

**SACHEM CENTRAL SCHOOL DISTRICT**  
**51 SCHOOL STREET, LAKE RONKONKOMA, NY 11779**  
**REGULAR MEETING AGENDA**

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March 7, 2018

7:30 PM

Board of Education Room

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*The Board of Education welcomes all who are attending this meeting.*

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**I. OPENING OF MEETING**

1. **Roll Call**
2. **Call to Order**
3. **Salute to the Flag**
4. **Moment of Silence**
5. **WE ARE SACHEM - Pride/Presentations**
  - Superintendent's Report
  - Community Service Highlights - Grundy, Tamarac and Samoset
  - Budget Development Workshop #3

**II. VISITORS - (EACH VISITOR WILL BE LIMITED TO 3 MINUTES)**

Upon the recommendation of the Superintendent of Schools, the Board of Education welcomes visitors who wish to address the Board on matters relating to this agenda.

If you wish to speak, please fill out a card (located on the table in the rear of the room) and turn in to the table in the front of the room adjacent to the Board of Education. The President of the Board will call speakers to the floor.

**BUSINESS ITEMS**

**III. BUSINESS ITEM 3.A.1.**

**Bid Awards**

**3.A.1. Bid Award**

Certain supplies, materials, and equipment to be used in various school units have been advertised for bid and/or requests for proposal (RFP) in accordance with Section 103 of General Municipal Law. Bids/RFP's are utilized to establish firm prices for a variety of items/services that may be required by the District during the school year. There is no guarantee that the District will require any/all of the items requested on bids/RFP's. Actual usage will be on an "as needed" basis and may vary. Bids/RFPs have been evaluated by the staff and recommendations for action are ready to be made.

The bid/RFP awards presented for action are:

<u>RFP/Bid Number &amp; Title</u>	<u>Action Required</u>
B 17-560 Asphalt Pavement Repair - Award Increase	Approve

**PERSONNEL ITEMS**

**IV. CONSENT AGENDA PERSONNEL ITEMS 4.A.1. THROUGH 4.B.3.**

**A. Teachers**

**4.A.1. Leave Replacements Appointments of Teaching Personnel**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the leave replacement appointments of teaching personnel as follows”:

<u>Name</u>	<u>Tenure Area</u>	<u>School</u>	<u>Step</u>	<u>Dates</u>
Gray, Louis	Psychologist	Nokomis	1-4	3/29/18-6/30/18

**4.A.2. Salary Changes for Teaching Personnel**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the salary changes for teaching personnel as follows”:

<u>Name</u>	<u>School</u>	<u>Date of Change</u>	<u>From Step</u>	<u>To Step</u>	<u>Salary Difference</u>
Krauszer, Amanda	District Office	2/1/18	3.5-4	3.5-5	\$1,270.00
Nardolillo, Theodore	North	2/1/18	12.5-6	12.5-7	\$1,397.50

**4.A.3. Approval of Substitute Teachers**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the substitute teacher list as follows”:

- Name**  
 Bodnar, Amanda  
 Costarelli, Cassandra  
 Martin, Kathryn  
 OConnell, Joan

Thomas, Samantha

**4.A.4. Approval of 2018 Extended School Year Program Supervisors**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the appointment of the individuals listed below as supervisors in the Extended School Year Program for the summer of 2018":

Supervisor Trish Auletta at a compensation not to exceed \$20,000  
 Asst Supervisor Thomas Lipani at a compensation not to exceed \$15,000

**4.A.5. Approval of Coaching Assignments**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following coaching assignments for the 2017-18 school year":

HOME SCHOOL	FIRST	LAST	LOC	SPORT	SALARY*
Nokomis	Louis	Riley	Seneca	Boys Lacrosse MS Head	\$3,944.00
North	Thomas	Pandolf	North	Boys Lacrosse Varsity	Volunteer
Merrimac	Robert	Romano	Seneca	Girls Lacrosse MS Assistant	\$3,388.00
North	Joe	Azzato	North	Girls Track Varsity	Volunteer

**B. Support Staff**

**4.B.1. Resignation/Termination of Substitute Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: "that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the resignation/termination of substitute support services personnel (exempt, labor and non-competitive) as follows":

<u>Name</u>	<u>Service Ends</u>
<u>Custodian</u> Demichele, Joseph	2/28/18

**4.B.2. Appointment of Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the probationary appointment of support services personnel (exempt, labor and non-competitive) as follows”:

<u>Name</u>	<u>Position &amp; Assignment</u>	<u>Base Salary</u>	<u>Service Begins</u>	<u>Probationary Appointment</u>
Colello, Daniel	Campus Security/District Wide	\$19.56/ hr.	3/8/18	None
Perez, John	Roving Guard/District Wide	\$27.66/ hr.	3/8/18	90 days 3/8/18-6/5/18

**4.B.3. Appointment of Substitute Support Services Personnel (Exempt, Labor and Non-Competitive)**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the substitute support services personnel (exempt, labor and non-competitive) as follows”:

<u>Name</u>	<u>Service Begins</u>
<u>Custodian</u> Miller, Mark	3/8/18
<u>Food Service</u> Lombardo, Dawn Marie	3/8/18

**V. ACTION ITEMS**

**1. Consent Agenda for Action Items 5.1.1. through 5.1.3.**

**5.1.1. Approval of Agreement with WageWorks, Inc. 2017-18**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the renewal of the agreement between Sachem Central School District and WageWorks, Inc. for the district’s flexible spending account (FSA). This agreement shall be in effect July 1, 2017 until June 30, 2018. This agreement has been reviewed and approved by the school district’s attorney.”

**5.1.2. Approval of Health and Welfare Service Agreement with Smithtown Central School District 2017-18**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approves the agreement between Sachem Central School District and Smithtown Central School District to provide health and welfare services to students residing in Sachem Central School District. The rate for this service is \$924.76 per student. The term of this agreement shall be from September 1, 2017 through June 30, 2018. This agreement has been reviewed and approved by the school district’s attorney.”

**5.1.3. Student Appeal**

BE IT RESOLVED, that the Board of Education of the Sachem Central School District hereby authorizes an appeal of the Decision of the Impartial hearing Officer in Case No. 97762; and

BE IT FURTHER RESOLVED, that the Board of Education hereby authorizes School District counsel, Ingerman Smith, L.L.P., to proceed as necessary to take and pursue such appeal on behalf of the School District.

**2. Consent Agenda for Athletic Trips 5.2.1. through 5.2.3.**

**5.2.1. Athletic Trip**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following athletic trip.

Sachem North Varsity Girls Track to attend the Crimson Tide Invitational at Dunbar Senior High School in Washington, DC on April 6-April 7, 2018. There will be no cost to the district, all expenses will be paid by the athletes and/or booster club.

**5.2.2. Athletic Trip**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following trip.

Sachem East Varsity Girls Track to attend the 4th Annual Shen Invitational at Schenendehowa High School in Clifton Park, NY on May 11-May 12, 2018. The only cost to the district will be the meet fee, approximately \$150. All other expenses will be paid by the athletes and/or booster club.

**5.2.3. Athletic Trip**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education approve the following athletic trip.

Sachem East Varsity Girls Track to attend Penn Relays at the University of Pennsylvania in Philadelphia, PA on April 25-April 26, 2018. There will be no cost to the district, all expenses will be paid by the athletes and/or booster club.

**3. Donations****5.3.1. Donation - Grundy Avenue Elementary School PTA**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accepts with gratitude, a donation from Grundy Avenue Elementary School PTA in the amount of \$1,072.00. These donations are for the BOCES Performing Arts Code A2111-4971-30.”

**5.3.2. Donation - Wenonah Elementary School PTA**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accepts with gratitude, a donation from Wenonah Elementary School PTA in the amount of \$2,957.14. These donations are for the BOCES Performing Arts Code A2111-4971-30.”

**5.3.3. Donation - Sachem Diamond Club, Inc.**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accepts with gratitude, a donation of a 25’ flagpole and American flag, from Sachem Diamond Club, Inc., to be installed behind home plate at the Sachem High School East varsity baseball field. The value of this donation is approximately \$825.00.”

