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Sachem Central School District

Student Services Office

District Plan of Service for Special Education

District Policies, Practices and Procedures for
Assuring Appropriate Educational Services and Due
Process in Evaluation and Placement of Students
with Disabilities

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Program Philosophy

It is the philosophy and practice of the Sachem Central School District to provide educational programs and services to meet the nature and extent of the severity of the child's disability and special needs. Placements outside of the general class are only determined after careful consideration of the provision of supplemental aids and services.

The Sachem Central School District utilizes a variety of services, spanning the range from general education with supplemental support services to the provision for private residential settings students with the most severe and profound disabilities.

It is our practice that each student be educated in the least restrictive environment. Every student needing special education programming/services must be provided such services with minimal displacement from his/her classroom. For example, students will not be placed in special education classes if their needs can be adequately met through the provision of support services within the general education setting.

We believe that students and their parents must be viewed as active participants in the planning process. It is the school district's responsibility to inform parents of their rights. Parents must give their consent for formal evaluation by the school and should be invited to participate in conferences held on behalf of their child. Further, parents must be provided with written notice regarding the Committee on Special Education (CSE) and Committee on Preschool Special Education (CPSE) determinations. If parents disagree with the CSE/CPSE determinations, the parent is entitled to due process. They may request special education mediation and/or an impartial hearing.

The following six general objectives of the Office of Student Services are consistent with the philosophy outlined above.

1. That every student who is the legal responsibility of the Sachem Central School District will receive a free and appropriate public

education. Students are eligible to receive educational services until the completion of the school year of their 21st birthday or until the attainment of a local/regents diploma, whichever occurs earlier.

2. That the determination of the CSE/CPSE be consistent with the continuum of services outlined in the Commissioner's Regulations and be based on such items as: chronological age; learning rate; academic functioning; social/emotional development; physical development; and management needs.
3. That every student with a disability will be educated in his/her least restrictive environment, and have access to the full range of programs and services available to their non-disabled peers.
4. That every student with a disability has the right to participate in extra-curricular activities.
5. That every student with a disability has an Individualized Education Program (IEP) that is reviewed at least annually.
6. That the school will involve students, their parents and staff from both general and special education in the education process, including participation in advisory groups determining the future direction of special education programs and services.

Description and Scope of Special Education Programs and Services

As specified by New York State Education Law and the Commissioner's Regulations, a continuum of program alternatives is available to meet the varied needs of students with disabilities who reside in the Sachem Central School District. The continuum represents programs which are available within the district, by contract with neighboring school districts, provided by BOCES or private educational agencies and by State supported schools.

Students are placed into special education programs only when the severity of their disability is such that education in general education classes even

with the use of supplementary aids and services cannot be achieved satisfactorily.

In-District School Aged Special Education

Consultant Teacher Services

Consultant teacher services, as defined in section 200.1(m) of the Commissioner's Regulations, shall be for the purpose of providing direct and/or indirect services to students with disabilities who attend regular education classes, including career and technical education classes, and/or to such students' regular education teachers. Such services shall be recommended by the committee on special education to meet specific needs of such students and the student's individualized education program (IEP) shall indicate the regular education classes in which the student will receive consultant teacher services. Consultant teacher services shall be provided in accordance with the following provisions:

1. The total number of students with disabilities assigned to a consultant teacher shall not exceed 20.
2. Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week, except that the committee on special education may recommend that a student with a disability who also needs resource room services in addition to consultant teacher services, may receive a combination of such services consistent with the student's IEP for not less than three hours each week.

Related Services

Related Services, as defined in section 200.1(qq) of the Commissioner's Regulations means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech-language pathology, audiology services, interpreting services,

psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling services, orientation and mobility services, medical services as defined in this section, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation, other appropriate developmental or corrective support services, and other appropriate support services and includes the early identification and assessment of disabling conditions in students.

The CSE recommends any related service that is appropriate to a student's individual needs.

Resource Room

Resource Room, as defined in section 200.6 (f) of the Commissioner's Regulations shall be for the purpose of supplementing the regular or special classroom instruction of students with disabilities who are in need of such supplemental programs.

