who need assistive technology devices or services.

The committee will provide written notice to parents which includes:

- A recommendation including options considered and a rationale for rejecting those options not selected;
- A copy of the evaluation report and the documentation of determination of eligibility;
- A copy of the evaluation report and the documentation of determination of eligibility;
- Procedural safeguards notice; and
- Request parental consent for initial placement (including, if appropriate, initial recommendation for twelve (12) month programs and services).

The committee will also provide notice to the Board of Education.

## **NOTICE OF RECOMMENDATION**

After the determination of eligibility or ineligibility by the CSE, a notice of this recommendation is provided to the parents. This notice of recommendation, also known as prior written notice must be given to the parents of a student with a disability a reasonable time before the school district proposes to or refuses to initiate or change the identification, evaluation, educational placement of the student or the provision of a free appropriate public education to the student.

In developing the recommendations for the IEP, the Committee must consider the results of the initial or most recent evaluation, the student's strengths, the concerns of the parents, the academic, developmental and functional needs of the student, including as appropriate, the results of the student's performance on any general State or district-wide tests, and other factors unique to the student's disability.

### **Consideration of Special Factors:**

The CSE shall:

- in the case of a student whose behavior impedes his or her learning or that of others, consider when appropriate, strategies, including positive behavioral interventions, and supports and other strategies to address that behavior;
- in the case of a student with limited English proficiency, consider the language needs of the student as such needs relate to the student's IEP;
- in the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the CSE determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or use of Braille is not appropriate for the student;
- consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
- consider whether the student requires assistive technology devices and services, including whether the use of school-purchased assistive technology devices is required to be used in the student's home or in other settings in order for the student to receive a free appropriate public education;
- include a statement in the IEP if, in considering the special factors listed above, the committee has determined a student needs a particular device or service (including an intervention, accommodation, or other program modification) in order for the student to receive a free appropriate public education.

### **IEP Development**

Huntington School District Committee on Special Education develops each students Individualized Education Plan (IEP) in accordance with Part 200 regulations. The IEP includes:

- The classification of the disability and the recommended placement/services;
- The student's present levels of academic achievement and functional performance and individual needs – academic, social, physical and management areas including how the disability affects the student's involvement and progress in the general education curriculum.
- The effect of student needs explaining how the student's disability interferes with progress in the general education curriculum
- Individualized management needs describing the human, material and environmental resources the student requires
- Each measurable annual goal, including academic and functional goals shall include the evaluative criteria, evaluation procedures and schedules to be used to measure progress towards meeting the annual goals during the period beginning with placement and ending with the next scheduled review by the committee.
- Special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student to advance appropriately towards attaining annual goals, to be involved and progress in general curriculum, and to be educated and participate in activities with other students with and without disabilities;
- The extent, if any, to which the student will **NOT** participate with non-disabled students in the general class and in other activities;
- If a student is not participating in a regular physical education program, the extent to which the student will participate in specially designed instruction in physical education, including adapted physical education;
- If the student will participate in an alternate assessment on a particular state or district-wide or part of an assessment, why the assessment is not appropriate for the student and how the student will be assessed;
- A statement of any individual testing accommodations to be used consistently for the student in the recommended educational program and in the administration of district-wide assessments of student achievement, and in accordance with department policy, State assessments of student achievement that are necessary to measure the academic achievement and functional performance of the student and projected date of review of the student;
- The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of these services and modifications;
- The general education classes in which the student will receive consultant teacher services.
- The IEP shall identify when periodic reports on the progress the student is making toward the annual goals (such as through the use of quarterly or other periodic reports that are concurrent with the issuance of report cards) will be provided to the student's parents;

- For a student who takes a New York State alternate assessment and for each preschool student with a disability, the IEP shall include a description of the short-term instructional objectives and/or benchmarks that are the measurable intermediate steps between the student's present level of performance and the measurable annual goal.

**IEP Implementation:**

Within sixty (60) calendar days of the receipt of consent to evaluate for a student not previously identified as having a disability, or within sixty (60) school days of the request for re-evaluation and review of a student with a disability, the Board of Education shall arrange for appropriate special programs and services. If a recommendation is for placement in an approved in-state or out-of-state private school, the Board shall arrange for such programs and services within thirty (30) school days of the Board's receipt of the recommendation of the committee. Notice of the recommendation will be provided to the parent, including procedural safeguards notice. If the Board of Education disagrees with the committee's recommendations, the Board may remand the recommendation back to the committee for reconsideration and provide notice to the parent.

The CSE must ensure that:

In accordance with section 200.2 (11) of the regulations of the Commissioner each regular education, special education teacher, related service provider and/or other service provider is responsible for the implementation of a student's individualized education program (IEP). Prior to the implementation of the IEP, the regular education teacher, special education teacher and service provider will be **provided a paper or electronic copy** of such student's IEP (including amendments to the IEP) prior to the implementation of such program by the Committee on Special Education. The CSE will ensure that a copy of the IEP is provided to the student's parents at no cost to the parents.

- The CSE will designate a Roster Teacher who has direct knowledge of the student's disability and education program to each classified student. It is the responsibility of the Roster Teacher to inform each regular education teacher, special education teacher and service provider including paraprofessionals and other support staff who will be responsible for the implementation of the IEP their responsibilities for implementation. This includes the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. The Roster Teacher will ensure that a teacher assistant and/or aide has an opportunity to **review** a copy of the student's IEP prior to implementation and has **ongoing access** to the IEP.
- The Roster Teacher will inform providers of their responsibility to ensure that any copy of a student's IEP remains confidential and is not disclosed to unauthorized personnel in accordance with Section 6 of this plan relating to student records, access and confidentiality.
- A paraprofessional and each other provider responsible for assisting in the implementation of a student's IEP, has the opportunity to review a copy of a

student's IEP, prior to the implementation of the program, and has ongoing access to a copy of the IEP via the student's roster teacher.

The School District must provide special education and related services to a student with a disability in accordance with the student's IEP and make a good faith effort to assist the student to achieve the goals and objectives or benchmarks listed in the student's IEP. Each student with a disability will have an IEP in effect at the beginning of each school year.

### **Transition Services:**

For those students, beginning not later than the first IEP to be in effect when the student is age 15 (and at a younger age, if determined appropriate) and updated annually, the IEP shall include:

- Under the student's present levels of performance, a statement of the student's needs, taking into account the student's strengths, preferences and interests, as they relate to transition from school to post-school activities;
- Appropriate measurable postsecondary goals based upon age appropriate transition assessments relating to training, education, employment and, where appropriate, independent living skills;
- A statement of the transition service needs of the student that focuses on the student's courses of study, such as participation in advanced placement courses or a vocational education program;
- Needed activities to facilitate the student's movement from school to post-school activities, including instruction, related services, community experience, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation; and
- A statement of the responsibilities of the school district and, when applicable, participating agencies for the provision of such services and activities that promote movement from school to postschool opportunities, or both, before the student leaves the school setting.

At the beginning of each school year, the special education teacher meets with all general teachers to discuss each student's IEP and review the modifications and adaptations that may need to be made for each student. Each general education teacher is provided with a paper or electronic copy of the IEP and informed of his or her responsibilities to implement the recommendations in the student's IEP. Teachers need to be aware of each student's area of disability, testing modifications, special needs with regard to specialized equipment (e.g., enlarged print, taped textbooks, use of a calculator, etc.) and any other special accommodations as stipulated in the IEP.

### **Transfer Students:**

The Huntington school district special education office is in operation 12 months per year and is always accepting new registrants as they enter the district. Upon notification from the registration department that a new student with an IEP has

registered, the special education department chairperson will arrange an intake meeting with the student's parent to review the procedures for implementing the IEP.

- Transfer Students Within New York State – In the case of a student with a disability who had an IEP that was in effect in New York State and who transfers from one school district and enrolls in a new school district within the same academic year, the new school district shall provide the student with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district adopts the previously held IEP or develops, adopts and implements a new IEP;
- Transfer Students From Outside New York State – In the case of a student with a disability who transfers school districts within the same academic year, who enrolls in a new school district and who had an IEP that was in effect in another state, the school district shall provide the student with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district conducts an evaluation, if determined to be necessary by the school district, and develops a new IEP, if appropriate. Updated evaluations may be requested to determine continued eligibility and to obtain current assessment data if warranted. The parent shall be made aware of the district's request to re-evaluate the student via verbal and written notification (prior written notice) and a request to consent to evaluate the student.

### **Annual Review, Re-evaluation Evaluation and Declassification**

The IEP of each student with a disability shall be reviewed and if appropriate, revised periodically but not less than annually to determine if the annual goals have been obtained. An annual review is conducted for every resident student and parentally placed private school student who has been classified as having a disability. Prior to conducting any new assessments, parental consent must be obtained. Parents are notified by mail in advance of this review. Reasonable measures are taken to ensure that the parent attends the meeting. Roster teachers are required to document three parent contacts prior to the meeting, reminding the parent of the date, time and location of the meeting. This is in addition to the formal written invitation.

If a revision of the IEP is recommended, it must address:

- Any lack of expected progress toward the annual goals in the general curriculum, if appropriate;
- The results of any reevaluation and any information or concerns about the student provided to, or by, the parents;
- Strengths of the student;
- The student's anticipated needs;
- Or other matters, including a student's need for test accommodations and/or modification, or for a particular device or service including an intervention accommodation for the student to receive FAPE.
- As appropriate, the student's performance on a district or State assessment.



If conducted, a comprehensive three-year reevaluation is arranged by a multidisciplinary team or group of persons, including at least one teacher or other specialists with knowledge in the area of the student's disability. The reevaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any reevaluations must be addressed by the committee on special education in a CSE meeting to review and, as appropriate, revise the student's IEP. The CSE will provide a copy of the evaluation report and the documentation of the determination of eligibility to the student's parent. Parent consent is obtained, if any new tests will be administered.

A variety of assessment tools and strategies to gather relevant functional and developmental information, including information provided by the parents, will be used in determining whether the student is or continues to be a student with a disability and the content of the student's individualized education program, including information related to enabling the student to be involved in and progress in the general education curriculum. Existing evaluation data on the student will be reviewed, including evaluations and information provided by the student's parents, current classroom-based assessments and observations, and teacher and related service providers' observations.

The CSE must obtain informed parental consent prior to conducting any new test or assessment as part of a re-evaluation of a student with a disability, except the such informed parent consent need not be obtained if the district can demonstrate that it took reasonable measures to obtain such consent and the student's parent failed to respond. Reasonable measures will be defined as two telephone contacts attempted and one additional note sent home via mail. If the parent refuses consent, the district must resolve the matter through a mediation agreement or an impartial hearing before conducting the new test or assessment as part of the re-evaluation. If the committee determines that no additional data is needed to determine whether the student continues to be a student with a disability, the CSE will notify the parent of that determination, and the reasons for it and the right of the parent to request an assessment to determine whether the student continues to be a student with a disability. The committee will also indicate that it is not required to conduct such an assessment unless requested by the student's parent.

The CSE must evaluate a student with a disability in accordance with section 614 before determining that the student is no longer a student with a disability. A copy of the evaluation report and the documentation of eligibility must be provided to the student's parent. When the CSE determines that a student no longer requires special education services, the Committee may recommend declassification support services to the student for no more than the first year in regular education. Such services may include psychological, social work, speech and language services, non-career counseling, or consultant to the classroom teacher. Continuation of test modifications upon declassification is not automatic. The CSE may determine the test modifications previously documented in a student's IEP must continue to be consistently provided to

the student for the balance of his or her public school education. The school district is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regent's diploma or exceeding the age eligibility for a free appropriate public education. The school district is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regent's diploma or exceeding the age eligibility for a free appropriate public education, but is required to provide the student with a summary of his or her academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting his or her postsecondary goals.

**Amendments to the IEP after the annual review:**

After an IEP has been developed at the annual review meeting, a parent and the school district may agree not to convene a meeting of the CSE to make changes to a student's IEP, and instead may develop a written document to amend the student's IEP under the following circumstances:

- the parent makes a request to the school district for an amendment to the IEP and the parent and the district agree in writing; or
- the school district provides the parent with a written proposal to amend a provision or provisions of the IEP that:
  - a. is conveyed in language understandable to the parent, and
  - b. informs and allows the parent the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes.
- the parent must agree in writing to the amendments.

The parent must be provided prior written notice (notice of recommendation) of the changes to the IEP.

The parent must also receive, either a:

- rewritten IEP; or
- document that amends or modifies the IEP (or, upon parent request, a revised copy of the entire IEP with the amendments incorporated).

Amendments made to an IEP without a meeting do not affect the requirement that the CSE must review the IEP at the annual meeting, or more often if necessary.

## **SECTION 4: Additional Evaluation, IEP and Placement Considerations**

### **ARRANGEMENT OF SPECIAL EDUCATION PLACEMENTS** **CPSE AND CSE**

The Board of Education shall, upon receipt of the IEP recommendation, arrange for programs and services to be provided to a student with a disability after consideration of the recommendation of the Committee on Special Education. The Board shall notify the parent that this has been arranged.

For CPSE, the Board shall arrange for the services commencing with the July, September or January starting date, unless such services are recommended by the CPSE less than 30 days prior to, or after, that starting date for a program, in which case such services must be provided as soon as possible following the development of the IEP, but no later than thirty (30) school days from the recommendation of the Committee on Preschool Special Education.

For CSE, evaluation and CSE meeting to determine if a student is a student with a disability shall be completed within 60 calendar days of receipt of consent to evaluate a student not previously identified as having a disability unless extended by mutual agreement of the student's parents (for students transferring in to the school district who are in referral) and the CSE. For classified students referred to CSE to conduct a CSE meeting, implementation of IEP services should commence within 60 school days of receipt of request for review.

The Board of Education shall arrange for IEP implementation for students not previously classified within 60 school days of the receipt of consent to evaluate the student. For placement in approved in-state or out-of-state private school placements, the Board shall arrange for such programs and services within 30 days of receipt of the recommendation of the Committee on Special Education.

Because the placement of students is often a lengthy process, the Board of Education must make necessary arrangements to implement the appropriate recommended program/services after Board of Education review during the school year and summer months.

If the Board disagrees with the recommendation of the CSE pursuant to Section 200.4(e)(2), it shall set forth in writing a statement of its reasons and send the recommendation back to the Committee, with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP if deemed appropriate. The Board shall provide the parent with a copy of this statement and notice. The committee shall then submit its revised recommendation to the Board of Education.

## **ADDITIONAL PROCEDURES FOR IDENTIFYING STUDENTS WITH LEARNING DISABILITIES**

A student suspected of having a learning disability must receive an individual evaluation that includes a variety of assessment tools and strategies. The CSE may not rely on any single procedure as the sole criterion for determining whether a student has a learning disability. The individual evaluation shall be completed within 60 days of receipt of consent, unless extended by mutual agreement of the student's parent and the CSE.

The individual evaluation must include information from an observation of the student in routine classroom instruction and monitoring of the student's performance that was either done before the student was referred for an evaluation or from an observation of the student's academic performance in the general education classroom after the student has been referred for an evaluation and parental consent is obtained.

To ensure that underachievement in a student suspected of having a learning disability is not due to lack of appropriate instruction in reading or mathematics, the CSE must, as part of the evaluation procedures consider:

- data that demonstrate that prior to, or as part of, the referral process, the student was provided appropriate instruction in general education settings, delivered by qualified personnel; and
- data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student's parents.

The determination of eligibility for special education for a student suspected of having a learning disability must be made by the CSE, which shall include the student's general education teacher and at least one person qualified to conduct individual diagnostic examinations of students such as a school psychologist, teacher of speech and language disabilities, speech/language pathologist or reading teacher.

A student may be determined to have a learning disability if, when provided with learning experiences and instruction, appropriate for the student's age or state-approved grade-level standards, the student does not achieve adequately for the student's age or to meet state-approved grade level standards in one or more of the following areas: oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculation, mathematics problem solving and the student either:

- does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the identified areas when using a process based on the student's response to scientific, research-based intervention; or
- exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development that is determined by the CSE to be relevant to the identification of a learning disability, using appropriate assessments and

- the CSE determines that its findings are not primarily the result of a visual, hearing, or motor disability, mental retardation, emotional disturbance, cultural factors, environmental or economic disadvantage, or limited English proficiency.

In addition to the criteria above, the CSE is not prohibited from considering whether there is a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression, basic reading skill, reading fluency skills, reading comprehension, mathematical calculation and/or mathematical problem solving, provided that effective on and after July 1, 2012, a school district shall not use the severe discrepancy criteria to determine that a student in Kindergarten through grade four has a learning disability in the area of reading.