**4. Recommendations from the Committee on Special Education****5.4.1. Recommendations from the Committee on Special Education**

RECOMMENDED ACTION: “that, upon the recommendation of the Superintendent of Schools, the Board of Education accept the recommendation of the Committee on Special Education for the following meetings”:

3/1, 3/2, 3/5, 3/6, 3/7

## **VI. MONTHLY REPORTS**

### **A. Determinations from the Committee on Preschool Special Education**

#### **6.A.1. Determinations from the Committee on Preschool Special Education**

The determinations from the Committee on Preschool Special Education for the following dates are on file in the office of the District Clerk:

3/1, 3/2, 3/5, 3/6, 3/7

### **B. Board of Education Sub Committees**

1. Sachem Legislative Committee
2. Sachem Citizens' Advisory Audit Committee
3. Sachem Budget Advisory Committee
4. Sachem Policy Committee

### **C. 2017-18 Updates to the Board**

### **D. 2017-18 Board Goals**

#### ***Goal #1 - Provide Safe and Secure Schools***

Ensure an educational environment where students are safe, supported and empowered in their learning for all school related activities as well as extra and co-curricular activities. Promote positive peer relationships, and successful student learning environments through a variety of avenues.

Student Success Indicator Alignment - Safety, Community Engagement, Physical and Mental Wellness, Social and Emotional Development

#### Actions Items

- Smart Schools Investment Plan - Security Vestibules, cameras, and visitor management systems
- Discipline work; Code of Conduct and suspension practices
- Review trainings with security staff

#### ***Goal #2 - Enhance Student Achievement, Quality of Instruction and Leadership Skills***

Provide and implement a dynamic curriculum which incorporates critical thinking, collaboration, creativity, technology and civic responsibility while preparing students to thrive in a global community. The curriculum is supported by a K-12 district committee of educators and administrators focused on curriculum and instructional practices. All students will be provided with the opportunities to be college and career ready.

Student Success Indicator Alignment - Creativity, Innovation, Performance Assessments, Standardized Assessments

#### Actions

- Establish consistency in all curricula, assessments and instructional practices K-12
- Deepen student engagement and provide opportunities for rigor
- Review and align all secondary course offerings to NYSED graduation pathways

- Revise the elementary day schedule
- FLEX-Establish an exploratory World Languages and CTE program
- Provide equitable support for student needs
- Monitor and make recommendations to reduce class sizes
- Improve classroom technology
- Develop a wireless infrastructure
- Robust software and Internet resources

***Goal #3 - Improve Parent, Community and Staff Communication***

Cultivate community relationships and engagement by enhancing communication.

Student Success Indicator Alignment - Community Engagement, School Climate and Culture

Actions

- Telling our academic story
- Clearly articulate expectations to parents and families
- Improve participation at school events
- Cultivate school/business partnerships

***Goal #4 - Improve Fiscal Responsibility and Accountability throughout the District***

Focus on balancing the needs of students with taxpayer sensitivity, while aligning district resources to the goals of the Board of Education.

Student Success Indicator Alignment - Community Engagement, School Climate and Culture, Safety

Actions

- District Reserves and establish a reserve plan
- Capital improvements
- Sustainable budgeting
- Review of grants
- Review of out of district placements

***Goal #5 - Committed to Providing the Staff with the Necessary Tools and Support to Provide the Students with the Highest Quality Education***

Create an environment that establishes a foundation for the highest quality instruction and learning through recruitment, support and retention of staff. Creating opportunities and encouraging all employees to reach their full potential and positively impact the Sachem students and community through professional growth and learning opportunities.

Student Success Indicator Alignment - Creativity, School Climate and Culture, Democracy and Citizenship

Actions

- Cultivate a Professional Development (PD) consistent with the district PD plan.
- Construct district and building data teams to review student performance data.
- Implement a PD model that is mindful of instructional time.
- Conduct PD sessions that lead to future sessions facilitated by our own staff.

***Goal #6 - We Are Sachem***

Promote and strive for one Sachem family, and cultivate a sense of individual and collective



pride throughout the district. Develop deep collaboration amongst our 15 schools, for both vertical and horizontal articulation, to support the highest quality programs and activities throughout the district.

Student Success Indicator Alignment - Community Engagement, School Climate and Culture, Democracy and Citizenship

Actions

- Pride in our school district
- Consistent experiences by grade level
- Vertical/Horizontal experiences
- Clear focus on student achievement and wellness

**VII. PRESENTATION/DISCUSSION**

**VIII. CLOSING**

**A. Visitors (Each visitor will be limited to 3 minutes)**

Upon the recommendation of Superintendent of Schools, the Board of Education may hear from members of the audience who wish to present any matters of importance.

**B. Board of Education Discussion of Future Agenda Items**

Any member of the Board of Education wishing to propose a future agenda item present a motion to the Board of Education for consideration.

**C. Next Meeting**

The next Regular meeting of the Board of Education will be held on March 21, 2018 at 7:30 PM in the Board Room at Samoset Middle School.

**IX. EXECUTIVE SESSION**

After a ten minute break, the Board of Education will adjourn to discuss personnel, negotiations, and litigation in Executive Session. There will be no items requiring a vote.

**X. ADJOURN**

**SACHEM CSD**

**POLICIES FOR 1<sup>ST</sup> READING**

**MARCH 7, 2018**

# SACHEM CENTRAL SCHOOL DISTRICT

## GRADUATION REQUIREMENTS

POLICY 4770

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In order to graduate from the School District, a student must complete or may exceed the requirements set forth in Part 100 of the Commissioner's regulations. The Board of Education reserves the right to establish requirements for graduation which exceed the minimum standards as defined by the New York State Regents. Students who have met one of the following requirements shall be permitted to participate in graduation ceremonies as set forth herein:

1. Regents Diploma;
2. Regents Diploma with Honors;
3. Regents Diploma with Advanced Designation;
4. Regents Diploma with Advanced Designation with Honors;
5. Annotation of Science and/or Math Mastery;
6. Career and Technical Endorsement;
7. Local Diploma;
8. Career Development and Occupational Studies (CDOS) Commencement Credential;
9. Skills and Achievement Commencement Credential.

The specific requirements necessary to achieve each such diploma are available on the School District's website.

## ACCELERATED PROGRAMS

### Eighth Grade Acceleration for Diploma Credit

Individual eighth grade students may be afforded the opportunity to take high school courses in mathematics and in at least one of the following areas: English, social studies, languages other than English, art, music, career and technical education subjects, or science courses. The Superintendent of Schools or his/her designee is responsible for determining whether an eighth grade student is eligible to take high school courses. The School District shall utilize a set of criteria to determine each student's readiness for acceleration. Students who are accelerated for diploma credit must have been provided instruction designed to facilitate their attainment of, by the end of grade 7, the State intermediate learning standards in each subject area in which they are accelerated.

### Advanced College Placement

The Board of Education offers advanced placement (AP) courses in English, foreign language, mathematics, science, social studies, art and music to its high school students. These courses are based upon the College Board curriculum and are intended to be highly challenging first-year college level courses.

In addition, the School District may cooperate from time to time with individual institutions of higher education to offer college-level courses to qualified students.

# SACHEM CENTRAL SCHOOL DISTRICT

## GRADUATION REQUIREMENTS

POLICY 4770

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### Early Graduation

Upon request from the student's parent or guardian, a student shall be eligible for early graduation in fewer than eight (8) semesters upon completion of all requirements for graduation, excluding physical education, as mandated by Commissioner's Regulations. A student shall not be required to continue enrollment for the sole purpose of completing physical education requirements. A diploma may only be awarded at the end of the semester in which all requirements for graduation are completed and not before in anticipation that requirements will be met.

In regard to individual requests, the following factors may be considered including, but not limited to: the student's grades, performance in school, his/her future plans, and benefits that would accrue to the student if the request for early graduation were to be approved. The Building Principal shall make the final recommendation on whether to grant permission after consultation with the individual student's counselor, the director of the appropriate department, the student, the parent(s) or guardian(s) and approval of the Assistant Superintendent or his/her designee.

An official school diploma will only be issued based upon the completion of the Regents or local diploma requirements and without disparate treatment based on race, color, creed, sex, national origin, religion, age, economic status, marital status, or disability. A high school diploma will represent termination of the district's responsibility to provide additional educational training opportunities as part of the regular day program. Any student earning an IEP diploma or local certificate will be informed in writing of his or her right to attend the public schools of the district until one of the following occurs:

1. the student earns a high school diploma; or
2. the student attains the age of 21 prior to September first of a school year.

### GRADUATION CEREMONIES

The Board of Education recognizes the right of a student to participate in his/her high school graduation ceremony providing that the student has met all academic requirements required by the State for a diploma or certificate for graduation. Notwithstanding the foregoing, in the event a student has violated the School District's Code of Conduct, the Superintendent of Schools or his/her designee reserves the right to deny a student's participation in the high school graduation ceremony.