1. Each student with a disability requiring a resource room program shall receive not less than three hours of instruction per week in such program except that the committee on special education may recommend that for a student with a disability who also needs consultant teacher services in addition to resource room services may receive a combination of such services consistent with the student's IEP for not less than three hours per week.
2. Students shall not spend more than 50 percent of their time during the day in the resource room program.
3. An instructional group which includes students with disabilities in a resource room program shall not exceed five students per teacher.
4. The composition of instructional groups in a resource room program shall be based on the similarity of the individual needs of the students according to:

- (i) levels of academic or educational achievement and learning characteristics;
- (ii) levels of social development;
- (iii) levels of physical development; and
- (iv) the management needs of the students in the classroom.

The total number of students assigned to a resource room teacher will not exceed 20 at the elementary level and 25 at the middle and high school levels. The service may be provided using both a pull-out model and a push in model, although it is predominately provided using a pull-out model.

Resource room programs are available at all levels as per the recommendations of the CSE.

Integrated Co-Teaching Services

Integrated Co-Teaching Services, as defined in section 200.6 (g) of the Commissioner's Regulations states that a school district may include integrated co-teaching services in its continuum of services. Integrated co-teaching services means the provision of specially designed instruction and academic instruction provided to a group of students with disabilities and nondisabled students.

1. The maximum number of students with disabilities receiving integrated co-teaching services in a class shall be determined in accordance with the students' individual needs as recommended on their IEPs, provided that the number of students with disabilities in such classes shall not exceed 12 students, unless a variance is provided.
2. School personnel assigned to each class shall minimally include a special education teacher and a general education teacher.

3. Additional personnel, including supplementary school personnel, assigned to such classes by the district, may not serve as the special education teacher pursuant to paragraph (2) of this subdivision.

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

Special Education Classes

Special classes, as defined in section 200.6 (h) of the Commissioner's Regulations states the following standards shall be used in the provision of special classes for students with disabilities:

1. A student with a disability shall be placed in a special class for instruction on a daily basis to the extent indicated in the student's individualized education program.
2. In all cases the size and composition of a class shall be based on the similarity of the individual needs of the students according to:
 - (i) levels of academic or educational achievement and learning characteristics;
 - (ii) levels of social development;
 - (iii) levels of physical development; and
 - (iv) the management needs of the students in the classroom.
3. A special class shall be composed of students with disabilities with similar individual needs.

4. Special class size for students with disabilities. The maximum class size for those students whose special education needs consist primarily of the need for specialized instruction which can best be accomplished in a self-contained setting shall not exceed 15 students, or 12 students in a State-operated or State-supported school, except that:

- (i) The maximum class size for special classes containing students whose management needs interfere with the instructional process, to the extent that an additional adult is needed within the classroom to assist in the instruction of such students, shall not exceed 12 students, with one or more supplementary school personnel assigned to each class during periods of instruction.
- (ii)
 - (a) The maximum class size for special classes containing students whose management needs are determined to be highly intensive, and requiring a high degree of individualized attention and intervention, shall not exceed six students, with one or more supplementary school personnel assigned to each class during periods of instruction.
 - (b) The maximum class size for special classes containing students whose management needs are determined to be intensive, and requiring a significant degree of individualized attention and intervention, shall not exceed eight students, with one or more supplementary school personnel assigned to each class during periods of instruction.
- (iii) The maximum class size for those students with severe multiple disabilities, whose programs consist primarily of habilitation and treatment, shall not exceed 12 students. In addition to the teacher, the staff/student ratio shall be one staff person to three students. The additional

staff may be teachers, supplementary school personnel and/or related service providers.

5. The chronological age range within special classes of students with disabilities who are less than 16 years of age shall not exceed 36 months. The chronological age range within special classes of students with disabilities who are 16 years of age and older is not limited. However, there shall be no chronological age-range limitations for groups of students placed in special classes as described in subparagraph (4)(iii) of this subdivision.

The Sachem Central School District offers the following class size ratios: 15:1, 12:1:4, 12:1:1, 8:1:1, 8:1:2, 8:1:3.