### **SPECIFIC DOCUMENTATION FOR THE ELIGIBILITY DETERMINATION**

When determining eligibility for a student suspected of having a learning disability, the CSE shall prepare a written report containing a statement of:

- whether the student has a learning disability;
- the basis for making the determination, including an assurance that the determination has been made in accordance with regulations;
- the relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student's academic functioning;
- the educationally relevant medical findings, if any;
- whether the student does not achieve adequately for the student's age or to meet state-approved grade-level standards; and
- the student does not make sufficient progress to meet age or state-approved grade-level standards; or
- exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development;
- the determination of the CSE concerning the effects of a visual, hearing, or motor disability, mental retardation, emotional disturbance, cultural factors, environmental or economic disadvantage, or limited English proficiency on the student's achievement level, and
- if the student has participated in a process that assesses the student's response to scientific, research-based intervention;
- the instructional strategies used and the student-centered data collected;
- the instructional strategies used and the student-centered data collected; and
- the documentation that the student's parents were notified.

Each CSE member must certify in writing whether the report reflects the member's conclusion. If it does not reflect the member's conclusion, the CSE member must submit a separate statement presenting the member's conclusions.

## **DECLASSIFICATION OF STUDENTS WITH DISABILITIES**

The recommendation to declassify students with disabilities is the responsibility of the Committee on Preschool Special Education (CPSE) and the Committee on Special Education (CSE). As declassification constitutes a significant change of identification and placement, the CPSE/CSE shall reevaluate the child prior to making this recommendation. The CPSE/CSE shall also provide prior notice, in the native language or other mode of communication of the home, to the child's parent or guardian, that a reevaluation is being sought for the purpose of considering declassification and request written consent for this evaluation. If the initial request for consent for reevaluation is unsuccessful, alternate measures will be taken to obtain consent and will be documented. If reasonable attempts have been made to obtain consent and have been documented, but no response is received from the parent or guardian, the CPSE/CSE shall reevaluate the child without consent.

In order to determine the nature of this reevaluation, the school staff including members of the CPSE/CSE and other qualified professionals may review the existing evaluation data on the student including evaluations provided by the parents or guardians, current class assessments, observations by teachers, reports by related services providers and other professionals. This review shall not constitute a CPSE/CSE meeting. On the basis of this review, the District may decide that no further data is needed. In this case, the CPSE/CSE shall notify the parents or guardians that further assessment has been deemed unnecessary and that they have a right to request further assessment to determine if their child continues to be a student with a disability. If the parent or guardian does not request further assessment, the CPSE/CSE may meet to review the existing information and to consider declassification. A copy of this informal evaluation report shall be made available to the parent or guardian.

In conducting its review, the CPSE/CSE will consider the student's ability to participate in instructional programs in general education, the student's benefit from special education, and the student's continued eligibility to be identified as a child with a disability according to the criteria set forth in IDEA, the Part 200 Commissioner's Regulations and the District's existing policies and procedures. The CPSE/CSE must also consider the provision of educational and support services to the student upon declassification. Upon declassification, the CPSE/CSE shall identify any declassification support services including the projected date of initiation of such services and the duration of these services. Declassification services shall be provided for no more than a year following the declassification date. Recommendations for declassification support services and appropriate evaluation information shall be forwarded to the building administrator who shall determine any additional support services, academic intervention services, or other services that may be appropriate for the child.

## **PROCEDURES FOR ASSESSING ENGLISH LANGUAGE LEARNERS** **(ELL STUDENTS)**

### **SCREENING:**

The Huntington school district serves a diverse range of students, including students with disabilities who are also English Language Learners (ELLS). As part of the Kindergarten screening, as well as new entrant screening, students who appear to be English Language Learners (ELL), formerly known as Limited English Proficient (LEP) students, are screened by the ESL teacher. The Huntington School District utilizes administrative practices and procedures to screen, identify and annually assess ELL students. Upon registration, every parent must complete a Home Language Questionnaire. The Home Language Questionnaire is reviewed by the ESL teachers, and if a foreign language is indicated, the appropriate screening steps will follow within the first two weeks of school to determine the need for ELL support services. If there is no indication on a Home Language Questionnaire of a foreign language, and school personnel observe a potential ELL learner, district procedures are followed to determine the need for ELL services.

An informal oral interview with the student is conducted by a qualified, licensed ESL teacher in English and in his/her native language. Parental consent is established to gain information about the child's background experiences and language exposure. Informal classroom observations are conducted by the ESL teacher. To determine eligibility into the ESL program, the NYSITEL is administered by a licensed ESL teacher. If a student is determined to have a need for ESL support services, parental notification in their native language will be sent home. The NYSESLAT, which is administered annually, measures the ELL's progress, placement and exit out of the program. Once a student is considered proficient on the NYSESLAT, an ELL student may be exited from the program.

The procedures for the referral of ELL students suspected of having a disability are the same procedures for all Huntington students. Students who are referred for a bilingual assessment have usually been in the ELL program for at least two-three years. Traditionally, the referral comes from the student's team including classroom and ELL teachers who discuss their concerns about the student's progress with the building team or guidance counselor and/or the school psychologist with regard to the possibility of a disability interfering with the acquisition of academic and/or language skills.

Prior to referral, general education supports are attempted to determine if the student can make progress through prereferral intervention strategies, consisting of data-based instructional programs/techniques such as:

- Behavior Supports
- Remedial Reading Program
- Math Lab
- Speech/Language Services
- Specialized Reading Programs

- Informal small group instruction
- Academic Support Services
- Curriculum modifications

Expectations for Educators. Interventions will be developed and implemented through the IST. Follow-up meetings will be held quarterly. If the student does not make expected progress, the IST may refer the student for a CSE evaluation.

If the student's home language is other than English, this is noted on the referral form in order that further evaluations can be completed in the student's native language. If the parents' dominant language is not English, they will receive all notifications in their dominant language. They will also receive the Parent's Guide to Special Education in their native language. Assessments will be conducted bilingually and using a dynamic assessment approach. Standardized scores, if used with bilingual measures of administration will be interpreted by the CSE with caution and will take into consideration multiple measures of performance for the student.

At the CSE meeting, an interpreter will be provided for parents if their native language is other than English. When considering if a disability is present, the CSE will consider the following factors:

- The length of time the student has been in the United States;
- The amount of instruction that the student has received in the United States as well as his or her home country;
- The length of time the student has been receiving ENL instruction;
- Attendance in school;
- The student's proficiency in his native language as well as English proficiency;
- The types of general education supports that the student has received.

In all cases, the student's educational, cultural and experiential background will be considered by the Committee to determine if these factors are contributing to the student's learning or behavioral problems. In making a determination of eligibility for special education and related services, a student may not be identified as a child with a disability if the determinant factor for such determination is limited English proficiency.

### **CULTURALLY UNBIASED/NON-DISCRIMINATORY EVALUATION FOR ENGLISH LANGUAGE LEARNERS**

The CPSE/CSE is responsible for evaluating students to determine the existence of a disability that may require special education services. In order to safeguard educational opportunities for students, whose native language is other than English, the CSE must ensure that all tests and assessment procedures are administered so as not to be racially and culturally discriminatory.

The procedures for ensuring appropriate and non-discriminatory evaluations for students who are Limited English Proficient will be as follows:



- The CSE referral will indicate the student's native language, as determined by the Home Language Survey and other assessments.
- The CSE referral includes a section that must be completed on students who are Limited English Proficient and may also be suspected of having a disability.
- If the student's English proficiency is determined to be insufficient to obtain valid results in English and the home language is not English, the evaluation shall be bilingual.
- If the home language is English but the student is considered limited English proficient, an evaluation will be conducted by a professional familiar with the culture and language dialect of the student.
- If the student is from a culturally and linguistically diverse background and English is the home language and the student is considered to be proficient in English, as determined by an English/Language Assessment, the evaluation may be conducted in English; however, the culture and linguistic background of the student will be taken into consideration.
- Dynamic assessment will be conducted per NYSED guidance and caution will be used for any standardized scores that are obtained throughout the evaluation process
- If the parents' dominant language is not English, they will receive all notifications in their dominant language. They will also receive the **Special Education in New York State for Children Ages 3-21. A Parent's Guide dated May 2002** in their native language. Parents will also receive the New York State Procedural Safeguards Notice dated ( ) in Spanish when applicable.

Upon receipt of a referral that indicates that the home language is not English, due process notices will be mailed to parents in the dominant language. At the CSE/CPSE meeting, an interpreter will be present to explain the results of the evaluations and the proposed recommendations.

**The bilingual evaluation will include the following considerations/evaluations:**

- The length of time the student has been in the United States;
- The amount of instruction that the student has received in the United States as well as his or her home country;
- The length of time the student has been receiving ENL instruction;
- Attendance in school;
- The student's proficiency in his native language as well as English proficiency;
- The types of general education supports that the student has received;
- A bilingual evaluator or evaluator with bilingual extension will be obtained who is knowledgeable about the student's geographic area of origin as well as its language and culture;
- BOCES and other agencies may be used for bilingual assessment.
- Test instruments in the appropriate language that are normed on the same or similar population as the country from which the student has come will be sought. If such evaluative tools are not available, the evaluator will state in the report

specific concerns regarding the instruments that were used and specific cautions to be observed when interpreting the results; and/or dynamic assessment will be used when standardized assessments that not normed to the students language and population are not available. Standardized test scores will be interpreted with caution. Bilingual evaluations will include qualitative descriptions of the student's strengths and weaknesses.

- If specific sub-tests are not considered appropriate because of cultural disadvantage, the evaluator may prorate the results and explain the reasons for this decision in the report;
- Student work samples may be submitted to the CSE to provide an informal portfolio assessment that may indicate functional levels;
- Non-verbal assessment batteries will be used to supplement more linguistic based measures;
- Age-appropriate adaptive behaviors will also be taken into consideration;
- All areas of suspected disability will be evaluated in the student's native language (e.g. speech);
- The bilingual evaluator will conduct a complete bilingual social history;
- The evaluation report will state the language in which the assessment was administered;
- If the tests normally used are not considered valid for the LEP student, other avenues of data collection including criterion-referenced tests may be used and the results will be described in the evaluation report.

**The following procedures will be followed by the CSE/CPSE when reviewing bilingual evaluations:**

A bilingual professional or translator will be present at the CSE/CPSE meeting and the attendance sheet will indicate the name and language of this interpreter.

- The CSE will consider the role of cultural and/or linguistic factors in relation to the student's behavior and/or academic difficulties before determining if special education services are required.
- In keeping with the doctrine of Least Restrictive Environment, the CSE/CPSE will determine if remedial services and other general education supports can be tried before considering special education services.
- All notices requiring consent and informing parents of CSE/CPSE recommendations will be translated into the parent's dominant language.
- The program or services recommended for the student may consist of a combination of ENL and special education services, as recommended by the CSE.

## **EXTENDED SCHOOL YEAR (ESY) SERVICES**

The Committee on Special Education or Committee on Preschool Special Education will determine whether a student requires extended school year special education services in order to prevent substantial regression. Substantial regression as defined by regulations would be indicated by a student's inability to maintain developmental levels due to a loss of skill, set of skill competencies or knowledge during the months of July and August. In accordance with Section 200.6 of the Commissioner's Regulations, students will be considered for twelve-month (12) special services and/or programs to prevent substantial regression if they are:

- Students whose management needs are determined to be highly intensive and require a high degree of individualized attention and intervention and who are placed in special classes;
- Students with severe multiple disabilities, whose programs consist primarily of rehabilitation and treatment
- Students who are recommended for home and hospital instruction whose special education needs are determined to be highly intensive and require a high degree of individualized attention and intervention or who have severe multiple disabilities and require primarily habilitation and treatment;
- Students whose needs are so severe that they can be met only in a seven-day (7) residential program; or
- Students receiving other special education services, who, because of their disabilities exhibit the need for a twelve-month (12) special service and/or program provided in a structured learning environment of up to twelve (12) months duration in order to prevent substantial regression.

Both quantitative and qualitative information will be reviewed by the Committee to substantiate the need for providing such services and programs. A student is eligible for a twelve-month (12) service or program when the period of review or re-teaching required to recoup the skill or knowledge level attained by the end of the prior school year is beyond the time ordinarily reserved for that purpose at the beginning of the school year. The typical period of review or re-teaching ranges between twenty (20) and forty (40) school days. As a guideline for the purpose of determining eligibility for an extended school year program, a review period of eight (8) weeks or more would indicate that substantial regression has occurred.

## **ACCESS TO ASSISTIVE TECHNOLOGY DEVICES AND SERVICES**

The District is committed to ensuring that assistive technology devices and/or services are made available to a student with a disability, when appropriate, as part of the student's Individualized Education Program (IEP).

The IEP must describe any specialized equipment and adaptive devices needed for the student to benefit from instruction. IDEA requires each school district to ensure that assistive technology devices and/or services are made available to a preschool or school-age student with a disability as part of the student's special education, related

services or supplementary aids or services as described in the IEP. IDEA defines assistive technology devices and assistive technology services, as follows:

Assistive technology devices means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. Such term does not include a medical device that is surgically implanted, or the replacement of such device.

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the needs of a child with a disability, including a functional evaluation of the student in the student's customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for a child with a disability, or if appropriate, that child's family; and
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of that student.

A student's need for assistive technology is determined through the individual evaluation. The district's CSE/CPSE is responsible for this functional evaluation of the student. The need to conduct an assistive technology component of an evaluation must be considered for students on a case-by-case basis.

Since assistive technology services are provided as part of the student's special education instruction, related services and/or other supplementary aids and services, they must be provided by an appropriately licensed or certified individual in accordance with Section 200.6 of the Regulations of the Commissioner of Education.

### **EXEMPTION FROM FOREIGN LANGUAGE REQUIREMENT**

Students who entered the ninth grade during the 2001/02 school year and thereafter, are required to complete one high school credit in a language other than English in order to earn the new Regents diploma. This requirement is established for all schools in the State by Section 100.2 (d) of the Regulations of the Commissioner of Education.

Students identified as having disabilities may be exempted from this requirement if their Individualized Education Program (IEP) indicates that such requirement is inappropriate. Only those students whose disabilities specifically and severely impair receptive and/or expressive language skills, or exhibits other behavioral or learning problems that would impact ability to benefit from foreign language instruction may be exempt from the foreign language requirements, as most students would benefit from exposure to a foreign language. The reasons for any exemption will be specified in the IEP. Therefore, at annual review for all students who are completing sixth, seventh, or eighth grade, the CSE will take the following steps:

Curriculum will be reviewed to determine whether the language requirement has been completed.

If the language requirement has not been completed, attention will be paid to speech and language levels, learning characteristics, and emotional factors, which may be relevant to ability to benefit from language instruction in the following year.

In determining whether or not exemption is “appropriate”, particular attention will be paid to severity of the speech and language impairment. Exemption may be granted if a student is severely speech and language impaired or if other factors justify such exemption. If the CSE concludes that exemption is warranted, reasons will be provided in a statement accompanying the IEP.

If a student with a disability is assigned to a language class, a copy of the IEP showing necessary testing modifications and classroom modifications will be made available to the language instructor by the student’s special education teacher.

School district and State Education Department policies strongly favor fulfillment of the language requirement by all students prior to completion of ninth grade. Only students whose receptive or expressive language is severely impaired will be exempted unless there are specific factors, which, in combination with language problems, make exemption necessary.

### **GUIDELINES FOR PARTICIPATION OF STUDENTS WITH DISABILITIES IN STATE AND DISTRICTWIDE ASSESSMENTS**

The Board of Education believes that students with disabilities should have access to all testing accommodations necessary to participate in state and district-wide assessments in order to ensure that the student’s academic achievement and functional performance is fairly and accurately measured.

Test accommodations are changes made in the administration of a test, including testing procedures or formats, in order to remove obstacles to the test-taking process caused by a student’s disability, that do not alter the measurement of a construct. The district recognizes that the provision of testing accommodations to students with disabilities enables such students to participate in assessment programs on an equal

basis with their nondisabled peers. Testing accommodations provide students with disabilities the opportunity to demonstrate mastery of skills and attainment of knowledge without being limited or unfairly restricted by their disability. Further, testing accommodations provide opportunity for students with disabilities to gain access to more challenging courses and programs.