A student who has not met all of the graduation requirements for an appropriate diploma or certificate may attend the ceremony if the principal, in consultation with the child's guidance counselor and appropriate teacher(s), determines that there are extenuating circumstances (e.g. serious illness which incapacitated the student for an extended period late in the school year or a death in the immediate family). If the principal determines that there are extenuating circumstances, ALL of the following conditions must also be met:

# SACHEM CENTRAL SCHOOL DISTRICT

## GRADUATION REQUIREMENTS

POLICY 4770

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1. The student is deficient in no more than one unit of study.
2. The student has submitted all required assignments and sat for all final examinations, if they are given.
3. The student certifies that he/she is enrolled in summer courses that, if successfully completed by September 1 of the graduating year, will result in meeting all requirements for the appropriate diploma.

A student who has not met these requirements will not be allowed to participate in the High School graduation ceremony. It shall be the responsibility of the high school administration to inform parents and students, both informally and in writing, if a student is in danger of not graduating in June. This policy shall not be construed to limit the authority of the administration to bar students from the graduation ceremony as a result of disciplinary action.

Ref: 8 NYCRR §§100.1-100.7, 200.5

Adoption date: January 20, 1998

# **POLICY 4321**

## **PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89**

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### **REVIEW REVISED POLICY**

**SACHEM CENTRAL SCHOOL DISTRICT**

**PROGRAMS FOR STUDENTS WITH DISABILITIES  
UNDER THE IDEA AND NEW YORK  
EDUCATION LAW ARTICLE 89**

**Policy 4321**

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INDEX	PAGE
I - General .....	1
II Least Restrictive Environment .....	1
III - Locate and Identify Students with Disabilities.....	4
IV - Evaluation of Students with Disabilities .....	4
V - Parental Consent for Student Evaluations .....	5
VI - Referral Process.....	5
VII - Committee on Special Education .....	6
VIII - Independent Educational Evaluations.....	7
IX - Declassification.....	9
X - Re-evaluation .....	10
XI - Pre-School Special Education .....	11
XII - Provision of Services .....	12
XIII - Annual Review .....	13
XIV - Use of Time Out Rooms .....	13

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

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### I. General

The Board of Education shall provide a free appropriate public education to all students with disabilities who reside within the School District and are eligible for special education and related services under the Individuals with Disabilities Education Act and Article 89 of New York's Education Law, and their implementing regulations. Special education and related services will be provided to resident eligible students with disabilities in conformity with their individualized education program (IEP) and in the least restrictive environment appropriate to meet their individual educational needs. Special education services or programs will be designed to enable a student with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to his/her needs.

The Board of Education also shall make available special education and related services to eligible students with disabilities parentally placed in a nonpublic school located within the School District, regardless of whether they are residents of the School District. However, this obligation does not extend to resident students with disabilities who are placed by their parents in a nonpublic school within School District boundaries because of a disagreement between the parents and the School District over the provision of a free appropriate public education. Nonpublic school students with disabilities who are not School District residents but who reside within New York State will be provided programs and services in accordance with their individualized education services program (IESP).

### II. Least Restrictive Environment

The Board of Education recognizes its responsibility to provide students with disabilities with special education programs and services under the IDEA and Article 89 of New York's Education Law and for students to receive those services in the least restrictive environment appropriate to meet their individual educational needs.

Therefore, the School District will not place students with disabilities in special classes or separate schools, or otherwise remove them from the regular educational environment unless the nature or severity of their disability is such that their education cannot be achieved satisfactorily in regular classes, even with the use of supplementary aids and services. In addition, the School District will provide special services or programs to enable students with disabilities to be involved in and progress in the general curriculum, to the extent appropriate to their needs.

To fulfill its responsibility to educate students with disabilities in the least restrictive environment, the School District will implement the provisions of section 200.6 of Commissioner's Regulations.



# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

Furthermore, and pursuant to those provisions, students with disabilities placed together for purposes of receiving special education will be grouped by similarity of individual needs including their range of academic achievement, functional performance and learning characteristics; social and physical development, and management needs.

The Superintendent of Schools or his/her designee will establish a process that the CSE or CSE subcommittee Chairperson, as appropriate, obtains an up-to-date copy of the Commissioner's Regulations at the beginning of each school year, and copies of any amendments that become effective during the school year.

The Board of Education also recognizes that the least restrictive environment requirements established by applicable law and regulations also extend to nonacademic settings. Therefore, to the extent appropriate to their individual needs, eligible students with disabilities residing within the School District and attending the School District's public schools will be entitled to participate in School District academic, co-curricular and extracurricular activities available to all other students enrolled in the School District's public schools. Such co-curricular and extracurricular activities may include, but are not limited to, athletics, transportation, recreational activities, school-sponsored special interest groups or clubs, and referrals to agencies that provide assistance to individuals with disabilities and the employment of students (including both employment by the School District and assistance in making outside employment available). Students with disabilities, and their parents, will be informed of the availability of such programs and activities and their eligibility to participate.

The School District will provide School District programs and activities, including extracurricular activities that are accessible to students with disabilities to the extent appropriate to their individual needs. The School District will make individual modifications to include physical facilities, scheduling and transportation arrangements, so that students are not excluded because of the presence of a disability.

In providing a free appropriate public education to students with disabilities eligible under the IDEA and Article 89, the Board of Education will afford students and their parents the procedural safeguard rights to which they are entitled under applicable law and regulations. The Board of Education also will provide them with notice of such rights as required by law and regulation, using the form prescribed by the Commissioner of Education.

For purposes of this policy and others related to the provision of services to eligible students with disabilities, and consistent with applicable law and regulation, the word "parent" means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child; a person in parental relationship to the child as defined in section 3212 of the Education Law; an individual designated as a person in parental relation pursuant to title 15-A of the General Obligations Law, including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent,

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

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stepparent, or other relative with whom the child resides; or a surrogate parent who has been appointed in accordance with commissioner's regulations.

Eligible students with disabilities will be entitled to special education and related services until the end of the school year in which they turn twenty-one (21) or until they receive a local high school or Regents diploma.

Students with disabilities may not be required to take medication as a condition for receiving a free appropriate public education.

The School District will provide services to students with disabilities in accordance with the following:

1. School District staff will take steps to locate, identify, evaluate and maintain information about all children with disabilities within the School District, including homeless children and children who are wards of the state, and children attending nonpublic school within the School District (including religious schools), who are in need of special education.
2. The School District will establish a plan and practice for implementing school-wide approaches and interventions in order to remediate a student's performance prior to referral for special education services. The School District will provide general education support services, instructional accommodations, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE). The Instruction Support Team will develop, implement and evaluate pre-referral intervention strategies.
3. School District staff will refer for evaluation a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program.
4. The Board of Education will appoint a committee on special education (CSE), and, as appropriate, CSE subcommittees, to assure the timely identification, evaluation and placement of eligible students with disabilities.
5. The Board of Education will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.
6. The Superintendent of Schools or his/her designee will establish a plan for the recruitment, hiring and retention of staff appropriately and adequately prepared to meet the needs of students with disabilities including, but not limited to, highly qualified special education teachers.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

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7. The Superintendent of Schools or his/her designee will establish a comprehensive professional development plan which provides personnel with the skills and knowledge required to meet the needs of students with disabilities.
8. The Superintendent of Schools or his/her designee will establish a process for ensuring that School District staff understand the right of students with disabilities to access and participate in the same academic, co-curricular and extracurricular programs and activities as all other students enrolled in the School District's schools, to the extent appropriate to their individual needs.

### III. Locate and Identify Students with Disabilities

The School District will conduct an annual census to locate and identify all students with disabilities who reside in the School District, and establish a register of such students who are entitled to attend the public schools of the School District during the next school year, including students with disabilities who are homeless or wards of the State. The census shall be conducted, and the registry maintained, in accordance with the requirements established in Commissioner's regulations.

The School District's activities for locating and identifying parentally-placed nonpublic school students with disabilities will be comparable to those undertaken for students attending the School District's public schools, and will be completed in a comparable time period, as well.

The Superintendent of Schools will determine what other activities might be appropriate to help locate and identify students with disabilities. These may include, but are not limited to, the mailing of letters to all School District residents regarding the availability of special education programs and services and their right to access such services, and/or the publication of a similar notice in school newsletters and other publications.

### IV. Evaluation of Students with Disabilities

To initially determine a student's eligibility for a free appropriate public education under the IDEA and Article 89, the School District will conduct a full evaluation of the student within legally prescribed time lines. As set forth in Commissioner's regulations, the initial evaluation will include, at least, a physical examination, an individual psychological evaluation unless the school psychologist determines it unnecessary, a social history, an observation of the student in the student's learning environment to document the student's academic performance and behavior in the areas of difficulty, 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) to ascertain the physical, mental, behavioral and emotional factors that contribute to the suspected disabilities.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

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Once a student has been determined eligible to receive a free appropriate public education, the School District will reevaluate the student with a disability whenever the student's parent requests a reevaluation, and when the School District determines the educational and related services needs (including improved academic achievement and functional performance) of the child warrant a reevaluation. However, a reevaluation must take place at least once every three years, unless the student's parent and the School District agree it is unnecessary.