Sachem Transitional Elementary Program (S.T.E.P.) and Classes Designed for Students with Autism

S.T.E.P. for students classified with Autism is unique in its allocation of services and program design. The program was entirely developed in joint collaboration of staff, parents and with the guidance of a contracted consultant. The program meets the needs of the students being prepared for full mainstreaming. S.T.E.P. is a K-2 special education class serving students transitioning into mainstream settings. S.T.E.P. has a maximum register of twelve students for a special education teacher, push-in speech therapy and access to a behavioral specialist. In addition teacher assistants are assigned to the program to assist the students in the mainstream settings. All staff members are specially trained to work with students on the Autism spectrum. Related services are provided based on student need.

In the S.T.E.P. class, students spend up to half of the school day in the special class and the instruction reflects the specific needs and learning styles of the students. Specific language programs and academic reinforcements are addressed. Applied Behavioral Analysis is a component of the instructional process that may be utilized. The school day is structured so that students receive mandated related services during the special class portion of the school day.

The remaining portion of the day is spent in a mainstream setting within the school. In the mainstream, the teaching assistants facilitate program goals relating to social skills development and provision of behavioral supports. The amount of time spent in each portion of the program is totally dependent upon the student's needs and abilities. It is the goal for each student to spend as much time as possible in the mainstream.

Transitional Support Services

Transitional support services, as defined in section 200.1 (ddd) of the Commissioner's Regulations means those temporary services, specified in a student's individualized education program, provided to a regular or special education teacher to aid in the provision of appropriate services to a student with a disability transferring to a regular program or to a program or service in a less restrictive environment.

Declassification Support Services

Declassification support services, as defined in section 200.1 (ooo) of the Commissioner's Regulations means those services provided by persons appropriately certified or licensed pursuant to Part 80 of this Title in the appropriate area of service, to a student or such student's teacher(s) to aid in such student's transition from special education to full-time regular education, including:

1. for the student, psychological services, social work services, speech and language services, counseling (other than career counseling), and other appropriate support services; and
2. for the student's teacher(s), the assistance of supplementary school personnel, and consultation with appropriate personnel.

When the Committee on Special Education determines that a student be declassified, the Committee defines the type of service the student requires, as well as the duration of the services during the first year that the student moves into full time regular education. The student may also require the continuation of the safety net and/or testing accommodations.

Special Education Summer School Programs

The in-district special education summer program is designed to provide an extended school year to those students with IEPs requiring twelve month programming consistent with Part 200.6 (k) of the Commissioner's Regulations. The summer program operates thirty days within the months of July and August. Class size options of 8:1+1, 8:1:2, 8:1+3 and 12:1:1 are offered. The program provides students with the opportunity to prevent regression in their academic, social/emotional, physical and management skills areas. Daily activities provide students with various learning opportunities including enhancement of language development. The summer school is housed in one of the district's schools. In addition to a full range of related services, the summer program also provides students with the opportunity to continue with their goals in community referenced instruction and career preparation.

In addition, the Sachem Special Education Summer School Program is approved for the provision of related service only. These services include, but are not limited to Occupational Therapy, Physical Therapy, Speech, Counseling and Reading.

Vocational Programs

These programs are designed to address the vocational needs of students with disabilities, focusing on the transition from secondary school to post-secondary education or to the workplace. Career awareness, community referenced instruction, supported work placements, and job coaching are integral components of the program. The district employs Transition Coordinators at the secondary level to facilitate the transition to post secondary settings.

Vocational training opportunities exist both in-district and in BOCES settings. Assessments conducted by vocational specialists, employed by the BOCES and/or the Sachem Central School District, can be performed at the discretion of the Committee on Special Education. Transition planning and

articulation with OPWDD, ACCESS-VR and appropriate adult service providers is ongoing to ensure attainment of a student's and his/her parents' post-secondary aspirations.

Job development has been the primary focus of the Transition Coordinators. Work sites offering a variety of levels in employment experiences have been identified. Career exploration and preparation are the major goals of the program.

BOCES provides vocational services to our students with disabilities in Occupational Education Programs and Special Career Educational Programs (SCE). Students attending these facilities spend two and a half hours daily in courses ranging from auto mechanics, carpentry, welding, food service, photography, commercial art and architecture. Participation in all vocational programs rests with decisions reached within transition planning session involving the participation of the student, his/her parent(s), school personnel and outside adult service providers where appropriate. Final determinations are made by the Committee on Special Education.