Therefore, the Board adopts the following guidelines to ensure that all state and districtwide assessments are administered using appropriate accommodations:

- Test accommodations must be provided on a consistent and uniform basis, as provided by each student's IEP and should not be excessive not alter the standard administration of the test to the least extent possible;
- Test accommodations are neither intended nor permitted to:
  - a. alter the construct of the test being measured or invalidate the results;
  - b. provide an unfair advantage for students with disabilities over students taking tests under standardized conditions;
  - c. substitute for knowledge or abilities the student has not attained.
- The following students are eligible to receive test accommodations:
  - a. students classified by the CSE or CPSE as having a disability;
  - b. students identified as having a disability pursuant to Section 504 of the Rehabilitation Act by a 504 Multidisciplinary Team;
  - c. students who incur disabilities for 30 days or less before administration of a districtwide test and who are authorized by the principal to receive test accommodations;
  - d. student previously declassified by the CSE or CPSE who are provided with declassification accommodations.
- The following individuals are authorized to make the decisions regarding test accommodations for a student with a disability:
  - a. the CSE or CPSE, if the student is classified under IDEA and the Commissioner's Regulations or if the student has been declassified;
  - b. the Section 504 Multidisciplinary Team for those students identified as having a disability pursuant to Section 504 of the Rehabilitation Act;
  - c. the school principal, for general education students who have incurred a short or long-term disability within 30 days before administration of assessments and where sufficient time is not available for the development of an IEP or 504 Plan.
- all appropriate testing accommodations will be designated in a student's IEP or 504 Accommodation Plan and will be reviewed at least annually by the CSE or CPSE or 504 Multidisciplinary Team (except for declassification accommodations).
- steps shall be taken to ensure that teachers and service providers are aware of test accommodations for students and how they are to be implemented.

## **TRANSITION PLANNING FOR STUDENTS WITH DISABILITIES**

### **Definition:**

“Transition Services” are defined in the IDEA and Article 89 as a coordinated set of activities for a student with a disability designed within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability to facilitate the student’s movement from school to post-school activities including, but not limited to, post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student’s strengths, Preferences and interests and shall include needed activities in the areas of instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, if appropriate, acquisition of daily living skills and a functional vocational evaluation.

Transition planning for secondary students with disabilities is outcome oriented and looks toward adult life. Professionals, students and parents or other guardians work cooperatively to identify appropriate destination statements and to determine and implement plans for reaching these outcomes. The student’s interests and needs are kept foremost in the decision making process.

For those students beginning not later than the first IEP to be in effect when the student is age 15 and at a younger age, if determined appropriate, and updated annually, the IEP shall include:

- under the student’s present levels of performance, a statement of the student’s need, taking into account the student’s strengths, preference and interests, as they relate to transition from school to post-school activities;
- appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment and where appropriate, independent living skills;
- a statement of the transition service needs of the student that focuses on the student’s courses of study, such as participation in advanced-placement courses or a vocational education program;
- needed activities to facilitate the student’s movement from school to post-school activities, including instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation; and
- a statement of the responsibilities of the school district and, when applicable, participating agencies for the provision of such services and activities that promote movement from school to post-school opportunities, or both, before the student leaves the school setting.

At all meetings for the purpose of discussing the need for transition services, the student will be invited. In addition, with parental consent or consent of a student 18 years of age or older, the student will be invited. Other knowledgeable school personnel (e.g., administrators, psychologist, related service provider, general education teacher) may be asked to participate on the process.

**The coordinated set of activities are:**

- **Instruction** – Education instruction that will be provided to the student to achieve the stated outcome(s) (e.g. general and/or special education course instruction, occupational education and advanced placement courses).
- **Related Services** – These are specific related services, as defined in Section 200.1 of the Regulations of the Commissioner of Education, such as rehabilitation counseling services, which will support the student in attaining the stated outcome(s).
- **Employment and Other Post-School Adult Living Objectives** – Educational services that will be provided to the student to prepare for employment or other post-school activity. Post-school activities will determine what other skills or supports will be necessary for the student to succeed as independently as possible. Examples include participation in a work experience program, information about colleges in which the student has an interest and travel training.
- **Community Experiences** – Community-based experiences that will be offered, or community resources utilized as part of the student’s school program, whether utilized during school hours or after school hours, to achieve the stated outcome(s).
- **Activities of Daily Living Skills (ADL)** if appropriate) – ADL skills necessary to be worked on to achieve the stated outcome(s) (e.g. dressing, hygiene, self-care skills, self-medication).
- **Functional Vocational Assessment** (if appropriate) – If the vocational assessment has not provided enough information to make a vocational program decision, additional assessment activities can be performed to obtain more information about the student’s needs, preferences and interests.

**TRAVEL TRAINING**

Travel training is a special education service that means providing instruction, as appropriate, to students with significant cognitive disabilities, and any other students with disabilities who require this instruction, to enable them to develop an awareness of the environment in which they live; and learn the skills to move effectively and safely from place to place within that environment such as school, in the home, at work, and in the community.

**VOCATIONAL ASSESSMENT**

**GOAL OF THE VOCATIONAL ASSESSMENT PROCESS**



The goal of the vocational assessment process is the successful transition of students to post-secondary education or employment. The process serves to help students, parents, and staff focus on long-term planning leading to realistic outcomes. The ultimate goal is for the school, the family and community agencies to work cooperatively to identify appropriate destination statements and to determine and implement plans for reaching these outcomes.

Vocational assessment is an ongoing process involving the systematic collection of information about a student's vocational aptitudes, abilities, expressed interest and occupational awareness. Based on the age, abilities, interests and needs of each student, an appropriate vocational assessment may include:

- the review of existing school information
- the completion of informal interviews
  
- parent questionnaires
- one or more formal vocational evaluations
- job and student performance analysis made in real and/or simulated work settings.

Though the amount and type of information collected on each student may vary, it must be sufficient for the Committee on Special Education to make and substantiate appropriate occupational education programs decisions.

### **LEVEL OF VOCATIONAL ASSESSMENT**

Vocational assessment is conducted for special education students starting at age twelve (12) and those referred to special education for the first time who are age twelve (12) or older.

***Transition Assessment*** - vocational assessment includes a structured collection of information and analysis of existing information about the student. This assessment involves the participation of the student, the student's parent(s) or guardian(s), a special education teacher, and the student's guidance counselor. Other appropriate professionals may also participate in this assessment.

***Level II*** vocational assessment is more focused and involves administration of standardized tests, which look in further detail at interests, vocational skills, and specific aptitudes and abilities. This assessment builds upon information that was recorded in the Level I assessment. Specialized vocational evaluation instruments, such as a vocational interest inventory, vocational aptitude battery and selected work samples, may be introduced at this level.

***Level III*** vocational assessment is a situational assessment conducted while a student is actually engaged in work related/vocational activities. This may require resources such as those available in a vocational rehabilitation facility, an occupational

assessment center or in an actual work setting. This type of assessment is usually reserved for more multi-disabled students whose disabilities are very severe.

In all cases, the assessments keep the student's unique interests, needs and desires in the forefront during the evaluation and decision making process.

### **Practical Assessment Exploration System (PAES)**

The Huntington High School special education program includes, as appropriate for students with disabilities, a program called The Practical Assessment Exploration System (PAES Lab). The PAES Lab is a researched based, age appropriate transition assessment of employability skills, functional skills, work behaviors and interests. Results of the PAES lab evaluation are most effectively utilized to help students begin identifying their own unique interests and aptitudes in addition to, assisting members of the transition team in making recommendations for additional vocational training, community based employment, and post-secondary transition goals.

## **STAFF RESPONSIBILITIES IN TRANSITION PLANNING**

### **Guidance Counselors:**

Guidance counselors will be involved with the transition process at each grade level, beginning in grade seven. Counselors will be responsible for meeting with students and parents to review programs and schedules. They will assist the CSE in determining the appropriate course of study, number of credits and sequences, and vocational programs, if appropriate, so that students will be eligible to earn a high school diploma. Counselors will attend requested review CSE meetings during the year as well as initial and annual reviews.

### **Special Education Teachers:**

At each grade level from 7-12, transition questionnaires are completed by the student, parent and Special Education teacher, which the teacher can then use to inform ongoing discussions and plans. Special education teachers will also assist each student in helping them understand the IEP process and their strengths and weaknesses. Teachers of 12<sup>th</sup> grade students will also guide the student in creating a resume and applying to OPWDD or any other agency or office that will provide support after high school.

### **Multidisciplinary Team for the purposes of Transition Planning:**

The Transitional team consists of the guidance counselor, special education teacher, psychologist, social worker, speech therapist, and any other staff member who has information about the student as it relates to transitional planning.

The team will discuss data collection, vocational evaluations (if conducted), and current programs and services for each student. The team will determine transitional needs and if the student requires any additional assistance from such agencies as Acces-VR.

## **AGING OUT GUIDELINES FOR STUDENTS WITH SEVERE DISABILITIES**

Students with disabilities are no longer eligible for a free appropriate public education once they attain a high school diploma or at the end of the school year in which they turn **22**. The Huntington Public Union Free School District has a mandated responsibility to implement an aging-out process to transition students with severe disabilities from public education to adult services. Aging-out procedures are in addition to the transition planning previously discussed in this plan.

Aging-out is specifically designed to meet the needs of three groups of students with severe disabilities:

1. **Chapter 544 Students**: Students attending residential out-of-state schools who have attained or will attain the age of 18 prior to June 30 of the current school year.
2. **Chapter 570 Students**: Students attending residential in-state schools who have attained or will attain the age of 18 by June 30 of the current school year.
3. **Chapter 462 Students**: Students attending non-residential, in-state programs 100% of the time, who have intensive management needs and who are likely to require adult services: The process for eligible students begins at the first annual review after the student reaches the age of 18.

Although the procedures for referral of students in these three groups are not identical, there are certain common overriding steps:

- Identification of students likely to need adult service based on criteria noted above.
- Notification to parents or students
- Obtaining consent to release information
- Referral to agency(ies)
- Submission of reports to the State Education Department

## **OPPORTUNITIES TO EARN HIGH SCHOOL DIPLOMAS**

It is the policy of the school district to encourage all students with disabilities to pursue a high school diploma. Access is provided to required courses, electives and assessments as specified in Part 100 of the Regulations of the Commissioner. The Committee must consider the high school credentials the student will seek to attain: a regular high school diploma (Regent's or Local High School Diploma) or a Skills and

Achievement Commencement Credential. Multiple pathway options in accordance with state regulations are offered to students with disabilities.

To ensure that students with disabilities are encouraged and assisted to achieve the credits and the skill levels necessary for attaining a diploma, the district adopts the following procedures:

1. The Committee on Special Education (CSE) will annually review the special educational needs of each student with a disability. At each annual review after the student has entered the Middle School, the CSE will make an assessment as to whether or not the student's capabilities indicate probable success in a course of study leading to a regular high school diploma (Regents or Local Diploma), or whether his or her needs could be better met in an individualized education program designed to culminate in a Skills and Achievement Commencement credential. Where appropriate, the student will participate in this decision-making process.
2. The decision will be reviewed annually. The CSE will consider the following factors:
  - current levels of achievement;
  - learning rate;
  - strengths;
  - preference of student and family;
  - concerns of the parent.
3. The CSE will consider if the student requires testing accommodations to participate in state or district-wide assessments. These accommodations will be clearly stated on the student's IEP.
4. The district will offer appropriate remedial instruction for all students.
5. The CSE will identify and recommend support services and supplementary instruction necessary to assist students in deriving educational benefit from credit bearing courses.
6. If the student's special educational needs require instruction in small classes from certified special education teachers, the IEP shall so indicate and placement will be made in or outside the district in special education classes. In any such case, instruction in subjects granting credit toward graduation and a regular high school diploma (Regents or Local Diploma) will be provided in accordance with curriculum objectives and required levels of achievement determined by the State Standards in consultation with a special education teacher and a teacher certified in the subject being taught.

A record of the goals and criteria for mastery will be subject to approval by the building principal and maintained in the special education office. Evaluation of student work will be completed in accordance with the individual educational needs of the student.

NOTE: Upon completion of courses and assessments required to obtain a Regents or local high school diploma, the student is no longer eligible to receive a Free Appropriate Public Education (FAPE), including tuition free education services.

**GUIDELINES FOR ISSUANCE OF A  
Skills and Achievement Commencement Credential (SACC)**

The Board of Education and district staff shall comply with all federal and state requirements concerning the education of students with disabilities.

The district subscribes to the concept that all students must be provided with quality instruction and opportunities for academic achievement. In accordance, it is expected that students with disabilities will be guided towards a course of study which will lead to the achievement of a high school diploma. It is recognized, however, that the achievement of a regular high school diploma may be precluded for some students due to the nature or severity of their disability. Most students with disabilities receiving appropriate supports will be working towards a regents or local diploma. However, in such cases where the student is not on a path to achieve a regents or local high school diploma, the CSE will at least once annually through the IEP development process, inform students, and their parents, if, because of the severity of the disability, the student may be likely to receive a Skills and Achievement Commencement Credential in lieu of a regents diploma.

At each annual review meeting, the CSE must determine the particular alternate state assessment the student will participate in and provide a statement in the IEP of why the student cannot participate in the regular assessment. All members of the CSE are provided with training on determining alternate assessment criteria and the CSE will review each student's eligibility for alternate assessment at least once annually. A determination that the student cannot take the regular State assessments and will participate in an alternate assessment (New York State Alternate Assessment) will mean that the student would not graduate with a regents or local high school diploma. Therefore, this determination is an important one and will be discussed and reconsidered at each annual meeting to review the student's IEP.

## **SECTION FIVE: Procedural Safeguards**

### **Due Process**

A mandatory Procedural Safeguards Notice has been provided to school districts by the New York State Education Department.

The Huntington School District is prepared to provide The Procedural Safeguards Notice to parents of students with a disability at a minimum of one time per year and also:

- upon initial referral or a parental request for evaluation;
- upon the first time filing of a due process complaint notice to request mediation or impartial hearing and
- upon request by a parent
- upon decision to impose a suspension or removal that constitutes a disciplinary change in placement
- upon receipt of a State complaint

### **Prior Written Notice**

Prior written notice (Notice of Recommendation) means written statements provided to the parents of a student with a disability, a reasonable time before the school district proposes to or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.

A parent of a student with a disability may elect to receive prior written notice and other required notifications by an electronic mail (e-mail) communication.

### **Informed “Consent” means:**

- the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought, and has been notified of the records of the student which will be released and to whom they will be released;
- the parent understands and agrees in writing to the activity for which consent is sought; and
- the parent is made aware that the consent is voluntary on the part of the parent and may be revoked at any time except that, if a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

### **Written Parental Consent is Required Prior To:**

**Initial Evaluation** – Upon receipt of a referral to the CSE/CPSE of a student who is suspected of having disability, parental consent for evaluation is requested. The parent

is contacted by a representative of the CSE/CPSE regarding the referral. The reason for the referral and the evaluation process are explained. The parent is also provided with a copy of due process rights, information describing the components of a comprehensive evaluation and **A Parent's Guide to Special Education**. Translations are provided to the parent as needed. If the parent does not consent, the parent is invited to an informal conference to discuss the evaluation process. Outreach efforts are made, when necessary, to ensure the parent has received and understands the request for consent. If the parent of a preschool child does not provide consent for initial evaluation, no further action will be taken by the CPSE until such consent is obtained. If the parent of a school-age child, except one who is home instructed or placed in a private school at the parent's expense, does not provide consent for an initial evaluation within 30 days of the dated receipt of the referral, the chairperson will document attempts, including telephone calls and correspondence, to obtain parental consent and will notify the Board of Education that they may but is required to utilize the due process procedures to permit the district to conduct an evaluation of the student without the consent of the parent.

If a parent of a student who is home instructed or placed in a private school by their parents at their own expense does not provide consent for an initial evaluation or reevaluation, or if the parent fails to respond to a request to provide consent, the school district may not continue to pursue those evaluations by using due process procedures. The school district is not required to consider the student as eligible for special education services.

The initial evaluation to determine if a student is a student with a disability must be completed within 60 days of receiving parental consent for the evaluation. The 60-day timeline shall not apply if:

- a student enrolls in district after parental consent has been received and prior to a determination by the previous school district as to whether the student is a student with a disability. The district will ensure prompt completion of the evaluation and the parent and school district will agree to a specific time when the evaluation will be completed; or
- the parent of a student repeatedly fails or refuses to produce the student for the evaluation.

**Initial Provision of Special Education Services** – If the CSE/CPSE determines the student has a disability and recommends special education services, parental consent to initial placement is requested. The parent is provided with a copy of due process rights. If a parent refuses to give written consent, the District may not deny the parent or child any other service, benefit, or activity of the school district, except for the recommended special education service. Translations are provided as necessary. Parents are given the opportunity for further discussion with the Chairperson of the CSE or school staff, if needed. Outreach efforts are made, when necessary, to ensure the parent has received and understands the request for consent for placement. If the parent of the student refused to consent or fails to respond to a request to provide consent to the provision of special education programs and services, the school district

shall not provide the special education program and services to the student and shall not use due process procedures to challenge the parent's refusal to consent. The school district shall not be considered to be in violation of the requirements to make available a free appropriate public education for the failure to provide the student with the special education program and services for which the school district requests consent. The school district shall not be required to convene a meeting of the committee on special education or develop an IEP for the special education program and services for which the school district requests consent.