### V. Parental Consent for Student Evaluations

Before conducting any type of evaluation, School District staff will take steps to obtain written informed consent from a student's parent, as required by applicable law and regulations. They also will keep a detailed record of those attempts and their results, including phone calls and correspondence, visits to the parent's home and any responses received.

1. If a parent refuses to give consent for an initial evaluation, or fails to respond to such a request, the parent will be given an opportunity to attend an informal conference and ask questions about the proposed evaluation. Unless the referral for evaluation is withdrawn, if the parent continues to withhold consent, the Board of Education may commence due process proceedings to conduct an initial evaluation without parental consent within the time lines established in Commissioner's regulations.
2. If a parent refuses to give consent for a reevaluation, or fails to respond to such a request, School District staff will proceed with the reevaluation without parental consent if it has engaged in documented reasonable efforts to obtain such consent and the parent has failed to respond. If the School District cannot document its efforts to obtain consent, the Board of Education may commence due process proceedings to conduct a reevaluation without parental consent.
3. If School District staff is unable to obtain consent for the initial evaluation or reevaluation of a home schooled or a parentally-placed nonpublic school student, the Board of Education will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

### VI. Referral Process

In conducting evaluations of students with disabilities, the School District will use a variety of assessment tools and strategies, including parent-provided information, to gather relevant functional, developmental, and academic information for determining a student's eligibility for special education and related services, and the content of the student's individualized education program or individualized education services program or services plan in the case of nonpublic school students with disabilities (including information related to enabling the student to be involved in and progress in the general education curriculum).

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

The School District also will assess a student in all areas of suspected disability, and the assessment and other evaluation used will not be discriminatory on a racial or cultural basis. In addition, students will be assessed in the language and form most likely to yield accurate information on what the student actually knows and can do academically, developmentally, and functionally, unless it is not feasible to do so.

In the case of students suspected of having a specific learning disability, the School District will follow the procedures established in the Commissioner's Regulations.

The School District will notify a student's parent of any determination that no additional data is needed and the reasons for such a determination. It will also inform the parent of his or her right to request an assessment, notwithstanding that determination.

### VII. Committee on Special Education

The members of the CSE and CSE subcommittees will include those individuals identified in applicable law and regulations, and their attendance at CSE and CSE subcommittee meetings will be required except as otherwise provided in law and regulations.

The parent of a student with disabilities is one of the mandated CSE and CSE subcommittee members and, as such, has a right to participate in CSE and CSE subcommittee meetings concerning the identification, evaluation, educational placement, and the provision of a free appropriate public education to their child.

School District staff will take steps to promote the parent's participation, in accordance with the following:

1. CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the School District.
2. The parent will be given at least five (5) days' notice of the time and place of a CSE or CSE subcommittee meeting, except as otherwise provided in law and regulation, along with notice of the purpose of the meeting, those who will attend (including name and title), and the parent's right to be accompanied to the meeting by person(s) the parent considers to have knowledge and special expertise about their child.
3. The parent and the School District may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.
4. School District staff will take steps to provide the parent with an understanding concerning the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

The CSE or CSE subcommittee may meet without a student's parent only if the School District's staff have been unable to obtain either parent's participation, and has a record of its attempts to arrange a mutually agreed upon time and place. Similarly, the CSE or CSE subcommittee may make a decision without the involvement of the student's parent only if School District staff has been unable to obtain parental participation, even through the use of alternative means of participation, and has a record of its attempts to provide parental involvement.

### Parental Consent for the Provision of Services

The Board of Education acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, School District staff will take steps to obtain written informed consent for the initial provision of special education and related services to an eligible student. The Board of Education will be precluded by applicable law and regulations from commencing due process proceedings to override the parent's refusal to provide such consent or override the parent's failure to respond to such a request.

### VIII. Independent Educational Evaluations

The School District (District) has established the following procedures for obtaining independent educational evaluation(s) (IEE(s)) for children who are classified by the Committee on Special Education (CSE) or Committee on Preschool Education (CPSE) as having a disability or who are suspected of having a disability.

Parents with children who have been classified with a disability or children who are suspected of having an educationally related disability have the right under Federal and State regulations to obtain an IEE at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education § 200.5(g) and Federal Regulations 34 CFR § 300.502. Additionally, A Parent's Guide to Special Education: Your Child's Right to an Education in New York State and the Procedural Safeguards Notice, published by the New York State Education Department, detail IEE requirements. These documents are available from the Sachem School District Special Education Office for parents who desire to review them.

### Definition

An independent educational evaluation (IEE) means an evaluation conducted by qualified examiners as defined in § 300.502(a) (3) (i) who are not employed by the School District.

If a parent or guardian disagrees with the evaluation conducted by the School District, the parent or guardian may have the right to obtain one IEE at public expense for each School District evaluation. If a parent requests an IEE at public expense, the School District must, with unnecessary delay, either: (a) file a due process complaint to request an impartial hearing before an impartial hearing officer to contest the IEE for failure to comply with the School District's

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

criteria and/or to defend the appropriateness of the evaluation conducted by the School District, or (b) provide the IEE at public expense. If the impartial hearing officer determines that the School District's evaluation is appropriate, the parents/guardian would not have the right to a publicly funded IEE or the right to reimbursement for the IEE.

### Timeline

A parent may request an IEE at public expense from the School District at any time. However, a parent is entitled to only one IEE at public expense each time the School District conducts an evaluation of his/her child with which he/she disagrees. If a parent unilaterally obtains an evaluation at private expense and wishes to submit the private evaluation to the School District for reimbursement as an IEE at public expense, the parent will have up to ninety (90) days from the date of the private evaluation to request IEE reimbursement from the School District. A copy of the private evaluation report and an itemized invoice must be attached by the parent to the request for IEE reimbursement.

Requests should be in writing to:  
Coordinator of Student Services  
Sachem Central School District  
51 School Street, Lake Ronkonkoma, NY 11779

If the parent requests an IEE, the School District may ask why the parent objects to the evaluation of the child done by the School District. The School District may not require an explanation and may not unreasonably delay either providing the IEE at public expense or filing a due process complaint to request an impartial hearing to contest the IEE and/or defend the evaluations conducted by the School District.

### Public Expense

Public expense means that the School District either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. The School District shall provide reimbursement for evaluations at the rate customary in the community, as evidenced by the rates charged by Eastern Suffolk BOCES for such evaluations. The School District's special education office shall maintain a list of the particular evaluations, and the rates charged by Eastern Suffolk BOCES for such evaluations. This list shall be revised annually.

The School District may pay for an IEE only if conducted by an individual who possesses current license or certification from the New York State Education Department in the area of the evaluation. The maximum allowable fees set by the School District will be high enough to permit parents to choose among qualified professionals within a 50-mile radius of the School District. Requests for exception to the maximum allowable fees may be allowed by the School District if justified by the student's unique circumstances. Any request for such an exception should be forwarded in writing to the Coordinator of Student Services.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

### Responsibilities

Parents may select any professional who meets the criteria stated previously. The School District has established a list of qualified professionals who are in private practice or employees of other public agencies to whom parents may go to secure an IEE. It is the responsibility of the independent evaluator to contact the District to arrange for payment, dates of classroom visitations and discussions with school staff. The independent evaluator is also responsible for sending a copy of his/her current NYS certification/license to the Coordinator of Student Services.

The School District has the responsibility to designate the geographic area in which the parents would be limited in their search for an independent evaluator. The School District will consider for public funding evaluations conducted within a 50-mile radius of the district. The School District is not responsible for travel expenses and/or mileage to and from the evaluation site. Requests for exception to this geographic area limitation may be allowed by the District if justified by the student's unique circumstances. Any request for such an exception should be forwarded in writing to the Coordinator of Student Services.

### IX. Declassification

The Board of Education recognizes that it may be appropriate to declassify some students with disabilities. A student may mature and develop skills such that they no longer require the special program, support services or accommodations offered by an Individualized Education program (IEP), Individualized Education Services Program (IESP) or Services Plan (SP). The Committee on Special Education (CSE), the CSE Subcommittee or, the Committee on Preschool Special Education (CPSE), as applicable, is responsible for making this judgment, while adhering to the requirements of federal and state law and regulation.

### Reevaluation

Prior to determining that a student is no longer eligible for special education services and should be placed in a full-time regular education program, the CSE, CSE subcommittee, or CPSE, as applicable, will conduct a declassification evaluation of the student in accordance with the process and procedures prescribed for the evaluation and reevaluation of students with disabilities, by applicable law and regulations. However, the CSE, CSE subcommittee, or CPSE members may determine after reviewing existing evaluation data that no additional information is needed to determine the student's continued eligibility for services.