BOCES Placements

The school district seeks to maximize the number of disabled students that can be educated in-district, but there are groups of students for whom in-district programs are not appropriate. These students (approximately 4% of the aggregate) are provided equivalent educational programs and services within BOCES and/or private facilities, because placement in these facilities is the least restrictive environment determined by the Committee on Special Education. The students' placement in such programs will not preclude their involvement in district extra-curricula activities.

Eastern Suffolk BOCES - Elementary Programs

- The Masera Learning Center provides instruction to children with moderate to severe Autism and related developmental disabilities. The staff provides specialized individual and small group instruction utilizing the following best practice

methodologies: Discrete Trial Instruction, Multi-Media Instruction, Community Integration Experiences, Social Stories, Pre-Vocational Skills, Applied Behavioral Analysis, ADL (Activities for Daily Living Skills), Task Analysis, Functional Behavioral Assessment / Behavior Intervention Plans

- The Functional Academic Skills Program at Premm Learning Center services students with moderate to severe developmental disabilities. The primary goal of the program is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of their disability. Program components include academics with an emphasis on functional skill development, utilizing a modified Common Core Curriculum. Behavior management, independent living and social skills are also addressed. Functional assessments of behavior and behavior intervention plans are implemented for support when needed. All students are assessed using the New York State Alternate Assessment.

The 12:1:4 Program at Premm Learning Center emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid in movement and independence. Students placed in the 12:1:4 class component are non-ambulatory and are dependent upon staff for meeting their needs throughout the school day. Classroom instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push-in basis. All students are assessed using the New York State Alternate Assessment.

The Premm Learning Center offers included class components for elementary students within off site district mainstream programs. The students serviced within the included programs experience learning disabilities but exhibit minimal to no behavioral concerns. The primary goal of the included class program is to maximize each student's potential and to act as the bridge to possibly

return to home school district. Instruction in these classes emphasizes a modified Common Core Curriculum, behavior management, and self-advocacy and social skills, while also providing the opportunity to be integrated with the mainstream population for special subject classes, lunch, assemblies and academic subject areas when appropriate.

- Sayville Academic Center, in collaboration with Sagamore Children's Center, services students with mild to severe learning disabilities and moderate to severe behavioral and/or intensive counseling concerns. A comprehensive, structured school wide behavior management system is used.
- The Westhampton Beach Learning Center (WHBLC) Autism Program services students with various developmental disabilities. The primary goal of the program is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of his/her disability. Program components include academics, with an emphasis on functional skill development. Behavior management, independent living and social skills are also addressed. Where needed, discrete trial instruction and applied behavioral analysis are utilized in conjunction with grade level curriculum. Functional assessments of behavior and behavior intervention plans are implemented for support when needed.

The Developmental Program services students with various developmental disabilities. The primary goal of the program is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of his/her disability. Program components include improving cognition with an emphasis on sensory motor skills development. Functional assessments of behavior and behavior intervention plans are put in place for support when needed.

The 12:1:4 Program at WHBLC emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid movement and independence. Students placed in the 12:1:4 class component are dependent upon staff for meeting their needs throughout the school day. Classroom instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push-in basis. All students are assessed using the New York State Alternate Assessment.

Eastern Suffolk BOCES – Middle School Programs

- The Brookhaven Learning Center provides a continuum of services for students with moderate to severe developmental disabilities. Students participate in a modified New York State Curriculum with an emphasis on life skills.
- The academic program at Jefferson Academic Center is available to special education and non-classified “at risk” students who require an alternate approach to learning. The students have moderate to severe learning disabilities, Autism Spectrum disorders, or moderate to severe behavioral and/or intensive counseling concerns. Psychiatric services are also available through collaboration with Sagamore Children’s Center.
- The Functional Academic Skills Program at Premm Learning Center services students with moderate to severe developmental disabilities. The primary goal of the program is to maximize each student’s potential and to teach skills that will enable them to become as independent as possible within the confines of their disability. Program components include academics with an emphasis on functional skill development, utilizing a modified Common Core Curriculum. Behavior management, independent living and social skills are also addressed. Functional assessments of behavior and behavior intervention plans are implemented for

support when needed. All students are assessed using the New York State Alternate Assessment.