**Reevaluation** – Parental consent will be requested prior to conducting a reevaluation of the student with a disability; however, the district may proceed with the reevaluation if the parent does not respond and reasonable efforts have been made to obtain such consent.

Reasonable efforts are interpreted as:

- a written notice is sent to the parent requesting consent for the reevaluation;
- at least one additional attempt is made to notify the parents; this may mean an additional written notice or a telephone call.

A detailed record of the district's attempts and the results of those attempts will be maintained.

**Withdrawal of Referral** - Parental consent will be required if the parent decides to withdraw a referral for special education. A withdrawal of referral must be submitted in writing to the Director of Special Education, Special Education Chairperson or building Principal and submitted to the Director of Special Education upon receipt.

#### **Requests for Records/Other Communications with Non-District Personnel**

Parent consent is needed prior to releasing any personally identifiable information (i.e.):

- release of CSE records to another agency/individual;
- request for copies of reports/evaluations from another agency/individual;
- request for verbal communications with another agency/individual;
- see section on **Special Education Records: Access and Accessibility** for further information in this regard.

Parental consent is not required before reviewing existing data as part of an evaluation or a reevaluation or administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

#### **INDEPENDENT EDUCATIONAL EVALUATIONS (IEE)**

If a parent disagrees with the evaluation conducted by the CSE, parents may request an independent educational evaluation at district expense. Parents are informed of their right to obtain an IEE by being provided with a copy of their procedural safeguards notice. A parent is entitled to only one independent educational evaluation at public expense each time the school district conducts an evaluation with which the parent



disagrees. The names, addresses and telephone numbers of appropriate public and private agencies and other professional resources where independent educational evaluations may be obtained and will be provided to the parent upon request of the IEE. The school district has a right to initiate an impartial hearing to demonstrate that its evaluation is appropriate or that the evaluation obtained by the parent does not meet school district criteria. If a hearing officer determines that the district's evaluation was appropriate or the evaluation obtained by the parent did not meet school district criteria, the parent is not entitled to reimbursement at district expense. Any independent educational evaluation whether paid for by the parent or by the school district, will be reviewed by the CSE and taken into consideration with respect to the identification, placement and services for students with a disability.

Upon a parent's written request for an Independent Educational Evaluation (IEE), within ten days of receipt of the request, the Director of Special Education will respond to the parent in writing with the requirements for obtaining the IEE. The District requirements for obtaining an IEE are as follows:

1. The evaluator possesses a current license or certification from New York State Education Department in the area of the evaluation;
2. The evaluator is located in Nassau or Suffolk County; and
3. The rate the evaluator charges is a competitive rate for applicable services within the geographic area. The Board of Education has authorized properly qualified evaluators located in Suffolk County, New York, to conduct evaluations.

In addition to the above criteria, the district requests that the independent evaluator review any evaluations completed by the district, review school progress reports, reports cards and any pertinent information about the student that would provide a comprehensive assessment of the student's strengths and weaknesses. Before the sharing of any such information with the independent evaluator, the district will obtain written parental consent to exchange information with the independent evaluator. Upon receipt of the evaluation, a CSE meeting will be held to review the evaluations and findings.

**If parents intend to seek funding for the cost of the evaluation they must adhere to following criteria:**

- the qualifications of the evaluator and the location of the evaluation shall be the same as the criteria which the district uses when it initiates an evaluation.
- psychologists must be licensed by the State of New York as clinical psychologists or certified as school psychologists. If certified as a school psychologist, the evaluator must conduct the evaluation in a school setting;
- other evaluators should be appropriately certified in the area of their specialty by the New York State Education Department; and
- the evaluation will take place within the boundaries of the metropolitan area (e.g., Nassau, Suffolk, Queens or Manhattan);
- the tests performed must be norm referenced for individual evaluations appropriate for the age and educational level of the student, and measure the same cognitive, motor, and affective skills as district tests;

- the cost of the independent evaluation requested by a hearing officer shall be at district expense;
- the district may ask the parent's reason why he/she objects to the public evaluation;
- reimbursement will not be in excess of the reasonable cost of such evaluations and will be comparable to the cost of same evaluations conducted by the district.
- Parents must notify the Director of Special Education in writing that reimbursement for an independent evaluation is being requested.

### **Resources for Independent Evaluations**

Nassau University Medical Center  
2201 Hempstead Turnpike  
East Meadow, NY 11554  
516-572-0123

Peninsula Counseling Center  
50 West Hawthorne Avenue  
Valley Stream, NY 11580  
516-569-6600

North Shore Univ. Hospital  
Neuropsychological Div.  
365 Northern Blvd.  
Great Neck, NY 11021  
516-570-4455

Children's Hospital  
Hillside Evaluation Center  
269-01 76<sup>th</sup> Ave.  
New Hyde Park, NY 11040  
718-470-3000

North Shore Child & Family Guidance Ctr.  
480 Old Westbury Rd.  
Roslyn Heights, NY 11577  
516-626-1971

Hofstra University  
131 Saltzman Community  
Services Center  
Hempstead, NY 11550  
516-463-5660

Stony Brook University Hospital  
SUNY at Stony Brook  
Nicholls Road  
Stony Brook, NY 11794  
631-632-7830

Winthrop Child Neurology Associates  
1476 Deer Park Avenue Suite 4  
North Babylon, NY 11703

Advanced Psychological  
Evaluations, PC.  
900 Walt Whitman  
Suite LL 16  
Melville, NY 11747

Dr. Mark Sandberg, PH.D.  
50 Karl Avenue  
Suite 104  
Smithtown, NY 11787

Dr. Esther Stavrou, PH.D.  
20 Broad Hollow Road  
Suite 2004  
Melville, NY 11747

## **SURROGATE PARENTS**

**“Surrogate Parent”** means a person appointed to act in place of parents or guardians when a student’s parents or guardians are not known, or when after reasonable efforts, the Board of Education cannot discover the whereabouts of a parent, the student is an unaccompanied homeless youth, the student is a ward of the State, or the rights of the parent to make educational decisions have been subrogated by a judge in accordance with State law. The Board of Education shall select a surrogate parent from a list of individuals who are eligible and willing to serve as surrogate parents. The list is approved at the annual organization meeting of the Board.

### Qualifications:

Persons selected as surrogate parents cannot be officers, employees or agents of the school district or State Education Department or other agency involved in the education or care of the student. To the extent possible, an effort is made to appoint surrogate parents who:

1. Have no other interest which could conflict with their primary allegiance to the student they would represent;
2. Are committed to acquaint themselves personally and thoroughly with the student and the student’s educational needs;
3. Are of the same racial, cultural and linguistic background as the student they seek to represent; and
3. Are generally familiar with the educational options available to children with disabilities.

### Procedures for Assigning Surrogates:

Assignment of a surrogate parent to a particular student shall be made in accordance with the following procedures:

- Any person whose work involves education or treatment of students, who knows of a student who may need special education services, and who knows that the parents or guardians are not known or are unavailable, or that the student is a ward of the State, may file a request for assignment of a surrogate parent, with the Committee on Special Education;
- The Committee on Special Education shall send notice of the possible need for a surrogate parent to the adult in charge of the student’s place of residence and to the parents or guardians at their last known address;
- The Committee on Special Education shall determine whether the parents or guardians are unknown or unavailable, or whether the student is a ward of the State. This determination shall be completed within a reasonable time following the receipt of the original request for a surrogate parent. If the Committee on Special Education finds that there is a need for a surrogate parent, such

assignment shall be made by the Board of Education within ten (10) business days of the date of determination by the Committee.

- Once assigned, the surrogate parent shall represent the student for as long as a surrogate parent is required.

The surrogate parents appointed by the Huntington Board of Education are Ms. Lynnette Bavarro and Ms. Melinda Weismann.

### **SPECIAL EDUCATION MEDIATION**

Special Education mediation is a process in which the parents of a student with a disability and representative of the school district meet with an independent neutral person, a mediator to resolve disputes involving any matter for which an impartial due process hearing may be brought. By asking questions and discussing all information with both parties the mediator helps the parents and school district representatives to reach a more complete understanding of each other's concerns and to reach an agreement about the special education programs and services that the student will receive. ***Mediation can only be initiated upon a written request of a parent or guardian.*** The mediation process is voluntary and may not be used to deny or delay a parent's rights to an impartial hearing. The mediators are qualified, impartial, have been trained in effective mediation techniques and are knowledgeable in laws and regulations relating to the provision of special education services. An individual who serves as a mediator may not be an employee of any school district or state agency that is involved in the education or care of the student and must not have a personal or professional interest that conflicts with the individual's objectivity. The mediation session will be scheduled in a timely manner and held in a location convenient to the parties. ***Mediation occurs at no cost to either the parents or the school district.***

If a parent disagrees with the decision of the Committee regarding their student's program or services, they have the option to participate in mediation. Choosing to participate in mediation does not limit other alternatives, such as requesting a meeting with the Committee or requesting an impartial hearing.

Unlike an impartial hearing, at the end of which the impartial hearing officer makes a decision about the kinds of special education programs and services the student will receive, the mediator does not make a decision. In the case that a resolution is reached to resolve the complaint through the mediation process, the parents and school district representative will execute a legally binding written agreement that details the resolution and states that all discussions that occurred during the mediation process shall remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding of any federal or state court. The agreement will be signed by both the parent and a representative of the school district who has the authority to bind the school district. The written signed agreement is enforceable in any State or district court. Any remaining issues can be discussed further with the CSE or can be reviewed by an impartial hearing officer. If the written agreement reached by the parties in mediation is inconsistent with the student's IEP, then the student's IEP must be immediately amended to be consistent with the mediation agreement.

Special education mediation will be conducted by the Long Island Dispute Resolution Center (LIDRC). Each center is staffed by a number of highly qualified mediators who are not employed by the school district and who are not selected to be mediators by the school district.

**Resolution Process:**

Prior to an impartial due process hearing, the school district shall, within 15 days of receiving the due process complaint notice from the parent, convene a Resolution meeting. The participants at the meeting shall include the parents and the relevant members of the CSE as determined by the school district and parent who have specific knowledge of the facts identified in the complaint, which shall include a representative of the school district who has decision-making authority on behalf of the school district. The school district shall take steps to ensure that one or both of the parents of the student with a disability are present at the resolution meeting, including notifying parents of the meeting early enough to ensure that they will have the opportunity to attend and scheduling the resolution meeting at a mutually agreed on time and place and in a location that is physically accessible to the parents. This meeting shall not include an attorney of the school district unless the parent is accompanied by an attorney, where the parents of the student discuss their complaint and the facts that form the basis of the complaint, and the school district has the opportunity to resolve the complaint. The parent and the school district may agree to use alternative means of meeting participation, such as video conferences and conference calls.

The parent and the school district may agree, in writing, to waive the resolution process or agree to use the mediation process to resolve the dispute.

If, during the resolution process, the parent and the school district reach an agreement to resolve the complaint, a legally binding agreement shall be signed by both the parent and a representative of the school district who has the authority to bind the school district. Such agreement shall be enforceable in any State court of competent jurisdiction or in a district court of the United States. Either the parent or school district may void the agreement within three business days of the agreement's execution.

If the school district has not resolved the due process complaint to the satisfaction of the parents within 30 days of the receipt of the due process complaint notice, the impartial due process hearing may occur, and all the applicable timelines for an impartial due process hearing shall commence.

Except where the parties have jointly agreed to waive the resolution process or use mediation, the failure of a parent filing a due process complaint to participate in the resolution meeting will delay the timeline for the resolution process and due process hearing until the meeting is held.

If the school district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made and documented, the school district

may, at the conclusion of the 30-day period, request that an impartial hearing officer dismiss the parents' due process complaint.

If the school district fails to hold the resolution meeting within 15 days of receipt of the parents' due process complaint or fails to participate in the resolution meeting, the parent may seek the intervention of the impartial hearing officer to begin the due process hearing timeline.

### **APPOINTMENT OF IMPARTIAL HEARING OFFICERS**

The Board of Education annually establishes and maintains a list of names and qualifications of Impartial Hearing Officers available to serve in the school district from whom the district shall choose an impartial hearing officer.

A certified impartial hearing officer shall:

- Beginning September 1, 2001, be a New York State attorney in good standing with a minimum of two years practice and/or experience in the areas of education, special education, disability rights or civil rights; or be independent and not an officer, employee or agent of the school district or of the board of cooperative educational services (BOCES) of which the school district is a component or an employee of the State Education Department;
- Continue to remain qualified as an IHO if the individual was certified as an IHO prior to September, 2001.
- Not have been employed by a school district, school or program serving students with disabilities placed there by a school district CSE or an officer, employee or agent of a school district for two years following the termination of such employment;
- Have access to the support and equipment necessary to perform the duties of an IHO; and
- Successfully complete a State Education Department training program.

### **Appointment**

The updated list of certified IHO's for Suffolk County promulgated by the New York State Education Department will be used in connection with all requests for impartial due process hearings. The list shall include the names of those certified IHO's who appear on the state list for the county or who have indicated their interest in serving in such capacity in the Huntington School District.

The District Clerk or designee shall be responsible for contacting IHO's. Upon receipt of a request for an impartial hearing, the District Clerk or designee not involved in the hearing process shall canvass the list in alphabetical order of IHO's as prescribed by the Regulations of the Commissioner of Education to ascertain the willingness and availability of the next listed individual to serve as an IHO for the particular matter.

Upon receipt of a complete due process complaint notice for an impartial hearing, the rotational selection process of the IHO shall be initiated immediately and always within two days after receipt by the district of such request. Should an IHO decline

appointment, or if within 24 hours the IHO fails to respond or is unreachable after reasonable efforts by the District Clerk or designee, such district representative shall then proceed through the list to determine availability of the next successive IHO.

The impartial hearing officer may not accept appointment unless he or she is available to make a determination of sufficiency of a due process complaint notice within five days of receiving such a request and unless an extension is granted. When a parent or school district initiates a hearing, the hearing or prehearing conference shall commence within the first 14 days after:

- the date upon which the impartial hearing officer receives the parties' written waiver of the resolution session; or
- the date upon which the impartial hearing officer receives the parties' written confirmation that a resolution session was held but no agreement could be reached; or
- the expiration of the 30-day period beginning with the receipt of the due process complaint notice, whichever occurs first.

The District Clerk or designee shall then proceed through the list to determine availability of the next successive IHO. Upon identifying the next IHO on the list who is available to serve, a subcommittee of the Board of Education, consisting of the Board President or in his/her absence, the Board Vice President, shall appoint such person to serve as the IHO.

Records relating to the IHO process including, but not limited to, the request for availability, initiation and completion of such impartial hearing will be maintained by the district and such information will be reported to the Office of Vocational and Educational Services for Individuals with Disabilities of SED as required by the Commissioner's Regulations.

### **Compensation**

The district shall compensate an impartial hearing officer for his or her services at the maximum rate established for such purpose by the Director of the Division of the Budget. Currently, this rate is \$100 per hour for pre-hearing, hearing and post-hearing activities. There is no maximum per diem number of hours for which an IHO can be compensated. Pre-hearing activities include scheduling the time and location of the hearing, conducting pre-hearing conferences, arranging for witnesses and subpoenas, and writing letters to the parties involved in the hearing. Hearing activities include the hearing, participating in settlement discussions and arranging for subsequent hearing dates. Post-hearing activities include researching material pertinent to the issues raised at the hearing, reviewing the hearing records, exhibits, memoranda of law and writing the decision. In addition, impartial hearing officers may be reimbursed for reasonable, actual and necessary expenses for automobile travel, meals and overnight lodging in accordance with the current district reimbursement rate set for district employees. Mailing costs associated with the hearing will also be reimbursed.

Impartial hearing officers will be reimbursed for automobile travel in accordance with the current Internal Revenue Code mileage rate. If the travel distance from the home/office of the impartial hearing officer is more than 200 miles from the hearing location, the impartial hearing officer may be reimbursed for air travel using a commercial airline carrier where tickets are purchased at the economy rate for round trip tickets. Prior to confirming purchase of airline tickets the impartial hearing officer must inform the district of his/her wish to travel by airline.

The District shall not be responsible for the impartial hearing officer's fee due to a late cancellation unless the cancellation is made by the District less than 72 hours from the date the impartial hearing officer is scheduled to serve.

The District shall annually notify each impartial hearing officer certified to serve in the district of this policy and of the current rates set by the district for travel reimbursement, overnight lodging, meal expenses and mailing costs.