When a determination is made that no additional data is needed for reviewing a student's continued eligibility for special education services, the CSE, CSE subcommittee, or CPSE Chairperson, as applicable, will notify the student's parents of that determination and the reason



# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

for it, and of their right to nonetheless request an assessment. Unless the student's parents make such a request, the district will not conduct any further assessments.

The School District will provide the student's parents with a copy of the reevaluation report and documentation regarding the eligibility determination.

Consistent with applicable law and regulation, the district will not conduct a declassification evaluation if the reason why a student is determined to be ineligible for special education services is that he or she has either:

1. Graduated with a regular high school or Regents diploma; or
2. Exceeded the age of eligibility for services.
- 3.

However, in such an instance the district will provide the student with a summary of his or her academic achievement and functional performance that also includes recommendations on how to assist the student in meeting his or her post-secondary goals.

### *Declassification Support Services*

It is the goal of the Board of Education to provide an opportunity for the student to succeed in the transition to the regular education program. In order to facilitate that success, the CSE/CPSE may offer educational and support services for a period of time, not to exceed one year. Declassification support services may include:

1. for the student, psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services.
2. for the student's teachers, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel.

The CSE/CPSE will ensure that the appropriate teachers and service providers are informed of the need for the transition services, and will specify the nature and duration of those services.

### X. Re-evaluation

Prior to determining that a student is no longer eligible for special education services and should be placed in a full-time regular education program, the CSE, CSE subcommittee, or CPSE, as applicable, will conduct a declassification evaluation of the student in accordance with the process and procedures prescribed for the evaluation and reevaluation of students with disabilities, by applicable law and regulations. However, the CSE, CSE subcommittee, or CPSE members may determine after reviewing existing evaluation data that no additional information is needed to determine the student's continued eligibility for services.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

When a determination is made that no additional data is needed for reviewing a student's continued eligibility for special education services, the CSE, CSE subcommittee, or CPSE Chairperson, as applicable, will notify the student's parents of that determination and the reasons for it, and of their right to nonetheless request an assessment. Unless the student's parents make such a request, the School District will not conduct any further assessments.

The School District will provide the student's parents with a copy of the reevaluation report and documentation regarding the eligibility determination.

Consistent with applicable law and regulation, the School District will not conduct a declassification evaluation if the reason for the determination that the student is ineligible for special education services is that he or she has either:

1. Graduated with a regular high school or Regents diploma; or
2. Exceeded the age of eligibility for services.

However, in such an instance the School District will provide the student with a summary of his or her academic achievement and functional performance that also includes recommendations on how to assist the student in meeting his or her post-secondary goals.

### XI. Pre-School Special Education

The Board of Education recognizes the value of early intervention to address the needs of preschool children with disabilities. The Board further recognizes its responsibility to ensure that all resident preschool children with disabilities have the opportunity to participate in preschool programs, approved by the Commissioner of Education, from which they may benefit educationally. The Board of Education authorizes the Superintendent of Schools to establish administrative practices and procedures which shall include:

1. locating, identifying, evaluating, referring and placing all preschool children (generally ages three and four) with disabilities. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. ensuring that the parents(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. developing an individualized education program (IEP) for each preschool age child with a disability;
4. appointing appropriately qualified personnel to the CPSE, and ensuring that preschool education providers with whom the district contracts have appropriately trained and qualified personnel.
5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjacent counties in which the district is located;

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

6. preparing and keeping on file summary reports of student data including the number of preschool students with disabilities served, as well as students referred but not served and the reasons why they are not served; and
7. reporting to the State Education Department the data on preschool children with disabilities as required, on a form prescribed by the Commissioner.

The duties described above will be carried out within the timeframes established by statute and regulation.

The Board of Education hereby establishes the CPSE as required under the Education Law. Its responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability. It is ultimately the responsibility of the Board of Education to arrange for the appropriate approved preschool program and services for the district's children. Should the Board of Education disagree with the CPSE's recommendations, it shall send the recommendation back to the CPSE so that they may schedule a timely meeting to review the Board of Education's concerns and to revise the IEP, as deemed appropriate.

In the event that a parent/guardian files a due process complaint, a meeting must be convened between the parent/guardian and representatives of the School District to try and resolve the complaint within fifteen (15) days of receiving the notice, and before the initiation of an impartial hearing. Parents/guardians and the district will jointly determine who should be present at this meeting.

If an agreement cannot be reached, parent/guardians shall be offered mediation to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided.

The CPSE shall make an annual report on the status of each preschool child with a disability and report on the adequacy of preschool special education programs and services to the Coordinator of Student Services.

The Board of Education directs the Superintendent of Schools to develop and maintain a plan which incorporates information concerning the provision of services for preschool children with disabilities, pursuant to the Regulations of the Commissioner of Education.

### XII. Provision of Services

The Board of Education will arrange for appropriate special education and related services recommended by the CSE, CPSE, CSE or CPSE subcommittee within sixty (60) school days of the School District's receipt of parental consent to evaluate a student not previously identified as a student with a disability, or within sixty (60) school days of referral for review of a student with a disability, except as otherwise provided in law and regulations.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

If the Board of Education disagrees with the recommendations of the CSE, the Board of Education will either return the recommendation to the original CSE for further consideration, or establish a second CSE to develop a new recommendation for the student within the time frames contained in law and regulation.

All staff and/or related service providers responsible for the implementation of a student's individual education program (IEP), or Individual Education Services Program, will be provided with information regarding those responsibilities in addition to a paper or electronic copy of the IEP prior to the implementation of such IEP or shall be able to access such student's IEP electronically.

### XIII. Annual Review

The CSE/CPSE shall annually review the IEP or IESP of each student with a disability to determine:

1. The extent to which the student can benefit from participation in regular educational programs and services in the least restrictive environment;
2. The extent to which credit toward a high school diploma can be granted through participation in special education programs; and
3. The student's progress toward a high school diploma.

At each annual review of a student's IEP, the CSE shall consider the appropriateness of modifications, such as equipment modifications, modification of instructional techniques, and testing modifications.

### XIV. Use Of Time Out Rooms

The Board of Education recognizes that behavior management practices for students sometimes include the use of time out rooms. In order to ensure that use of a time out room as part of a behavior management approach is developed and implemented consistent with Section 200.22 of the Commissioner's Regulations which provides for physical and monitoring requirements, parental rights and certain IEP requirements for students with disabilities, the Board of Education prescribes the following guidelines:

A time out room is an area for a student to safely deescalate, regain control, and prepare to meet the expectations to return to his/her education program. Time out rooms are used in conjunction with a behavioral intervention plan in which a student is removed to a supervised area in order to facilitate self-control or to remove a student from a potentially dangerous situation. For the purpose of this policy, a potentially dangerous situation is an unanticipated situation that poses an immediate concern for the physical safety of a student or others.

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

Parents must be notified prior to the initiation in the Behavior Management Plan of a behavioral intervention for a child which would incorporate the use of a time out room. Upon request, parents must be shown the physical space that will be used for time out. Each such school must provide parents with a copy of the policy on the use of time out rooms.

### **Description of Time Out Room:**

A time out room shall provide a means for continuous visual and auditory monitoring of the student. School District staff shall continuously monitor the student in a time out room. Staff must be able to see and hear the student at all times.

The room shall be of adequate width, length, and height to allow the student to move about and recline comfortably. Wall and floor coverings should be designed to prevent injury to the student. There shall be adequate lighting and ventilation. The temperature of the time out room shall be within the normal comfort range and consistent with the rest of the building. The room shall be clean and free of objects and fixtures that could be potentially dangerous to a student. All local fire and safety codes shall be observed.

The time out room must be unlocked at all times and the door must be able to be opened from the inside. Under no circumstances may a locked room or space be used for the purposes of a time out.

### **Behavioral Management:**

A time out room will only be used as part of the District's behavior management. A student's individualized education program shall specify when a behavioral intervention plan includes the use of a time out room, including the maximum amount of time a student will need to be in a time out room as a behavioral consequence. Such maximum amount of time shall be determined on an individual basis based on the student's age and individual needs. Except for potentially dangerous situations described above, the time out room shall be used only in conjunction with a behavioral intervention plan that is designed to teach and reinforce alternative appropriate behaviors.

The District shall inform the student's parent(s) or guardian(s) prior to the initiation of a behavioral intervention plan that will incorporate the use a time out room. The School District shall further give the parent(s) or guardian(s) the opportunity to see the physical space that will be used as a time out room and provide the parent(s) or guardian(s) with a copy of the School District's policy on the use of such rooms.

### **Factors Precipitating the Use of a Time Out Room:**

The School District may place a student in a time out room when: (1) the student's behavior affects the teacher's ability to teach and/or the ability of the other students in the classroom to learn and the student's removal is necessary to maintain or restore control over the classroom; (2) the

# SACHEM CENTRAL SCHOOL DISTRICT

## PROGRAMS FOR STUDENTS WITH DISABILITIES UNDER THE IDEA AND NEW YORK EDUCATION LAW ARTICLE 89

Policy 4321

---

student's behavior poses a threat to him/herself or another individual; (3) the student requests a break in the time out room to regain his/her composure or self-control; or (4) a potentially dangerous situation arises. Except in the event of a potentially dangerous situation, the placement of a student in a time out room shall be in conjunction with that student's behavioral intervention plan.

The amount of time a student will need to be in a time out room will vary with the student's age, individual needs and Behavior Management Plan. Careful monitoring of the amount of time a student is in a time out room is required to so that a time out room is not being used to the detriment of a student or student's educational program.

A time out room must include a means for continuous monitoring of the student, both visually and aurally. The room must be of an adequate size (width, length and height) to allow the student to move about and recline comfortably. The ceiling height must be consistent with the ceiling height throughout the building. Wall and floor coverings should be designed to prevent injury. There shall be adequate lighting and ventilation and the temperature of the room shall be within the normal comfort range and consistent with the rest of the building. The room must be clean and free of objects and fixtures that could be potentially dangerous to a student and must meet all local fire and safety codes.

The time out room must be unlocked and the door must be able to be opened from the inside at all times. The use of locked rooms or spaces for the purposes of time out or emergency interventions is prohibited.

To ensure a student's safety, staff must be assigned to continuously monitor the student in the time out room. The staff assigned must be able to see and hear the student at all times. Individual determinations will be necessary to assess a student's need for direct adult supervision in the time out room.

### **Recordkeeping:**

A time out log shall be maintained for each use of the time out room. Information to be logged in includes the student's name, factors precipitating the time out intervention, the times the student entered and exited the time out room, the student's behavior during and upon exit of the time out room, and the names of the staff member(s) who initiated the time out room placement, supervised the student during the time out procedure, and removed the student from the time out room. In addition, the effectiveness of the time out procedure to decrease specified behaviors shall be monitored.

The District shall establish and implement procedures to document the use of the time out room, including information to monitor the effectiveness of its use to decrease specified behaviors. The District shall review the data collected through such monitoring and make any needed changes to its time out procedures, as is appropriate.

SACHEM CENTRAL SCHOOL DISTRICT

PROGRAMS FOR STUDENTS WITH DISABILITIES  
UNDER THE IDEA AND NEW YORK  
EDUCATION LAW ARTICLE 89

Policy 4321

---

**Staff Training:**

The District shall provide staff training to those staff members who may be called upon to implement time out interventions.

If a provision of this policy relating to use of time out rooms conflicts with the rules of a State agency operating an educational program, the rules of such State agency shall prevail so that the conflicting portions of this policy shall not apply.

Cross ref: Policy 4321.1 *et seq.*

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 *et seq.*;  
Education Law Article 89, §§4401 *et seq.*

34 CFR Part 300 *et seq.*; 34 CFR §300.305; 34 CFR 300.503;  
8 NYCRR Part 200; 8 NYCRR §§200.2(b)(4); 200.6 8 NYCRR §§200.1(u);  
8 NYCRR 200.2(b)(8), 200.4(b)(4-6), (c)(3-4); 200.5(a)(1)(vi)(a); 200.5(b); 200.5(c)(6)  
8 NYCRR §§100.1(q), (ooo)

Adoption Date:

**POLICY 4321.2**

**SCHOOL-WIDE PRE-REFERRAL  
APPROACHES AND INTERVENTIONS**

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**REVIEW REVISED POLICY**



# SACHEM CENTRAL SCHOOL DISTRICT

## SCHOOL-WIDE PRE-REFERRAL APPROACHES AND INTERVENTIONS

Policy 4321.2

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The Board of Education recognizes that the provision of academic and behavioral supports and targeted interventions for students who are not making academic progress at expected levels in the general curriculum may improve a student's performance, and help avert the need for referral for possible classification as a student with a disability. Therefore, the School District will implement on a school-wide basis practices appropriate to enable all of the School District's students to succeed in the general education environment.

The Superintendent of Schools or his/her designee will identify and take steps to implement a variety of practices appropriate to comply with this policy. Consistent with applicable law and regulation, those practices may include, for example:

1. Providing early intervention services with funds available to the School District, which may be coordinated with similar activities conducted pursuant to law. Such services would be made available to students not currently identified as needing special education and related services, but who need additional support to succeed in a general education setting. This may include professional development that enables teachers and other staff to deliver scientifically based academic instruction and behavioral interventions, such as scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive instructional software. It also may include educational and behavioral evaluations, services and supports.
2. Implementation of a response to intervention (RTI) program that includes the minimum requirements established by commissioner's regulations, and allows teachers and other staff to determine whether a student responds to scientific, research-based instruction or requires interventions beyond those provided to all students in the general education classroom.
3. Implementation of a positive behavioral intervention and support (PBIS) system that reduces school and classroom behavioral problems, and creates and maintains a safe and positive learning environment by promoting positive behavior in all students.

The School District's implementation of any of the above practices will not impede or delay the appropriate evaluation of a student suspected of having a disability, and the student's right to a free appropriate public education.

Cross-ref: Policy 4321, Programs For Students with Disabilities *et. seq.*

Ref: Individuals with Disabilities Education Act, 20 USC §§1413(f); 1414(b)(6)(B)  
34 CFR §§300.226; 300.307(a)(2)  
8 NYCRR §§100.2(ii); 200.2(b)(7)

Adoption date:

# **POLICY 4321.3**

## **ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES**

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### **REVIEW NEW POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES

Policy 4321.3

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The Board of Education recognizes that a school need not make each and every part of its existing facilities accessible, if it can relocate or reschedule enough classes so as to offer required courses and electives in accessible areas. No qualified student with a disability will be excluded from the School District because the facilities are inaccessible or unusable.

The Board of Education recognizes its responsibility to provide appropriate space for:

1. Special programs and services provided to meet the needs of students and preschool students with disabilities both within its own facilities, and in programs provided by the board of cooperative educational services (BOCES) and attended by School District residents; and
2. Serving students with disabilities in settings with non-disabled peers, as well.

The School District will address such space allocation needs as part of its annual budget cycle, during the annual or any more frequent re-evaluation of its long-range educational facilities plan, and as part of the biannual plan it must submit to the commissioner of education regarding the provision of services to students and preschool students with disabilities.

Through the Superintendent of Schools, the School District also will share with the BOCES District Superintendent information relevant for the BOCES to determine its own facility space needs for serving the School District's resident students and preschool students with disabilities.

As part of the process for the allocation of appropriate space for special education programs and services and serving students with disabilities in settings with non-disabled peers, the Superintendent of Schools, in consultation with appropriate school personnel will, at a minimum:

1. Periodically gather information regarding the number of students and preschool students with disabilities presently participating and anticipated to continue to participate in the School District's special education programs and services, the type of programming they presently receive and may receive in the future, as well as the setting in which those services are and/or will be provided.
2. Review the results of the School District's latest census, and other School District child find efforts, including child find activities conducted with respect to parentally-placed nonpublic school students with disabilities.
3. Anticipate any projected increase in the number of students and preschool students with disabilities the School District will be responsible for providing special education programs and services to, the anticipated type of services they will be receiving and the settings in which those services will be provided.

# SACHEM CENTRAL SCHOOL DISTRICT

## ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES

Policy 4321.3

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4. Based on the above information, review current space capacity, and identify any additional space requirements to meet both current and future needs.

Cross-ref: Policy 4321, Programs and Services for Students with Disabilities *et. seq.*

Ref: Individuals with Disabilities Education Act, 20 USC §§1400 et seq.  
8 NYCRR §§155.1(a); 200.2(c)(iv),(v); 200.2(g)

Adoption date: November 9, 2017

# **POLICY 4321.5**

## **CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS AND INDIVIDUALIZED EDUCATION SERVICES PROGRAMS**

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**REVIEW REVISED POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS AND INDIVIDUALIZED EDUCATION SERVICES PROGRAMS

Policy 4321.5

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The Board of Education recognizes the importance of maintaining the confidentiality of personally identifiable data pertaining to a student with a disability. Personally identifiable data will not be disclosed by any School District employee or member of a CSE/CPSE to any person (other than the parent of such student), organization or agency unless the parent or guardian of the child provides written consent; there is a valid court order for such information; or disclosure is permitted by law.