**For further information concerning the impartial due process hearing refer to the "New York State Education Department Procedural Safeguards Notice" dated October 2016.**

### **GUARDIAN AD LITEM**

In the event the impartial hearing officer determines that the interests of the parent are opposed to or inconsistent with those of the student, or that for any other reason the interests of a student would best be protected by appointment of a ***guardian ad litem***, the impartial hearing officer shall appoint a guardian ad litem, to protect the interests of the student unless a surrogate parent has previously been assigned. The impartial hearing officer shall ensure that the procedural due process rights afforded to the student's parent are preserved throughout the hearing whenever a ***guardian ad litem*** is appointed.

A ***guardian ad litem*** is defined as a person who is familiar with the provision of the Part 200 Regulations and is appointed from the list of surrogate parents maintained by the District or may be a pro-bono attorney appointed to represent the interests of the student during the proceedings of an impartial hearing and, where appropriate, to join in an appeal to the State Review Officer initiated by the parent or Board of Education. A ***guardian ad litem*** shall have the right to fully participate in the impartial hearing to the extent indicated in the Regulations.



## **SECTION SIX: Special Education Records- Access and Confidentiality**

### **Notice of Rights Concerning Student Records**

**Following is an explanation of the rights of parents/guardians concerning school records relating to their student pursuant to the Federal “Family Educational Rights and Privacy Act of 1974”:**

- Parents of a student under 18, or a student 18 or older, have a right to inspect and review any and all official records, files and data directly related to their student, including all material that is incorporated into each student’s cumulative record folder, and intended for school use or to be available to parties outside the school or school system and specifically including, but not necessarily limited to, identifying data, academic work completed, level of achievement (grades standardized achievement test scores), attendance data, score on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious recurrent behavior patterns.
- A parent of a student under 18 years of age or a student 18 years of age or older shall make a request for access to a student’s (their own) school records, in writing, to the Elementary principal of the building to which such student is assigned or the guidance Counselor in the Secondary School. Upon receipt of such request, arrangements shall be made to provide access to such records within a reasonable period of time, but in no case, no more than forty-five (45) days after the request has been received.
- Such parents and students are also entitled to an opportunity for a hearing to challenge the content of such records, to ensure that they are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein. Any questions concerning the procedure to be followed in requesting such a hearing should be directed to the Assistant Superintendent of Schools.
- Student records and any material contained therein which is personally identifiable, are confidential and may not be released or made available to persons other than parents or students without the written consent of such parents or student. There are a number of exceptions to this rule, such as other school employees and officials and certain State and Federal officials who have a legitimate educational need for access to such records in the course of their employment.
- The District shall maintain directory information regarding its students. Directory information consists of personal information about individual students and includes the student’s name, address, telephone listing, date and place of birth, major field of study, dates of attendance, degrees and awards received and if available, previous educational institutions attended. Directory information shall be disclosed for limited purposes and to a limited

number of district-related groups, committees, associations and organizations such as PTA and SEPTA.

- At the beginning of each school year this policy remains in effect. The District shall notify parents, guardians and students eighteen years old and older (“eligible students”), either by direct mail or by other district-wide publication, or both, of those categories of information that constitute directory information. Thereafter, parents, guardians or eligible students shall have a reasonable period of time in which to inform the District that any or all of the information designated as directory information may not be released without the individual’s consent. Any objection to such disclosure of directory information, and any request to be excluded from the list of directory information to be disclosed, shall be submitted in writing to the District Clerk no later than three weeks after the mailing of notice to parents, guardians or eligible students, or notice in a district-wide publication.

### **Records Kept In The District, Their Location And Custodian**

**Student Cumulative Records:** The student cumulative record is initiated upon the student’s entry into school, and follows the student through his/her school career. By the time the student completes secondary school, the record will include the following kinds of information: personal identification data; attendance records, health history; academic history including subjects and teachers by semester and year, units of study, summer school credits, subjects and grades failed and subjects dropped, secondary school subject sequences, type of diploma and date of graduation, report cards; standardized transcript, correspondence which is pertinent to the educational development of the student; records of suspensions or other disciplinary matter; and honors and awards.

### **Custodians and Locations**

<b><u>Records Maintained</u></b>	<b><u>Custodian</u></b>	<b><u>Location</u></b>
General Education Records	Principal	Main Office or Guidance Office
Special Education Records	Special Education Chairperson	CSE Office
Health Records	School Nurse	Nurse’s Office

### **INSPECTION OF SCHOOL DISTRICT RECORDS**

- Parent(s), guardians(s) and eligible students may inspect and review the student’s official records, files and data directly related to the student upon compliance with the following conditions:

- The parent or eligible student should submit to the student's school principal in the elementary schools or guidance counselor in the secondary schools a written request to see the student's file. If a student's records are maintained in several locations, the school principal will, upon request, collect the records, as described below. Such review will be scheduled promptly after receipt of the written request for access and in no case take place more than forty-five (45) days from the date of that receipt.
- Records in the custody of the Special Education Department may be obtained upon request to the Executive or Assistant Director of Special Education Services. Appointments for review of special education records will be made upon a minimum of five days' notice at the mutual convenience of Special Education Chairperson, parent or eligible student.
- Upon request, record review will be arranged prior to any Committee on Special Education or Committee on Preschool Special Education meeting or any discussion regarding an Individualized Education Program.

Appropriate school district personnel will be present during record inspection to interpret and explain records during the school year. Records may be inspected between 9:00 a.m. and 3:00 p.m. by appointment. Copies of documents will be made available at a cost per page. Parents may be accompanied by any person in reviewing records or may have an appropriately authorized representative inspect and review only the information relating to their child.

### **Transmittal of Records**

To facilitate the transition for a student, the new school district in which the student enrolls will take reasonable steps to promptly obtain the student's records, including the IEP and supporting documents and any other records relating to the provision of special education services to the student, from the previous school in which the student was enrolled.

The previous school in which the student was enrolled will take reasonable steps to promptly respond to this request from the new school.

## **Release of Student Records to Third Parties**

1. **Release with Consent** – Except under certain limited circumstances set forth in this policy and permitted by the Family Educational Rights and Privacy Act, education records will be released to third parties only with the prior written consent of the parent or eligible student.
2. **Release without Consent** – Records may be released without consent only under the following circumstances:
  - a. “Directory Information” may be disclosed, where appropriate without consent.
  - b. Educational records concerning a particular student may be released only to staff members who have responsibility for the student, and then only if it is educationally necessary to consult the records.
  - c. Records in the custody of the Department of Special Services may be released to school officials and members of the Committee on Special Education or Committee on Preschool Special Education only for purposes of the identification of a student’s disability and development of an individualized education program.

Portions of the cumulative record or current evaluations and IEP from special education records may be released without consent to another school under the circumstances indicated below:

- If the principal of the school maintaining the record has received written notification of the student’s intent or attempt to enroll there, or
- If the Committee on Special Education has recommended placement in such school.

**Records disclosed pursuant to this provision without express written consent, will be only those deemed by the Director of Student Support Services to be essential for the provision of educational services or educational planning. The district will notify parents of eligible students prior to transfer of records. They may request and receive copies of records transferred under this provision. Transcripts will not identify courses as “special education” classes/courses without the written consent of parent or eligible students.**

- d. Records may be released without consent to federal and state officials in connection with evaluation of federally supported education programs or enforcement of federal requirements. Persons reviewing records under this provision must sign a written form, to be kept in the student's folder, indicating their interest in the records.
- e. With the approval of the Superintendent of Schools, records may be released without consent to organizations, public and private, conducting studies for or on behalf of educational agencies for institutions. The district shall require recipients of such information to provide written assurances that personally identifiable information will not be further released and that all the information received will be destroyed when no longer needed for the study.
- f. Records may be released without consent to accrediting organizations to carry out their accrediting functions.
- g. Records may be released without consent to comply with judicial orders or lawfully issued subpoenas. A subpoena will be considered to be "lawfully issued" when it is issued by a court, or when counsel to the school has reviewed it and found it to be "lawfully issued". Before making such a disclosure the district must send written notice to the parent or eligible student.
- h. Records may be released without consent in health or safety emergencies, if such disclosure is deemed by the official making the disclosure to be warranted by the seriousness of the threat to the health or safety of the student or other persons and if the information is necessary to meet the emergency. Such records will be released without written consent only in the event that the person to whom the information is disclosed, is qualified to deal with the emergency and time is an important factor in dealing with the emergency.

### **Records of Request for Access to Education Records**

Current special education staff and administration have the right to continuous access to the special education student files. In addition, for all others, the district will maintain a record of all requests for disclosure of information from, or permission for access to, a student's special or general education record and will keep a record of all information disclosed and access permitted. Such record will not include request for access by the parents who have responsibility for the student, the student, persons whose request is accompanied by prior written consent or a party seeking Directory Information. The access record will be kept with the cumulative record, or, in the case of records pertaining to special

education, with those records. It will be available only to the record custodian, the eligible student, the parent of the student, or to public officials for the purpose of auditing or enforcing the requirement of federally supported educational programs. The record will include:

- The name of the person or agency that made the request, the interest the person or agency had in the information, the date of the request,
- Whether the request was granted and if so, the date access was permitted,

- Such record will be maintained as long as the student's education record is maintained.

### **Procedure for Maintaining Confidentiality of CSE/CPSE Records**

Student records and files are kept in locked files in an office that is also locked when left unattended.

The CSE/CPSE secretaries monitor access to student files. They acknowledge and are familiar with all staff who have access. Professionals visit the CSE/CPSE office when they need access to a file. The CSE/CPSE secretary obtains the file and the professional proceeds to a designated area where review can take place. When the professional review is complete, the file is returned to the CSE/CPSE secretary.

Only professionals who are working with the student and parents who are members of the CSE are allowed access to the records. Specified support staff are also allowed access to student files in order to complete tasks such as filing, sending and receiving records, etc. The student's original record is **not** allowed out of the office at any time.

### **Procedures to Seek to Correct Education Records**

Parents and eligible students have a right to seek to change any part of a student's record which they believe to be inaccurate, misleading, or in violation of the student's rights.

1. The parent or student shall notify the Director of Special Education and Student Support Services of objections and shall prepare and sign a statement identifying the records believed to be inaccurate, misleading or otherwise in violation of rights together with a reason for challenge. Upon receipt of such statement, the Assistant Superintendent of Schools will hold an informal conference with the parent or student and, when possible, with the maker of the record. If after reviewing the record and objections to it, the Assistant Superintendent finds no basis for amendment, he or she shall so advise the student or parent in writing and advise them of the right to a hearing.
2. The Assistant Superintendent of Schools will also advise the student or parent of the right to place in the education record a statement on the challenged information and/or setting forth any reason for disagreeing with this decision. An explanation placed in an education record under this paragraph shall be maintained by the district as part of the education record as long as the record is maintained by the district. It will be released by the district with the education record whenever such release is authorized by the provisions of this policy.
3. An appeal from a hearing concerning the educational records of a regular educational student may be made to the FERPA Office of the U.S. Department of Education.

## **Hearing Process**

1. A hearing pursuant to paragraph 1 will be held upon request and the parents will receive timely notice of the place, date and time. The hearing officer may be the Superintendent of Schools or a designated school official having no interest in the hearing's outcome. The parents may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney, and will be afforded a full and fair opportunity to present evidence.
2. After taking evidence, the hearing officer shall render a written decision stating the disposition of the challenge and the reasons for the determination. If the hearing officer decides that the record is not accurate or is otherwise in violation of the rights of the student, he shall direct the principal or Director of Special Services to make the appropriate changes. Otherwise, he shall advise the parent of the right to place in the education record a statement commencing on the challenged information as described in paragraph 2, above.
3. A parent who disagrees with the findings of the hearing officer may request review by the Board of Education and in the case of special education records, by the Office for Special Education Services. Thereafter, special education records or entries in the cumulative record may be reviewed, at the federal level by the Family Policy and Regulation Office, U.S. Department of Education, Room 1087 FB 6400 Maryland Avenue, S.W., Washington, D. C. 20202. In either case, a complaint may be in the form of a letter and should include specific claims of policy violations. If the Family Policy and Regulations Office finds the District to be out of compliance with applicable law and if resolution cannot be reached informally, the office may refer the case to the Compliance Board of the U. S. Department of Education for a formal resolution of the conflict before an administrative law judge.

## **Section 7: Accessibility**

### **ACCESS TO ACADEMIC AND DISCIPLINARY CONFERENCES**

It is the policy of the school district to assure access for parents of students with disabilities to school-initiated conferences with respect to educational planning or school discipline. Accordingly, a sign language interpreter will be provided, upon request, to hearing-impaired parents who require such assistance. Parents requiring this or another accommodation (i.e.; translators, barrier-free site) to participate in meetings of the Committee on Special Education or Preschool Special Education are requested to notify in writing the Special Education Office at the beginning of the school year, at the time of enrollment, or at least five days prior to the scheduled meeting or activity.

### **ACCESS TO PROGRAMS AND EXTRA-CURRICULAR ACTIVITIES**

Students with disabilities residing in the district have the opportunity to participate in all programs and activities administered by the district and available to the students enrolled in district public schools, providing that the students seeking to participate are otherwise qualified to participate in such programs and activities. These may include regular classroom instruction, academic intervention services, occupational education programs, ESL programs, laboratory instruction, support services, extracurricular activities and programs, special assemblies and events and career education programs.

### **ACCESS TO OCCUPATIONAL EDUCATIONAL OPPORTUNITIES**

The Huntington Union Free School District will provide access to a broad spectrum of careers, and develop skills that will prepare students for career roles and entry into employment. Such experiences will prepare students for life as productive members of society. Instruction and training will be provided through Wilson Tech and Manor Plains.

### **TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**

Employment and educational opportunities, including vocational educational opportunities, are offered by the Huntington Union Free School District to boys and girls on an equal basis without discrimination on the basis of sex.

Discrimination on the basis of sex in education programs and activities is prohibited by Title IX. The district official responsible for the coordination of activities relating to non-Discrimination is the Assistant Superintendent of Curriculum and Personnel. She will provide information, including information on complaint procedures, to any student or employee who feels that his/her rights under Title IX may have been violated by the district or its officials. In addition, any student or employee may make an inquiry or a complaint directly to the Federal Office for Civil Rights or New York State Division of Human Rights.



### **ACCESS TO INSTRUCTIONAL MATERIALS**

In accordance with 200.2 (b-10) all instructional materials used in the district are available in usable alternative format for each student with a disability in accordance with the student's educational needs and course selections at the time that such materials are available to non-disabled students. Alternative format is defined as any medium or format for the presentation of instructional materials, other than a traditional text book, that is needed as an accommodation for a student with a disability enrolled in the school district, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file. An electronic file must be compatible to meet the needs of the individual student.

- Preference will be given to those vendors who provide instructional materials in alternative formats when purchasing materials.
- When electronic format is provided consideration will be given to how the format will be accessed by students and/or how the file will be converted to an accessible format.
- Those students in need of alternate format materials will be identified by the Committee on Special Education.
- In order to ensure that alternate format materials are available at the same time as regular format material, purchase orders for all alternate materials will be provided at the same time regular material orders are submitted.
- Students who move into the district who are in need of alternate format materials will be identified either by their current entering IEP or at student's initial CSE. If alternate materials are deemed necessary, the process to obtain needed materials in alternative formats will be initiated without delay.

# **SECTION 8: District Special Education Programs/Services**

## **SUMMARY OF DISTRICT DAY PROGRAMS**

### **LOCATION/PROGRAM TITLE**

### **DESCRIPTION**

#### **SPECIAL EDUCATION PROGRAMS**

##### **Related Services**

All Schools K-12

Shall be recommended by the CSE to meet the student's specific needs of the student as set forth in the student's IEP or IESP. Related services can be provided in conjunction with a regular education program or other special education program and services.

##### **Consultant Teacher Services**

All Schools K-12

Minimum of two (2) hours of service per week given to the student and/or mainstream teachers to support the student in the general education setting. Available to students with disabilities that are considered mild. Direct teacher consultant services are provided to the student. Indirect services are services to the general education teacher or support staff.

##### **Resource Program**

Push-In/Pull-out Services  
All Schools K-12

Minimum of three (3) hours per week of instruction to students with mild disabilities provided by a special education teacher within the general education classroom or in a separate location.

##### **Integrated Co-Teaching**

K-12

**A minimum of one section offered at each grade level k-6 in varying buildings throughout the district. Please note that the grade level integrated class a student may need, may not be offered in their home school, but in another district building.**

A general education setting, comprised of students with disabilities and general education students, collaboratively taught by a special education and a general education teacher. Students may receive an integrated co-taught setting for one or more subjects depending on the student's individual needs.

#### **SPECIAL CLASSES**

All Schools K - 12

**A minimum of one section offered at each grade level k-6 in**

Special Class Program for children with moderate to severe learning, language, and

**varying buildings throughout the district. Please note that the grade level special class a student may need, may not be offered in their home school, but in another district building.**

management disabilities requiring intensive academic instruction and require general education curriculum modified and/or whose management needs interfere with the instructional process.

**15:1+1 Special Class**

Special Class Program for children who have moderate to severe learning, language and/or management disabilities requiring academic instruction and require general education curriculum modified and/or whose management needs interfere with the instructional process.

**12:1+(3:1) Special Class**

Special Class Program for children with severe multiple disabilities who require habilitation and treatment and needs require a high degree of individualized attention and intervention, and the staff/student ratio beyond the teacher is one for every three students..

Special Class Program designed to support students with developmental disabilities leading to functional academics and to increase independence and self-awareness.

**NOTE:**

\*Adaptive Physical Education is also provided to students based on individual student needs.

\*\*Opportunities for integration in general education programs are provided in all programs on an individual basis, as determined by the CSE. Students in all instructional groups are placed according to the similarity of their needs. Special classes may have instructional grouping of students with up to a 36 month span in age. Special classes for students age 16 and above may have instructional groups with more than 36 month age span.

## **IN-DISTRICT PROGRAM DESCRIPTIONS**

### **CONSULTANT TEACHER SERVICES**

The services of a consultant teacher are recommended for students who are fully participating in general education classes. The service is available for students who are receiving all of their instruction in the general education class/curriculum, and who require limited special services.

The consultant is a certified special education teacher who works with students in the mainstream either directly with the student or indirectly through consultation with the student's teacher for a minimum of two (2) hours per week. Through collaboration with the general education classroom teacher and other specialists, an individualized program is designed. The program is designed to assist the student's learning within the general education setting while addressing their individualized needs.

### **STAFF**

In addition to the consultant teacher who works in collaboration with the general education teacher, support staff may include the speech/language therapist, psychologist, social worker, and other support personnel.

### **NEEDS**

While every special education program must address individual learning styles, students served in the consultant model share the following similarities:

- The student is able to learn within the general education classroom with limited direct intervention from the special educator and supplementary aids and services

### **TEACHER'S ROLE**

The role of the consultant teacher is to collaborate with the classroom teacher, parent and other support staff in the development of an appropriate classroom program. This may include the modification of materials, procedures and methods of instruction, or, at times, direct instruction to the student.

## **RESOURCE ROOM PROGRAMS**

Resource room services are offered to students in every district building from grades K – 12. Some students with mild disabilities may receive all or part of their special education services within the general education classroom. These services are provided by a certified special education teacher, for a minimum of three (3) hours weekly. This program is designed to provide a more integrated educational program for those students who are able to receive their core instruction within the general education classroom while receiving supplemental instruction from a special education resource room teacher. The Resource Program students receive small group and/or individualized supplemental instruction in basic skills which may include, academic, language, study, social and organizational skills. Encouragement and emotional support is provided. Ongoing consultation with general education teachers is an integral part of this program.

The maximum capacity is five (5) students per class with twenty (20) students per certified special education teacher. The services are provided using both a pull-out and push-in model as specified on the student's IEP.

Students in the resource room program must receive services a minimum of three (3) hours per week.

An important component of this program is the ongoing collaboration between the general and special education teacher. Modifications in curriculum, assignments, methodologies, and environment are assessed and individualized for each student, in accordance with the needs specified in the IEP.

### **NEEDS**

While each student's individual needs, as specified in the IEP, are addressed within the general education classroom, students who are recommended for this program share the following similarities:

The student is able to learn within the general education classroom with supportive services and modifications.

### **TEACHER'S ROLE**

Both the general and special education teacher work collaboratively to design an effective, individualized program for the special education student. Progress is assessed by determining if the student can meet the goals of the general curriculum, when provided with the necessary supportive services and curriculum and/or environmental modifications within the general education environment.

### **NEEDS**

While the curriculum in special education programs are consistently adapted to individual learning styles, the Resource Program serves students with the following similar educational needs.

### **ACADEMIC**

Students with academic needs may receive support with instruction in basic skills, oral and written language, study skills and organization, development of sense of academic competence, support for content areas, and attention and concentration.

### **SOCIAL/EMOTIONAL**

Students with social/emotional needs may receive support with age-appropriate behavior, interpersonal skills, sense of competency and self esteem.

### **MANAGEMENT**

Students with management needs may receive support with clarity of expectations, structure, support and encouragement.

### **PHYSICAL**

Students with physical needs may receive support and requirements where appropriate adaptations or modifications in areas such as vision, hearing, activity level, mobility, manual dexterity, etc. are made.

### **SUPPORT ROLE**

Other support services to the student may include case conferences, counseling, psychological consultation, speech language therapy, and other related services as identified on the student's IEP.

### **RELATED SERVICES ONLY**

Related services are offered in accordance with a student's IEP in all district buildings grades K – 12. Some students with mild disabilities or students who have developed compensatory strategies are able to receive their academic instruction in the general education class with minimal support. These students, while fully integrated, still may require support from a related service. Related services may include: speech and language therapy, occupational therapy, physical therapy, counseling, vision services, hearing services as well as consultation services.

### **STAFF**

The role of the related service provider is to assist the student in developing specific skills and/or compensatory skills based upon the needs and goals identified in the student's IEP.

## **NEEDS**

While every special education program must address individual learning styles, students served with related services only share the following similarities:

- The student is able to learn within the general education classroom without direct intervention from a special educator.
- The student is able to learn within the general education classroom with minimal support from related service providers.

## **TEACHER'S ROLE**

The role of the related service provider is to collaborate with the classroom teachers, parent and other support staff to address specific student skill deficits and/or to consult with classroom teachers so that appropriate strategies and suggestions may be provided, when needed, within the general education classroom. This may include the modification of materials, procedures and methods of instruction, or, at times, direct instruction to the student.

## **OTHER SUPPORT AND RELATED SERVICES**

### **School Psychological Services**

The following major areas of responsibility are assigned to school psychologists; lead and/or provide consultation to the Instructional Support Teams in each building and provide academic and behavioral services on all areas related to the student's learning. In addition, school psychologists conduct school assessments, observation, test administration and interpretation. School psychologists participate in the Committee on Special Education (CSE), referral, evaluation and placement; monitoring of student progress, consultation with teachers, student and parent counseling, and liaison activities with community agencies and other professionals. Additional functions relating to special education programs include assisting teachers in: the development of interventions to help students in the development of Individualized Education Programs (IEP); the delivery of services to special education students; LEA Representative and Chair of the CSE/Sub-CSE for annual review and review placement meetings; conducting re-evaluations; exploring out-of-district educational alternatives when necessary; and training teachers in the implementation of new assessment and testing procedures.

### **Counseling As a Related Service**

Counseling as a related service will be recommended by the CSE under the following circumstances:

- An emotional or management difficulty interferes with a student's ability to make appropriate educational gains;

- The difficulty is one which, in the clinical judgment of the evaluation team, can be addressed through school-related counseling with a qualified professional; and
- The student does not appear at the present time to require medical intervention or a therapeutic milieu in order to make educational gains.

### **Social Worker**

Within the Special Education Department, the social workers provide the following services: monitoring students' progress; providing transitional support services to students moving into programs that are less restrictive (i.e. when returning to the district from out-of-district placements); providing parent education; intervening during crisis (i.e. child abuse, PINS petitions) and serving as general liaison between school and home. Social Workers are members and provide support to the building Instructional Support Teams (ISTs). Social Workers are certified to provide counseling to students in the school setting. When requested by the IST, a Building Principal, Social Workers will make home visits to bridge schools and home environments. The school Social Workers link parent, teachers, and students to a variety of community resources [i.e., Single Point of Access (SPOA), Office of Mental Health (OMH) and Office of Developmental Disabilities (OMRDD)]. The Social Worker conducts social histories for the CSE.

### **Speech Language and Hearing Services**

Specialists in speech and language assist school staff with the identification and instruction of students with speech, language and hearing disorders. In addition to providing IEP related services, speech therapists provide consultation to the building-based Instructional Support Teams (ISTs). They provide diagnostic and remedial services for students with articulation disorders, stuttering and voice disorders, expressive and receptive language problems, hearing deficits, cerebral dysfunction, oral and motor disorders and cleft palate. Much of the activity of these specialists involves observation, individual testing, related conferences with parents, consultations with teachers regarding instructional methods, providing instruction in speech and language to students identified by the CSE.

### **Physical Therapy**

Physical therapy is provided in order for a student with a physical disability to benefit from education or to be maintained in the least restrictive environment. The following services may be provided: coordination between medical agencies and professionals serving the student; evaluation of strength, function, motor development and adaptive need of the student; program planning and treatment program when indicated; consultation with general education teachers in the mainstreaming process; and supervision and instruction of nonprofessional personnel in dealing with the physical needs of the students.

### **Occupational Therapy**

The occupational therapist serves children whose disabilities prevent them from functioning normally within the school environment. The duties of the occupational



therapist include individual assessment, increasing strength and quality of movement of the upper extremities necessary for handwriting and other classroom fine motor tasks, modulating a student's sensory responses that interfere with everyday activities, developing the activities of daily living, providing adaptive equipment as necessary and counseling students with disabilities around their participation in activities. The goal of the occupational therapist is to provide appropriate treatment to increase the student's ability to function independently in the school environment.

### **ITINERANT SERVICES FOR STUDENTS WITH VISUAL IMPAIRMENTS**

Vision Itinerant Services are designed to provide direct, specialized instruction to students, ages five (5) to twenty one (21) years of age, with visual impairments who are enrolled in a general or special education program by a teacher of the visually impaired. The teacher of the vision impaired (TVI) meets individually with the student and trains the youngster in the use of residual vision, and the listening, organizational and tactual skills that are specific to the youngster's individual situation. This related service includes direct instruction in the use of various optical aids, large print books, worksheets, orientation and mobility services, tactile and recorded material and current technology. Depending on the needs of the student, the TVI may teach the student to read Braille and write using a Braillewriter. Teachers may also assist students in acclimating themselves to new instructional environments and may assist other teachers in meeting the student's educational needs.

### **ITINERANT SERVICES FOR STUDENTS WITH HEARING IMPAIRMENTS**

Hearing Itinerant Services are designed to provide direct specialized instruction to students, ages five (5) to twenty one (21) years of age, with hearing impairments who are enrolled in a general or special education program. Specialized instruction in speech, reading and auditory training are provided by a teacher of the deaf and hard of hearing. These services are necessary in order for students to benefit from their primary educational program.

Due to the low incidence of youngsters with hearing impairments that require this specialized service, the district generally contracts with Western Suffolk BOCES to provide this service when needed.

### **Parent Counseling and Training:**

Parent counseling and training means assisting parents in understanding the special needs of their child; providing parents with information about child development; and helping parents to acquire the necessary skills that will allow them to support the implementation of their child's individualized education program.

Provision of parent counseling and training is for the purpose of enabling parents to perform appropriate follow-up intervention activities at home.

## **INTEGRATED CO-TEACHING PROGRAM**

Huntington school district offers a minimum of one integrated co-taught classroom at each grade level across district buildings grades K – 12. Huntington School District has a systematic program for incorporating up to 12 Special Education students in general education classes Integrated co-taught classes. This district has adopted a team teaching approach where six models of co-teaching are utilized. Special Education students are fully included in the general education class setting to provide instruction and plan lessons. Special Education students receive test accommodations while in this integrated co-teaching setting according to the recommendations stated in their IEPs. All students experience the core curriculum and New York State Learning Standards. Students who require additional assistance are provided supplementary aids/services, materials and support in small groups.

**A minimum of one section offered at each grade level k-12 in varying buildings throughout the district. Please note that the grade level integrated class a student may need, may not be offered in their home school, but in another district building. Every effort is made for a student to attend their home zoned school, however, may not always be possible if the CSE recommended program is not offered in the student's home school.**

### **STAFF**

A Special Education teacher and up to twelve Special Education students are part of a general education class with a general education and special education teacher for academic classes (English, social studies, math and/or science). The general education and Special Education teachers share all teaching, grading, and behavior management responsibilities.

### **NEEDS**

While every special education program must address individual learning styles, students served in the consultant model share the following similarities:

- The student is able to learn within the general education classroom with indirect and direct intervention available from the special education teacher or general education teacher with IEP mandated supplementary aids, services and supports.

### **SUPPORT SERVICES**

Additional support services to the student may include guidance, case conferences, psychological consultation evaluation, rehabilitation counseling, speech and language therapy, social work intervention, and occupational and physical therapy.

### **TEACHER'S ROLE**

The role of the special education teacher is to collaborate with their co-teaching partner and provide specialized instruction to students with disabilities in the integrated co-taught setting so that students with disabilities can access and progress with the general education curriculum. The special education and general education teachers

are required to support students by using a variety of co-teaching strategies and research based models. This may include the modification of materials, procedures and methods of instruction, or, at times, direct instruction to the student.

### **15:1:1 SPECIAL CLASS SETTING**

The 15:1+1 Special Class Program in Huntington School District is designed for students who require intensive instruction in specific content areas, learning strategies, social, emotional behavior and basic skills. Students attend one or a combination of classes, depending on individual need. All students attend general education classes for a portion of the day. Recommended capacity is fifteen (15) students per class. IEP recommendations may include a blended program of integrated co-taught, general education and special class for specific content areas, depending on the student's individual needs.

Classes offered include ELA/English, Social Studies, Math, Science and Reading. For High School Students, one unit of credit toward graduation is available in each course. All content area classes provide instruction following the New York State Learning Standards. Students are encouraged to grow in self-understanding and interpersonal relationships while, at the same time, mastering course content. The learning activities are modified to meet the learning needs of the students, and test modifications are employed to enable students to fully demonstrate their knowledge and skills

Ongoing consultation with students' general education teacher(s) is an integral part of the program.

### **STAFF**

The Special Class Program consists of a multidisciplinary team which includes a special education teacher, as well as a teacher's assistant and other support staff such as CSE recommended shared or 1:1 aides, a school psychologist, guidance counselor(s), a speech and language therapist, occupational therapist, guidance counselor, and social worker as indicated on the student's IEP.

### **NEEDS**

While every special education class and/or program must address the individual needs of students, students in the self-contained program share many of the following needs:

### **ACADEMIC**

- Intensive academic assistance in the core academic skill areas;
- Meeting the course requirements for a high school diploma;
- Developing learning strategies and compensatory skills;
- Developing effective organizational and study skills.

### **SOCIAL**

- Develop appropriate coping mechanisms within social situations;
- Develop appropriate peer and adult interactions;
- Develop self-advocacy skills and an understanding of individual learning styles.

### **MANAGEMENT**

- Increase age-appropriate independent work habits;
- Develop independence and increase active involvement in the learning process.

### **SUPPORT SERVICES**

Additional support services to the student may include counseling, guidance, case conferences, psychological consultation evaluation, rehabilitation counseling, speech and language therapy, social work intervention, and occupational and physical therapy.

#### **Life Skills Program**

**Flower Hill 12:1+ (3:1) Special Class**  
**Woodhull Intermediate 12:1 + (3:1) Special Class**  
**Finley Middle School 12:1+(3:1)**  
**Huntington High School 12:1:3 Special Class**

The Huntington School District's 12:1 +(3:1) special classes are designed to provide students with skills, knowledge and behaviors necessary for independent living after high school. Students in this setting may participate in New York State Alternative Assessment and work towards a Skills and Achievement Commencement Credential (SACC). The content of the courses follows a prescribed curriculum that includes remediation in reading, writing and mathematics, communication skills, food preparation, life skills, pre-employment skills, vocational skills, social skills and travel training. These students must demonstrate an inability to benefit from equivalent instruction in order to be accepted into the program. It is possible for a student who is in this program to also be enrolled in a credit-bearing special class when that student demonstrates an ability to benefit socially or academically from such an experience.

Students between the ages of 16-21 may attend a half-day of vocational preparation. Most of these youngsters receive vocational evaluations before their vocational programs are finalized. The students are linked up with a VESID counselor one to two years before they age out of the program. Students who have not obtained a regular diploma (Regents or Local Diploma) may attend the program until the age of 21. At 18, they concentrate extensively on vocational training and preparation for transitional needs. As prescribed by the Commissioner's Regulations, special classes shall be composed of students based upon the similarity of student needs in the following four areas; Levels of Academic/Educational Achievement and Learning Characteristics;

Levels of Social Development; Levels of Physical Development; and Management Needs.