The Board of Education, while acknowledging the confidentiality requirement, believes that in order for each student with disabilities to receive the full benefit of his/her Individualized Education Program (IEP), Individualized Education Services Program (IESP), or Service Plan (SP) individuals responsible for implementing the program or plan must, prior to the implementation, fully understand the scope of their responsibility and the specific accommodations, modifications and supports to be provided.

This policy establishes procedures for the provision of services, accommodations or program modifications for students with an IEP, IESP or SP in accordance with that student's IEP, IESP or SP.

### I. IEP, IESP or SP Copies

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

The CSE, CSE Subcommittee and CPSE Chairpersons will provide a paper or electronic copy of each student's IEP, IESP or SP to each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for implementation of the program or plan. These individuals responsible for implementing an IEP or IESP shall, in turn, provide all paraprofessionals (teacher aides and teacher assistants) and other providers responsible for assisting in implementation with the opportunity to review their copy of the IEP, IESP or SP prior to program implementation, as well as have ongoing access to such copy. If a student's IEP, IESP or SP is revised during the school year, the School District will provide electronic access or copies of the IEP, IESP or SP to teachers and service providers consistent with law, regulations and this policy.

The Director of Special Education will provide a statement explaining that the IEP is a confidential document, and that any copy of a student's IEP provided pursuant to this policy shall remain confidential and shall not be re-disclosed to any other person in compliance with federal and state laws and regulations, including the Individuals with Disabilities in Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA).

# SACHEM CENTRAL SCHOOL DISTRICT

## CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS AND INDIVIDUALIZED EDUCATION SERVICES PROGRAMS

Policy 4321.5

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In addition, the Committee on Special Education chairperson shall designate a professional employee of the School District with knowledge of the student's disability and education program who shall, prior to the implementation of the IEP, inform each teacher, related service provider, assistant and support staff person of his or her responsibility relating to the implementation of the IEP and the specific accommodation, modifications and supports that must be provided for the student in accordance with the IEP.

The employee charged with the duty to inform each teacher, related service provider, assistant and support staff person of his or her responsibilities relating to the IEP shall also inform those individuals of the obligation to maintain the confidentiality of the IEP.

### II. Confidentiality

All copies of a student's IEP or IESP provided or made accessible under this policy must remain confidential, and shall not be redisclosed to any other person, except in accordance with the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). For purposes of confidentiality, the CSE and CPSE Chairpersons shall include with each IEP, IESP or SP copy provided or made accessible under this policy, a copy of the Board's policy on student records (Policy 5500). All IEP or IESP copies must remain in a secure location on school grounds at all times. If IEP copies are transmitted and/or provided electronically, security systems (e.g., password protect a file or folder) must be implemented to prevent unauthorized internal and external access to the student's IEP or IESP.

### III. Documentation

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

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

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

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

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.  
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g; 34 CFR Part 99  
Education Law §4402

# SACHEM CENTRAL SCHOOL DISTRICT

## CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION PROGRAMS AND INDIVIDUALIZED EDUCATION SERVICES PROGRAMS

Policy 4321.5

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8 NYCRR §§200.2(b)(11); 200.4(e)(3); 200.16(e)(6)

Adoption date:



# **POLICY 4321.6**

## **AVAILABILTY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES**

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**REVIEW REVISED POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## AVAILABILITY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES

Policy 4321.6

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The Board of Education recognizes its responsibility to provide instructional materials used in the District's schools in a usable alternative format for students with disabilities in accordance with their individual educational needs and course selection at the same time as those materials are available to non-disabled students. In accordance with applicable law and regulations, any such alternative format procured by the School District will meet the National Instructional Materials Accessibility Standard.

For purposes of this policy, alternative format will 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 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 with at least one alternative format conversion software program that is appropriate to meet the needs of the individual student.

The Superintendent of Schools or his/her designee will develop a plan to provide alternative format materials in accordance with the timeliness requirements of this policy. Such a plan will provide for:

1. Preference to vendors who agree to provide instructional materials in alternative formats, and to reflect this requirement in the bidding specifications used for the procurement of instructional materials. The same preference will be given to vendors of instructional materials ordered for the school library.
2. Consultation with appropriate school personnel regarding how students will access electronic files. The School District's technology staff will be notified of any need to convert electronic files into an accessible format such as Braille, large print, audio, or alternative display.
3. The availability of hardware and/or software a student with disabilities in need of alternative format materials might require to access the instructional material.
4. The yearly review of the School District's ordering timelines for the purchase of instructional materials to provide sufficient lead time for obtaining needed alternative format materials.
5. Notification to appropriate school personnel by the CSE, CSE subcommittee, CPSE and Section 504 Committee Chairperson whenever it is determined that a student needs instructional materials in alternative format. Such notice also will identify the particular alternative format needed, and any assistive technology devices or services the student might need to access the alternative format materials.
6. Notification by classroom teachers of the books they will be using in class and any list of required readings with sufficient lead time in anticipation of the School District's timelines for the purchase of instructional materials.
7. Consultation with the school librarian to make sure that specific library resources required by a student in need of alternative format materials to participate and progress in his or her selected courses are made available to the student in an accessible format.
8. Timely request of state assessments in alternative format.

# SACHEM CENTRAL SCHOOL DISTRICT

## AVAILABILITY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES

Policy 4321.6

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9. As soon as the School District is made aware that a student with a disability in need of materials in an alternative format will be moving into the School District during the school year, the School District shall initiate the procedures to obtain such materials.

Cross-ref:

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1474(e)(3)(B)  
Education Law § 1709(4-a); 3602(10)(b)  
8 NYCRR §§200.2(b)(10)

Adoption date:

# **POLICY 4321.7**

## **DISTRICT-WIDE AND STATE-WIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES OR 504 ACCOMMODATION PLANS**

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**REVIEW REVISED POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## DISTRICT-WIDE AND STATE-WIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES OR 504 ACCOMMODATION PLANS

Policy 4321.7

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The Board of Education recognizes the importance of offering access and appropriate testing accommodations to eligible students so that they can participate in assessment programs on an equal basis with their nondisabled peers. Two elements that contribute to an effective assessment program are proper use of accommodations and use of universal design principles in developing and administering tests.

### Testing Accommodations

Testing accommodations provide an opportunity for students with disabilities to:

- participate in the instructional and assessment program;
- demonstrate their strengths, knowledge and skills without being restricted by their disability; and
- provide an accurate measure of the standards being assessed so that appropriate instruction and services can be provided.

Testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested. Testing accommodations include, but are not limited to: flexibility in scheduling/timing; flexibility in the setting for the administration of the test; changes in the method of presentation and changes in the method of response. Testing accommodations are neither intended nor permitted to: alter the construct being measured or invalidate the results, provide an unfair advantage for students with disabilities over students taking the test under standard conditions or substitute for knowledge or abilities that the student has not attained.

The Committee on Special Education, the Subcommittee on Special Education or the Committee on Preschool Special Education is responsible for recommending the appropriate test accommodations and including those recommendations on the student's Individualized Education Program (IEP) or Individualized Education Services Program (IESP). The 504 multidisciplinary committee will include the appropriate test accommodations as part the 504 plan. If it is determined that a student should participate in alternative assessments instead of the standard statewide or District-wide tests, the CSE must indicate the reasons for doing so on the IEP or IESP.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or 504 team. The Board of Education acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among School District staff so that implementation is consistent and fair. The goal is to provide effective assessments that allow students to benefit from their educational program.

In some situations, a building principal may authorize the use of testing accommodations in accordance with this policy. Those instances are limited to cases where a regular education student incurs a disability, such as, but not limited to, a broken arm, without sufficient time for

# SACHEM CENTRAL SCHOOL DISTRICT

## DISTRICT-WIDE AND STATE-WIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES OR 504 ACCOMMODATION PLANS

Policy 4321.7

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the CSE, CPSE and/or Section 504 Committee to make a recommendation prior to a test. They do not include cases where the student is already being evaluated to determine his or her eligibility for status as a student with a disability. In exercising this authority, the building principal will rely on his or her professional judgment. He or she also may confer with CSE, CPSE and/or Section 504 Committee members.

### Universal Design Principles in District-wide Assessments

The Board of Education recognizes the benefits of using the principles of universal design to further the goal of providing equal access to District-wide assessments and to provide the most accurate measure of the performance of all students. The Board of Education directs the Superintendent of Schools, in consultation with appropriate school staff, to examine how universal design principles can be incorporated into the School District's assessment program, and to facilitate its use to the extent feasible. Any steps taken in this regard will be consistent with this policy and applicable State Education Department policy and/or guidance on the use of universal design principles.