### **12:1+ (3:1) Special Class at Flower Hill Primary School**

The 12:1+ (3:1) Class at Flower Hill Primary School is designed for students who have severe disabilities which require intensive support in academic, communication and social development. Instruction is provided through a combination of individual and small group sessions designed to foster social and communication skills. These students may have a variety of learning/language difficulties that significantly impact upon their ability to achieve the learning standards and progress in the general education curriculum. Related services are provided on a “push-in” or pull out basis as, as appropriate and as indicated on the student’s IEP, to foster the generalization of goals. Opportunities for mainstreaming are considered on an ongoing basis throughout the year.

Parental training and involvement is an integral component of the program. Parents participate in team meetings and in the instructional process on a regular basis while actively contributing to the generalization of goals in the home environment.

#### **STAFF**

The 12:1 + (3:1) class consists of a full-time special education teacher and one aide for every three students. A consultant with specific training in the area of developmental disabilities provides ongoing support on a regular basis. Support staff may include a school psychologist, speech/language pathologist, occupational therapist, school nurse and social worker. In addition, ongoing consultation and collaboration with the general education teacher(s) is provided.

#### **ACADEMIC**

- Provide instruction in the basic academic areas of reading, mathematics and writing;
- Provide assistance in developing the ability to work independently in a variety of settings;
- Develop attending skills;
- Intensive instruction in phonemic awareness, math and writing at the appropriate level for each child ;
- Development of appropriate language and vocabulary skills

#### **SOCIAL**

- Develop interpersonal skills with peers and adults;
- Develop ability to work in a group setting;
- Develop self-control and autonomy;
- Encourage age-appropriate play skills;
- Develop repertoire of leisure-time activities;
- Establish peer-group integration with typically developing peers;
- Develop language/communication skills to express wants and needs.

## **MANAGEMENT**

- Develop age-appropriate skills in the activities of daily living;
- Increase ability to interact appropriately in both social and academic situations;
- Establish responsibility for personal belongings and the belongings of others.

## **PHYSICAL**

- Improve fine and gross motor skills;
- Provide individualized instruction to improve mobility, manual dexterity, auditory and visual processing.

## **TEACHER'S ROLE**

The special education teacher works closely with the aides, other service providers and the parents in the development of goals and the provision of instruction. The special education teacher also collaborates with general education teachers and other building staff with regard to mainstreaming opportunities. \*Note: Class configurations and program locations are subject to change based on student needs.

## **Practical Assessment Exploration System (PAES)**

The Huntington High School special education program includes, as appropriate for students with disabilities, a program called The Practical Assessment Exploration System (PAES Lab). The PAES Lab is a researched based, age appropriate transition assessment of employability skills, functional skills, work behaviors and interests. Results of the PAES lab evaluation are most effectively utilized to help students begin identifying their own unique interests and aptitudes in addition to, assisting members of the transition team in making recommendations for additional vocational training, community based employment, and post-secondary transition goals.

## **Section 9: Out of District Programs**

### **CONTINUUM OF SERVICES OF PROGRAMS FOR STUDENTS IN OUT-OF-DISTRICT PROGRAMS**

#### **WESTERN SUFFOLK BOCES DISTRICT BASED PROGRAMS**

The Huntington School District CSE considers programs and services for those students whose needs cannot be met within district provided programs for an out of district placement. Programs available through the Board of Cooperative Educational Services (BOCES) or New York State Approved special education programs may be considered by the CSE.

The Special Education Division of Western Suffolk BOCES offers a comprehensive array of programs to service the needs of students with and without disabilities. Students are placed in specific programs according to their individual academic capabilities and social/behavioral needs. The fundamental goal of all Western Suffolk BOCES programs is to create a stimulating and challenging learning environment which address each child's style and potential. Within the Division, a continuum of services exists ranging from mainstream placement opportunities within the ALC Program through the comprehensive programs within the Specific Education Centers.

#### **Application to BOCES:**

The committee on Special Education makes a recommendation for BOCES placement after every attempt has failed to meet the needs of the student within the framework of the school district, including the use of special programs, supplementary aids and services.

Upon committee recommendation, an application is sent to BOCES, including at least current IEP, psychological evaluation within 1 year, social history, current medical examination, immunizations, signed by a physician (MD) current report card; transcript, related service reports, behavior intervention plan, (if applicable), and BOCES application form filled out.

Before beginning in a BOCES program, this application must be accepted and the student must successfully complete a formal screening. The parent and a District representative are required to attend the screening as part of the application process.

#### **Class Size Groupings:**

##### **Option II**

12 students : 1 Teacher + 1 Paraprofessional

Designed for students who exhibit special needs which interfere with the instructional process to the extent that an additional adult must assist with classroom instruction and management.

##### **Option IIA**

8 students : 1 Teacher + 1 Paraprofessional

Designed for students whose management needs are determined to be intensive. The behavior of students in this level of service may be characterized by some degree of aggression and inappropriate behavior.

### **Option III**

6 students : 1 Teacher + 1 Paraprofessional

Designed for students whose management needs are determined to be highly intensive. The behavior of students in this level of service may be characterized as aggressive, self-abusive or extremely withdrawn.

### **Related Services**

Students with disabilities may require specific related services as part of their overall educational program. The following related services are available:

Speech/Language Therapy  
Physical Therapy  
Occupational Therapy  
Counseling  
Service for the Visually Impaired  
English as a Second Language  
Teacher of the Deaf  
Interpreters/Notetakers of the Hearing Impaired  
One-on-one Aide  
Teacher of Braille  
Travel Training  
Mobility Services  
Parent Counseling and Training

Requests for these services should be included in the child's IEP specifying the number of units per week requested for each service. Evaluations to determine the need for the above named services can be arranged via the Director's office.

### **James E. Allen Elementary School Program**

Students, ages five through eleven, are educated at the Elementary Program of the Special Education Division. This program strives to provide remedial instruction in basic skills of reading, writing, communication and math. Emphasis for students with a multiplicity of needs begin with Activities of Daily Living, mobility and basic communication. Classes are available for students requiring Option II, IIA, and III class size mandates. In addition to basic classroom instruction, all students receive adaptive physical education, art and music. An enrichment program in basic skills and basic computer education is part of the core curriculum. A wide range of special activities help stimulate each student's social skills.



### **James E. Allen Jr./Sr. High School**

This program serves youngsters age 15 through 21 who present a range of disabilities, and require intensive support to become successfully placed upon graduation in supportive employment, workshop placement or a day treatment program. Classes are available for students requiring Option II and III class size mandates. Heavy emphasis will be placed upon developing work skills for placement following graduation. A variety of supportive employment training opportunities will be available as well as a comprehensive workshop-training program. With the program's team approach, related service staff, program psychologists and social workers work in concert with the classroom staff to maximize each child's potential. Daily living activities and the development of functional skills will be a high priority within this program.

### **Manor Plains High School Program**

This secondary program, a collaborative effort between the Special Education Division and the Occupational Education Division, prepares high school students for graduation and enables them to be self-sufficient adults who maintain ongoing employment and develop the capability for independent living. Classes are available for students requiring Option II and IIA class size mandates. Special education staff provide academic instruction while vocational education teachers teach the skills needed in each student's chosen vocation.

### **Alternate Learning Centers**

- a) Elementary Classes
- b) Middle School Classes
- c) High School Classes

Alternate Learning Centers are special classes that bridge the gap between classes for children with disabilities at Western Suffolk BOCES Learning Centers and classes for the disabled and non-disabled student located in local school districts. Classes, staffed by Western Suffolk BOCES teachers and paraprofessionals, deliver instruction to students with disabilities referred by participating school districts. Mainstreaming within the host school classes is available where appropriate.

ALC classes serve a variety of youngsters ages 5 through 21. Groupings are determined by the severity of need and similarity of educational, social and physical functioning. Classes up to 12 students with a teacher and one paraprofessional serve students ages 5 through 21 with a wide variety of disabilities. Classes consisting of 6 students, a teacher and one paraprofessional are available at the elementary and middle school level for students whose intellectual functioning falls between the high average to superior range and whose management needs require a small student to staff ratio.

### **Itinerant Services**

#### **Itinerant Services for the Visually Impaired**

Itinerant Services are available to blind and partially sighted students in their home schools. The itinerant teacher carries out an ongoing program with local school staff to develop those skills a student needs to function optimally in the regular school setting. These can include the use of optical and visual aids, tactile and auditory aids, Braille reading and writing, listening and oral communication, orientation, mobility, travel, proficiency in the skills of daily living, counseling in social adjustment, independence, efficient use of resources and personal organization.

### **Itinerant Services for the Deaf and Hard of Hearing**

Mainstreamed hearing impaired and speech/language impaired students are eligible for this complete language oriented, academic support program in their home schools. Based upon individual need, certified teachers of students with speech and hearing disabilities provide intensive language development, auditory training, speech correction, lip-reading and academic tutoring program as well as sign language, manual alphabet and lip-reading. The service is curriculum coordinated thus requiring close cooperation of the classroom teacher in the home school

### **Brennan Middle School/Brennan High School**

This alternative secondary program services disabled and non-disabled youngsters of middle school and high school age who present a variety of educational and emotional needs. This failure to succeed in school is often tied to a variety of emotional problems frequently linked to a disturbance within the family unit. Students enrolled at the Brennan High School, 6:1:1 and 8:1:1 class size ratios, receive ongoing services from consulting psychiatrists, either employed by the Office of Mental Health or BOCES. Transitional classes for middle school and secondary level students capable of being mainstreamed into a regular high school are available.

The PASS Program, the 12:1:1 component of the high school, offers a highly structured environment in which instructional and behavioral deficits can be addressed within a small group setting for students, ages 15 through 21. Although not classified as disabled by a Committee on Special Education, truancy, non-compliance with school rules and generally disruptive behavior often characterize a student in crisis; a student who might possibly benefit from a Special Education format.

### **James E. Allen Alternative School**

This program serves students currently involved in the Juvenile Justice System or at high risk for such involvement. Both students with disabilities and without, ages 11 through 18, may participate. The program provides ongoing educational instruction in small classes of a maximum of six students. Staff from the Suffolk County Department of Probation will maintain office space within the facility and work with Western Suffolk BOCES staff to facilitate each student's ability to perform at an acceptable behavioral level within both the school and community settings.

### **James E. Allen Alternative Afternoon Program**

An after-school program is offered for students who are unable to attend a normal full-day school due to the students' disability(ies). This option is also suitable for students who are employed during the school day and who require after-school educational programming to complete their high school studies. Related services, support services and psychiatric consultation services are also offered for students who require these specialized services.

### **South Oaks/Brunswick Program**

The Western Suffolk BOCES hospital program located at South Oaks, and Brunswick Hospitals in Amityville offers an educational program for hospitalized adolescents. Both students with and without disabilities can enroll in this program. Close contact is established initially with each child's home school guidance counselor to identify the level of instruction necessary.

The education program at South Oaks consisting of basic high school subjects in English, social studies and mathematics, is considered an integral part of the treatment program by hospital administration. The educational staff works in partnership with doctors, nurses and psychologists to facilitate comprehensive treatment.

### **Intensive Day Treatment Program (IDT)**

The Intensive Day Treatment Program is available to school age students from Nassau and Suffolk counties. This program is designed to avert the hospitalization of children and adolescents for severe emotional/psychiatric problems. The IDT Program is also designed to be a therapeutic program provided to maximize the initial adjustment of a youngster to the community (including a more long term educational and therapeutic placement) following a period of inpatient psychiatric hospitalization. Educational staff provided by the Special Education Division of Western Suffolk BOCES, in concert with professionals funded by the Office of Mental Health/Sagamore Children's Psychiatric Center, will provide intensive intervention to students on an extended day basis, Monday through Saturday. The program is designed to work with pupils who have been in a day treatment or other intensive school placement and have not been successful, or to be used as a short term placement for youngsters leaving psychiatric hospitalization en route to day treatment or other specialized school-based services.

### **Student Adjustment Center**

The Student Adjustment Center (SAC) is the vehicle whereby home school districts may obtain specialized evaluations for students. All such evaluations are provided to the local school district's Committee on Special Education to assist the Committee in making decisions relative to educational placement and programming.

Medical evaluations are provided by local practitioners working for Western Suffolk BOCES. Professionals providing these services include audiologists, neurologists, otolaryngologists, psychiatrists and psychologists. Personnel in local school districts are encouraged to recommend appropriate practitioners to Western Suffolk BOCES to fulfill this role. Any field of medicine or related service may be appropriate for inclusion

within the scope of SAC if it is viewed to be necessary by a school district's CSE to evaluate a child's total needs.

### **Resource Program at Wilson Tech**

Students with disabilities enrolled in CTE programs or in the Center for Alternative Education may require specific related services or resource program to support their overall educational program.

### **NYS Approved Day Treatment and Residential Programs**

**Day Treatment** - A NYS approved program which integrates mental health and age appropriate education services for children and adolescents. It usually operates five full days per week during the school year and on a curtailed schedule during the summer. Students are provided a small student to teacher ratio for academic instruction, while receive intensive therapy in this setting.

**Residential Treatment Center-** A NYS approved 24 hr. treatment program which provides intensive treatment services to children and adolescents age 5 - 21 who need longer term treatment. Students are provided a small student to teacher ratio for academic, classes, while receiving intensive counseling to meet their emotional needs. It usually operates five full days per week during the school year and during the summer. New York state treatment centers must be considered prior to any consideration of out of state residential programs. A representative from the New York State office of Mental Health will participate in all CSE meetings in which the potential for a residential placement recommendation may be considered.

**Home and Hospital Instruction** - Students with disabilities who are recommended for home and/or hospital instruction by the committee on special education shall be provided instruction and appropriate related services as determined by the committee on special education in consideration of the student's unique needs. Home and hospital instruction shall only be recommended if such placement is in the least restrictive environment and must be provided:

## **SECTION 10: Budget**

### **SPECIAL EDUCATION BUDGET**

The Huntington Union Free School District considers all current and potential needs of students with disabilities when developing the budget and necessary expenditures for the delivery of special education services. Budget development is based on the number of special education students and their individual programmatic needs. The budget will include the funding necessary to support in-house programs, BOCES special education programs and New York State approved private placements. Budgetary increases will anticipate for additional funds needed to serve newly identified students with disabilities in addition to those students with disabilities entering the district throughout the school year. The budget will also account for unanticipated needs of current students that may arise during the course of the school year. The budget is prepared annually and reviewed by the Director of Student Services, Business Office, Superintendent and the Board of Education. The budget is monitored on a monthly basis and expenditures are reviewed with central administration a minimum of twice per year (mid -year review and end of year review).

The budget to support special education programs and services in the Huntington Union Free School District is as follows:

2022-2023  
\$24,797,376

2023-2024  
\$24,875,022

### **FUNDING FOR SPECIAL EDUCATION**

Special Education programs and related services provided by the Huntington School District are provided at no cost. The public funds come from at least three major sources:

1. Local school district property tax revenues;
2. New York State general and excess cost aid to local school districts;
3. Federal aid to the states which is available through Federal programs for children with disabilities (i.e IDEA 611 and 619 funding).

## **SECTION 11: Miscellaneous**

### **SCREENING PROCEDURES**

A comprehensive program has been developed by the school district to locate, identify and provide programs for those students who need special services. The district uses universal screening to determine which students may need to be provided interventions and to determine which students may require diagnostic screening. Incoming kindergarten and new entrant students are also screened to determine student needs.

#### **Screenings Are Conducted As follows:**

- Kindergarten Screening – all pre-kindergarten students are screened in the spring prior to kindergarten entrance or by November 1<sup>st</sup> if unable to attend spring screening
- New Entrant Screening – all new entrants are screened no later than December 1<sup>st</sup> of the school year of entry or within fifteen (15) days of transfer should the entry occur after December 1<sup>st</sup>.

Students suspected of having a disability as a result of diagnostic screening must be referred to the CSE within fifteen (15) days after completion of the screening. Parents of any student suspected of having a disability which indicates the possible need for special education services will be notified.

### **PROVISION OF SERVICES TO SCHOOL-AGED STUDENTS WITH DISABILITIES NOT SUBJECT TO COMPULSORY ATTENDANCE REQUIREMENTS AND NOT ENROLLED IN SCHOOL**

The Committee on Special Education (CSE) is responsible for providing special education services to a child with a disability under the age of seven who is eligible for school-age services, not subject to compulsory attendance requirements and not on a regular school attendance register for school-age children. These are children with disabilities determined by the CSE to be eligible for school-age special education services who are no longer eligible for preschool special education services, are not parentally placed in a nonpublic elementary school and are not being home schooled.

If a parent of a child who meets the above criteria elects not to enroll his/her child with a disability in the public school until the child is of compulsory school age, the CSE of the child's school district of residence is responsible to develop an individualized education program (IEP) and offer special education services to the child. The site where the services are to be provided would be determined by the District and Board of Education.

These children are “deemed enrolled” for the purpose of claiming State aid for the provision of special education and related services.

### **GUIDELINES FOR PROVIDING SERVICES TO STUDENTS IN NON-PUBLIC SCHOOLS**

St. Patrick’s Parochial School for students grades K – 8 is located within the geographical boundaries of Huntington School District. Huntington School District, as the district of location for St. Patrick’s school is responsible for the procedures to locate, identify, and evaluate all nonpublic school students with disabilities, including students attending religiously-affiliated schools, residing in the district, must be comparable to activities undertaken for students with disabilities in public schools.

- Huntington School District is responsible for the equitable provision of services, child find and consultation requirements in IDEA 2004.
- Huntington School District must conduct the evaluation and eligibility determination and, for a student determined eligible for special education services, develop the Individualized Education Services Plan (IESP).
- Huntington School District must provide the services as recommended in the IESP upon receipt of the parent’s written request for special education services received prior to June 1<sup>st</sup> proceeding the school year for which the request for services is made.
- Huntington School District must expend a proportionate amount of its federal funds made available under Part B of IDEA for the provision of services to students with disabilities attending nonpublic schools in the jurisdiction of its public school. Such federal funds may not be used for child find purposes.
- Huntington School District can recover tuition from the district of residence for special education services provided to nonresident students. Such tuition must exclude costs paid with federal or State funds.
- State and local funds provided must supplement and in no case supplant the proportionate amount of federal funds required to be expended by the school district in which the nonpublic school attended by the student is located.

For additional information see New York State Education Department Memo dated September 2007: Chapter 378 of the Laws of 2007 – guidance on Parentally Placed Nonpublic elementary and Secondary School Students with disabilities Pursuant to the Individuals with Disabilities Education Act (IDEA) 2004 and New York State (NYS) Education Law Section 3602-c.

## **SERVICES TO HOME-SCHOOLED STUDENTS WITH DISABILITIES**

Section 3602-c of the Education Law deems home-schooled students with disabilities and students suspected of having a disability to be non-public school students solely for the purpose of receiving special education services during the regular school year.

To be eligible for special education services, a home-schooled student must be a district resident entitled to attend public school. In addition, the student would be required to have an individualized home instruction plan (IHIP) that the superintendent of schools has determined to be in compliance with section 100.10 of the Regulations of the Commissioner of Education. Where the student is educated at home, the school district of location is the same as the student's school district of residence.

The district will notify all parents of students with disabilities who are in home instruction programs that:

- the Committee on Special Education (CSE) will develop an individualized education services program (IESP) for the student. The IESP would be developed in the same manner and have the same contents as an individualized education program (IEP). An IESP is developed in consideration of the parents' decision to home school their child.
- the parent must request special education services in writing to the board of education of the school district by June 1 preceding the school year for which the request for services is made. However, for a student who is first identified as a student with a disability after the first day of June preceding the school year for which the request is made and prior to the first day of April of the current school year, the parent must submit the written request for services within 30 days after the student was first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.
- Special education services must be provided to home-schooled students on an equitable basis as compared to special education programs and services provided to other students with disabilities attending public or nonpublic schools within the district.
- Parents of home-schooled students who disagree with the IESP recommendation of the CSE would be entitled to due process just as parents of nonpublic students are.
- A board of education determines the location where special education services will be available to home-schooled students, which could include the site of the home school.



## **Reimbursement for Unilateral Placement in a Private School**

A school district is not required to pay for the tuition for a student with a disability placed in a private school or facility by a parent if that school district made a free appropriate public education available to the student and the parents, instead, elected to place the student in the private school or facility.

If the parents of a student with a disability, who previously received special education and related services under the authority of the district, enroll the student in a private elementary or secondary school without the consent of or referral by the district, a court or a hearing officer may require the district to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the district had not made a free appropriate public education available to the student in a timely manner prior to that enrollment.

The cost of reimbursement may be reduced or denied:

- If, at the most recent IEP meeting that the parents attended prior to the removal of the student from the public school, the parents did not inform the Committee that they were rejecting the placement proposed by the district to provide a free appropriate public education to their child, including stating their concerns and their intent to enroll their child in a private school at public expense, or
- 10 business days (including any holidays that occur on a business day) prior to the removal of the student from the public school the parents did not give written notice to the school district of the information described in the preceding paragraph.
- If, prior to parental removal of the student from the public school, the school district informed the parents, through the notice requirements described in section 615(b)(7), of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the student available for the evaluation; or
- Upon a judicial finding of unreasonableness with respect to actions taken by the parent.

The cost of reimbursement may not be reduced or denied for the parents' failure to provide written notice if:

- The parent is illiterate and cannot write in English;
- Compliance would likely result in physical or serious emotional harm to the student;
- The school prevented the parent from providing such notice; or

- The parents did not receive notice, pursuant to section 615, of their obligation to provide the written notice described above.

### **SPACE ALLOCATION FOR SPECIAL EDUCATION PROGRAMS**

It is the policy and practice of the Board of Education of the district to ensure, to the fullest extent possible, that students with disabilities residing in the district shall be educated within the school district.

It is the policy and practice of the Board of Education to ensure, to the fullest extent possible, the allocation of appropriate space within the District for special education programs that meet the needs of school-age students with disabilities. Special education services shall not be denied simply because of a lack of appropriate space.

The Huntington School District will consider organizing new or additional special education classes whenever five (5) eligible students with similar educational needs who are not already placed in such a program (based upon CSE identification, classification and recommendation) are located in the district. When a present class exceeds the legal limit of either twelve (12) or fifteen (15) students permitted by education law, a variance from the State Education Department may possibly be obtained or a new class will be formed.

Further, it is the policy and practice of the Board of Education to ensure, to the fullest extent possible, that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by the Board of Cooperative Educational Services (BOCES). At least once per year, a staff member from the District's Special Education Department will visit the placement of each resident student who attends a BOCES special education program to assure the appropriateness of the space allocated for that placement.

The District will also continue to meet with Western Suffolk BOCES to work toward N.Y. State Education Department's requirement in developing the regional plan that reduces the number of special education students in center based non-integrated settings.

### **METHODS FOR EVALUATING SPECIAL EDUCATION PROGRAM**

The Huntington School District uses multiple measures of performance to evaluate special education program objectives. In addition, New York State Special Education Performance Plan Indicator data assists in providing information with respect to student achievement and graduation rates. Varying curriculum based measures and teacher developed tools (per the student's IEP) are used to measure a student's progress toward meeting their individual targeted goals. For some students, the New York State Alternate Assessment provides a portfolio of skill development and progress toward meeting individual educational goals. Additionally, data collection for the new Skills and Achievement Commencement Credential and the Career Development and

Occupational Studies (CDOS) credential will provide information regarding student progress. Through the use of assessment techniques such as staff reports, interviews with faculty, parents and students, site visits, etc., formative and summative data will be gathered relative to the success of students with disabilities receiving special education services. The data will be analyzed to provide information to assist the district in decision-making regarding revisions and modifications for programs, services and procedures. In addition, data collected on special education performance indicators as well as state education department performance data for students with disabilities will also be considered in evaluation of current services/programs. This data will include graduation rates, suspension data and LRE data for students with disabilities.

The goal of the special education program in the district is to provide each student with specialized instruction designed to help each student access and progress within the general curriculum and/or fully reach his or her potential.

The methods used to evaluate the extent to which the objectives of the special education program have been achieved are:

- Student Performance on ELA and Mathematics Common Core Assessments; reviewing analyzing and disaggregating data through the use of BARS
- Regents examination scores; Graduation Rates for Students with Disabilities
- Disciplinary records and suspension reports of students with disabilities
- Ongoing evaluation of student achievement using various standardized diagnostic tests, State assessments, Curriculum Based Measures (CBM) and other teacher made assessments;
- Annual reviews of students' progress and programs, resulting in revised comprehensive IEP's;
- Qualitative techniques such as teacher observations and conferences, classroom observations, anecdotal reports, and end-of-year student summary;
- Re-evaluations of each student with a disability;
- Review of the district plan

### **PROCEDURES REGARDING ADDITIONAL BOOKS FOR SPECIAL EDUCATION STUDENTS**

There are specific classified students who may require a second set of textbooks for home use. In discussions with school psychologists, guidance counselors and special education teachers, the following criteria will be followed when recommending that a student receive a second set of textbooks:

1. The notation for extra books must be specified on the student's IEP as recommended by the Committee on Special Education. The need for the extra books will be decided on an individual basis.
2. Specific difficulties that require a student to have an extra set of books may include significant disorganization resulting from a documented disability such as Other Health Impairment or Learning Disability, which may include Attention Deficit Disorder.
3. Specific medical reasons (e.g. broken arm or other documented health reasons) may necessitate an extra set of books for a specified period of time.
4. Requests for extra books will be sent to the Assistant Superintendent for Business and School District Physician for review.

### **PLAN TO ENSURE AVAILABILITY OF INSTRUCTIONAL MATERIALS IN ALTERNATIVE FORMATS**

The Huntington School District's Board of Education must establish a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students. "Alternative format" is defined to mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the school district. It would include but not be limited to, Braille, large print, open and closed caption, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

#### **Identification of the Needs of Students Residing in the District**

Advance planning in the selection and ordering of books will help ensure that students with disabilities attending their classes receive their instructional materials at the same time as other students in the classes.

If the CSE determines that a student needs his or her instructional materials in an alternative format, the IEP will specify the accommodations for the individual student and any related instruction and/or assistive technology devices needed for the student to access the alternative format materials. If the student needs instructional and assessment materials in alternative formats, the CSE should review the following considerations:

- What alternative format is needed?
- What instruction is needed for the student to use the alternative format materials?

- What assessment technology devices or services are needed for the student to access the alternative format materials?
- What supports for school personnel may be needed related to the alternative format(s) recommended?
- What assistance do the parents need to help them acquire skills necessary to support the child's use of the instructional materials and/or related assistive technology devices?
- What testing accommodations a student might need related to the alternative formats?

### **Access to and Conversion of Electronic Files**

Instructional materials provided in electronic files can offer many flexible options for a student with a disability to access the curriculum when the files are used with a variety of technology and tools such as computer screens using highlighted or enlarged text, screen readers or Braille printers. Students will have access to appropriate software and hardware in order to provide these materials in an alternative format. This would include, but not be limited to computers, printers, scanners, alternative keyboards, Braille note takers, tape recorders, screen readers, speaking browsers, screen magnification devices, scan and read, and Braille translation. The district will also access appropriate agencies and resource centers to assist in the conversion of materials into Braille format.

### **Ordering Timelines**

Braille and large-type test booklets will be obtained from the State Education Department for the Elementary and Intermediate State assessments and each Regents Examination. The Braille and large-type test booklets requested will be included in the regular shipment to the school. These tests will be ordered at the same time that tests are ordered for non-disabled students. If reproduction and/or reformatting of test booklets is required, written advance permission of the State Education Department will be obtained in sufficient time as to administer the test at the same time as administered to non-disabled students. If Braille or large print conversions are requested, the district will request this conversion at least three months in advance of the exam.

The district will inquire of publisher sales representatives about available formats. If the instructional materials needed by the student cannot be purchased in alternative formats, the district will make reasonable efforts to adapt or convert the materials or provide substantially equivalent materials to the student in a format he or she can access. Consideration will be given as to sufficient time to convert these materials so that the student will be able to participate and progress in the general curriculum.

### **Selection and Procurement of Instructional Materials**

The district utilizes a textbook selection committee when considering the purchase of new textbooks or materials. The committee will be informed of the need to give preference to those vendors who agree to provide materials in alternative formats.

When the district selects any new instructional materials for a course, consideration will be given, as one factor, if such materials are available from the vendor in the alternative format(s) needed by the student. Where different textbooks meet the district's criteria for a particular subject matter, the district will give preference to the vendor that agrees to provide materials in alternative formats. If competitive bidding is required for the purchase of instructional material, bid specifications will be drafted to allow the district to select the bidder who can provide materials in alternative formats in a timely fashion by making alternative format availability a specification of the bid

### **Procedures for New Entrant Students During the School Year Requiring Alternative Formats**

When a new student enters the district, the CSE will review the student's previous IEP to determine if the IEP has specified the need for materials to be provided in an alternative format. If the IEP indicates that the student requires an alternative format, the district will immediately either provide the necessary software or hardware necessary for the conversion or contact the appropriate agency to either purchase or convert the materials.

If a student requires additional materials in an alternative format, the special education teacher or school psychologist will be responsible to provide this information to the Director of Special Education and Student Support Services. They or their designee (Chairpersons) will be responsible for arranging the provision of materials in an alternative format.

### **Remote Instruction and Related Services**

In the event that there is an extended school closure necessitating a shift to fully remote instruction, the District is prepared to provide special education services through distance learning. Special education and related services provided remotely may involve video teaching and/or telepractice. If your child accesses services through video teaching and/or telepractice, the District shall consider such access as your consent to receive services through that modality. Any parent who does not agree to receiving services through that modality should contact Diana Rich at (631) 673-2115 or via email at [drich@hufsd.edu](mailto:drich@hufsd.edu). If you do not consent to the use of video teaching and/or telepractice, your child will be provided instruction in an alternative format, such as through written instructional materials, asynchronous learning opportunities and/or telephone consults.

We ask all students and family members to be respectful of the privacy interests of other students. As a result, where possible, students participating in group services should attempt to do so from a location which cannot be observed by others.

Remote related services will be conducted via video conferencing formats which are in compliance with Ed Law 2d privacy/confidentiality requirements (i.e. Google Meets, Zoom). Specialized instruction will be provided by a special education teacher and will include both synchronous and asynchronous learning opportunities. Additionally,

consultation with parents via telephone, email and video conferencing communications will be provided. Students may be given options for completing assignments remotely or via written tasks if better suited to meet the child's needs. Parents with concerns regarding remote instruction may request that the CSE meet to review their child's IEP to determine if additional management needs or supplementary aids/services would be required for remote learning. During remote instruction, progress monitoring of student goals will be conducted through a variety of data collection methods to best monitor individualized goals.

Committee on Special Education (CSE) meetings will be held via video or teleconference and will be indicated on the formal CSE meeting notice provided to parents in advance of the scheduled meeting. Parents may also indicate their preference for a video or teleconference meeting. Where possible and in accordance with health and safety requirements (i.e. distancing between adults and mask wearing), parents may request an in person meeting and if possible, arrangements will be made to hold the meeting in person.

### **Board Of Education Policies Regarding Special Education Services**

The Huntington School District Board of Education has adopted the following special education related policies which can be accessed in their entirety on the district website at [www.hufsd.edu](http://www.hufsd.edu) under Board Docs:

- 7210 Student Evaluation, Promotion and Placement
- 7212 Response to Intervention
- 7222 Diploma or Credential Options for Students with Disabilities
- 7223 Participation in Graduation Ceremonies
- 7610 Special Education District Plan
- 7611 Children with Disabilities
- 7612 Grouping by Similarity of Needs
- 7613 The Role of the Board of Education in Implementing a Student's Individual Education Program
- 7614 Preschool Special Education Program
- 7615 Temporary Placement of Students with Disabilities
- 7616 Least Restrictive Environment
- 7617 Pre-referral Intervention Strategies in General Education (Prior to Referral for Special Education)
- 7618 Declassification of Students with Disabilities
- 7620 Students with Disabilities Participating in School District Programs
- 7630 Appointment and Training of CSE and CPSE Members
- 7640 Student Individual Education Program (IEP): Development and Provision
- 7641 Transition Services
- 7642 Extended School Year Services and/or Program
- 7650 Identification and Register of Children with Disabilities
- 7670 Due Process Complaints
- 7671 Compensation for Impartial Hearing Officers

7680 Independent Educational Evaluations  
7690 Special Education Mediation

### **AVAILABILITY OF PUBLIC INSPECTION AND REVIEW OF THIS PLAN**

***THE DISTRICT SPECIAL EDUCATION PLAN IS ON FILE IN:***

- 1) The office of the Superintendent of Schools;***
- 2) Special Education and Student Support Services Department ;***
- 3) The District Clerk's office for public inspection and review by the Commissioner of Education.***

***Requests to review a copy of this plan should be directed through the three offices listed above.***

### **SEPTA REVIEW**

Ten days before the District Plan is submitted to the Board of Education, the SEPTA Presidents and/or Co-Presidents will have an opportunity to review The District's plan. Any input provided by SEPTA will be considered for the plan. With SEPTA's input, discussion and ongoing collaboration, this plan will be a comprehensive description of programs and services offered to special education students in the ***Huntington School District***.