At a minimum, the Superintendent of Schools or his/her designee will explore how School District assessments can be:

1. made more usable by students with diverse abilities.
2. designed to better accommodate a wide range of individual preferences and abilities.
3. made more understandable.
4. made to communicate necessary information to students more effectively.
5. designed to minimize adverse consequences of accidental or unintended actions.
6. used more efficiently and comfortably and with a minimum of student fatigue.

Cross-ref: Policy 4321, Programs with Disabilities *et. seq.*

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1401(35); 1412(a)(16)(E);  
34 CFR §§ 300.44  
Assistive Technology Act, 29 USC 3002(19)  
8 NYCRR §§200.1(jjj); 200.2(b)(13,14); 200.4(d)(2)(vi)  
§ 504 of the Rehabilitation Act of 1973

Adoption date:

**POLICY 4321.8**

**IMPARTIAL HEARING OFFICER**

**APPOINTMENT AND COMPENSATION**

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**REVIEW REVISED POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

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The Board of Education establishes the following policy to govern the appointment and compensation of impartial hearing officers for special education related impartial hearings pursuant to Part 200 of the Regulations of the Commissioner of Education.

The Board of Education will appoint impartial hearing officers (IHO), as needed, to hear complaints regarding the identification, evaluation, or placement of students with disabilities, or the provision of a free appropriate public education to such a student in accordance with the rotational selection process and other applicable procedures described in Commissioner's regulations.

### Selection

The updated list of certified IHOs promulgated by the New York State Education Department will be used in connection with requests for impartial hearings. The list shall also include the names of those other certified IHOs whose names appear on the state list and who have indicated to the School District their interest in serving as an IHO in the School District.

The Superintendent or his designee, the Director of Pupil Services shall be responsible for recommending IHOs to the Board of Education for approval.

Upon receipt of a request for an impartial hearing, the rotational selection process for the IHO shall be initiated immediately and always within two (2) business days after receipt by the School District of such written request. Should an IHO decline appointment, or if within twenty-four (24) hours the IHO fails to respond or is unreachable after reasonable efforts by the District Clerk, such efforts will be documented through independently verifiable efforts.

The District Clerk will initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served. This will be by telephone, or if unsuccessful, by leaving a message and sending a letter by overnight mail. The District Clerk will canvass the list in alphabetical order as prescribed by the Regulations of the Commissioner of Education until an appointment is accepted. The District Clerk shall then proceed through the list to determine availability of the next successive IHO.

An IHO on the School District's rotational list may not accept appointment unless he or she is available to:

1. Make a determination on the sufficiency of the due process complaint that will be heard at the hearing within five (5) days of receiving such a request; and
2. Initiate the hearing within the first fourteen (14) days after either:
  - The School District appoints the hearing officer; or
  - The date on which he or she receives written notice that the parents and the School District waived their right to hold a resolution meeting to resolve their



# SACHEM CENTRAL SCHOOL DISTRICT

## IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

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- differences prior to commencement of the hearing, or met but were unable to reach agreement; or
- The expiration of the thirty (30) day period beginning with the receipt of the due process complaint, whichever occurs first unless the parties agree in writing to continue mediation at the end of the thirty (30) day resolution period, in which case, the hearing or pre-hearing conference shall commence within the first fourteen (14) days after the impartial hearing officer is notified in writing that either party withdrew from mediation.

### Appointment

The Board of Education by resolution, or Board President by letter (or Vice President in his/her absence or inability), will appoint an IHO immediately after the IHO selected from the rotational list indicates he or she is available.

The Board of Education will rescind the appointment of an IHO and appoint a new one if, the parties to the hearing mutually agree that the IHO is either incapacitated or otherwise unavailable or unwilling to continue the hearing or issue a decision. The appointment of a new IHO in such an instance will be made in accordance with the selection and appointment procedures established by this policy.

### Compensation

The School 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. The School District will pay the impartial hearing office appointed at the rate of up to \$100 per hour for pre-hearing, hearing, and post-hearing activities. 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 School District reimbursement rate set for School District employees. Mailing costs associated with the hearing will also be reimbursed. The School District will not reimburse impartial hearing officers for administrative assistance, secretarial or other overhead expenses.

### Cancellation

The School District shall attempt to provide an Impartial Hearing Officer with two (2) business days' advance notice of the cancellation or re-scheduling of an impartial hearing. Should the School District request the cancellation or re-scheduling of a hearing date and fail to provide an Impartial Hearing Officer with two (2) days' notice, the School District agrees to pay the Impartial Hearing Office a fee of \$100.00. The School District shall not be responsible for costs associated with a parent or guardian's cancellation or adjournment of a hearing.

A copy of this policy will be forwarded to the impartial hearing officer at the time of appointment.

# SACHEM CENTRAL SCHOOL DISTRICT

## IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

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Records relating to the IHO process including, but not limited to, the request for initiation and completion of each impartial hearing will be maintained by the School District and such information will be reported to the New York State Education Department's Office of Special Education as required by Commissioner's regulations.

Cross Ref:

Ref: 8 NYCRR §§200.2(b)(9), (e)(1); 200.5(j); 200.21

Adoption date:

# **POLICY 4321.11**

## **PUBLIC REPORT ON REVISIONS TO DISTRICT POLICIES, PRACTICES AND PROCEDURES UPON A FINDING OF SIGNIFICANT DISPROPORTIONALITY**

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### **REVIEW NEW POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## PUBLIC REPORT ON REVISIONS TO DISTRICT POLICIES, PRACTICES AND PROCEDURES UPON A FINDING OF SIGNIFICANT DISPROPORTIONALITY

Policy 4321.11

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The Board of Education recognizes that, despite the School District's best efforts, there may be times when there might be a disproportionate representation of racial and ethnic groups in its special education programs and services, and/or with respect to the suspension of students with disabilities. To minimize the risk of such an occurrence, the Board of Education has endeavored to adopt policies, practices and procedures for the School District that are consistent with the IDEA and Article 89 of New York's Education Law, and their implementing regulations.

Nonetheless, upon a determination of significant disproportionality either in the suspension, identification, classification and/or placement of the School District's students with disabilities, the Board of Education will review the School District's policies, practices and procedures to determine whether they are fully compliant with the requirements of the IDEA and Article 89, or require revisions. If changes are needed, the Board of Education will take steps to adopt and implement any and all necessary revisions.

The Board of Education will inform the public of any revisions to the School District's policies, practices and procedures undertaken as a result of a finding of significant disproportionality. The Superintendent of Schools will notify school personnel responsible for implementing the revisions.

Cross-ref: Policy 4321 Programs for Students with Disabilities *et seq.*

Ref: Individuals with Disabilities Education Act, 20 USC §§1412(a)(24); 1418(d)  
34 CFR §§300.173; 300.646  
8 NYCRR §§200.2(b)(15).

Adoption date:

**POLICY 4321.14**  
**SPECIAL EDUCATION PERSONNEL**

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**REVIEW REVISED POLICY**

# SACHEM CENTRAL SCHOOL DISTRICT

## SPECIAL EDUCATION PERSONNEL

Policy 4321.14

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The Board of Education acknowledges its responsibility to recruit, hire, train and retain highly qualified personnel, as defined in the federal Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and in Article 89 of New York State Education law and its accompanying regulations, to provide special education programs and services. In addition, the Board of Education is committed to appointing appropriately qualified personnel to the Committee (and subcommittee) on Special Education (CSE) and Committee (and subcommittee) on Preschool Special Education (CPSE).

The Board of Education will fulfill its obligation with regard to special education personnel by taking measurable steps including, but not limited to the following:

1. actively recruit personnel who possess prior experience working with students with disabilities.
2. solicit resumes from graduates of institutions of higher education that offer programs in special education.
3. seek candidates for teaching positions who are dually certified, to the extent possible.
4. facilitate the participation of every member of the professional staff in annual professional performance reviews and professional development plans.
5. provide appropriate on-going training and professional development to CSE and CPSE members, and other special education program and service providers to provide an opportunity for continuing awareness of their obligations and responsibilities under the law.

The Superintendent of Schools or his/her designee is responsible for documenting that the professional staff is appropriately certified, licensed and trained and that they meet the “highly qualified” standard established in federal and state law. In the event that highly qualified individuals are not available, despite the best efforts of the administration, the Board of Education recognizes its responsibilities to meet the alternative standards established by the State Education Department.

Cross-ref: Policy 4321, Programs for Students with Disabilities *et. seq.*

Ref: Individual with Disabilities Education Act, 20 USC §§ 1412(a)(14), 1413(a)(3)  
34 CFR §§ 300.156, 300.207  
Education Law §4410  
8 NYCRR §§ 200.2(b)(3), (12)

Adoption date