The 12:1:4 Program at Premm Learning Center emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid movement and independence. Students placed in the 12:1:4 class component are non-ambulatory and are dependent upon staff for meeting their needs throughout the school day. Classroom instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push-in basis. All students are assessed using the New York State Alternate Assessment.

- The Pre-Vocational Program at Westhampton Beach Learning Center (WHBLC) services students with various developmental disabilities. The primary goal of the program is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of his/her disability. Program components include academics with an emphasis on functional skill development, as well as simulated work activities to apply newly acquired knowledge. Behavior management, independent living, and social skills are also addressed. Where needed, discrete trial teaching and applied behavioral analysis is utilized in conjunction with grade level curriculum. Functional assessments of behavior and behavior intervention plans are implemented for support when needed.

The Secondary Developmental Program services students with various developmental disabilities. The primary goal of the program is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of his/her disability. Program components include improving cognition with an emphasis on sensory motor skills development. Functional assessments of behavior and

behavior intervention plans are put in place for support when needed.

The 12:1:4 Program at Westhampton Beach Learning Center emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid movement and independence. Students placed in the 12:1:4 class component are dependent upon staff for meeting their needs throughout the school day. Classroom instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push-in basis. All students are assessed using the New York State Alternate Assessment.

The Academic Center Middle School Program services students with learning and behavioral disabilities. The primary goal of the program is to maximize each student's potential. Program components include instruction that is comprised of the general education curriculum and which supports the Common Core State Standards. Behavior management, self-advocacy and social skills are addressed. A building-wide behavior management plan is an integral part of the program. Functional assessments of behavior and behavior intervention plans are implemented for support when needed.

Eastern Suffolk BOCES – Secondary School Programs

- The 8:1:1+2 Program at Bellport Academic Center (BAC) – Students appropriate for this intensive service model have moderate cognitive impairment with a pattern of moderate intermittent acting-out behaviors with a possible psychiatric history. The class ratio consists of eight students, one teacher, one teacher assistant and two classroom-shared aides. Students participate in either the NYS General or Alternate Assessments. The focus of this program is on social/emotional skills, career

development, and transition to post-secondary placements/employment. Beginning at age 14, all students taking the NYSAA will participate in Special Education Career Training at the Islip Career Center. Students participating in the general education curriculum and working toward a Regents Diploma begin career classes in the eleventh grade. Upon completion of the program, students are eligible for the following diplomas/credentials: Regents, CDOS, or the Skills and Achievement Commencement Credential. There is a psychiatrist available on a consult basis and parent training/support groups are offered monthly by the program social worker.

The Bellport Academic Center 8:1:1 Program services students with moderate behavioral and/or intensive counseling concerns and moderate to severe learning disabilities. Ninth and tenth grade students receive a full day academic program while eleventh and twelfth graders receive a half day of academics combined with Career and Technical Education and Special Career Education Programs. Students are offered a departmentalized academic program of New York State Regents Curriculum.

- The Brookhaven Learning Center provides a continuum of services for students with moderate to severe developmental disabilities. Students participate in a modified New York State Curriculum with an emphasis on life skills.
- The Transition Services Program provides a half day or full day, applied academics program, which emphasizes life and employability skills, to students with mild to moderate disabilities. By utilizing a variety of simulated and real-life settings, students are prepared to transition from school to post-secondary outcomes. Included in the Transition Services Program is the Work Activities Center (WAC) for students sixteen to twenty-one, who meet established criteria, to have volunteer work experience in the community under the direct supervision of a job coach.

- The multifaceted academic program at Islip Academic Center is available to secondary special education and non-classified “at-risk” students 14-21 with severe behavioral concerns and limited anger management skills. The Islip Academic Center offers both a 6:1:1 modified departmentalized program and an 8:1:1 departmentalized program based on New York State Regents Curriculum. All students receive weekly counseling at least one time individually and one time in a group setting to address social skills and behavior management needs.
- The 12:1:4 Program at Premm Learning Center emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid movement and independence. Students placed in the 12:1:4 class component are non-ambulatory and are dependent upon staff for meeting their needs throughout the school day. Classroom group instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push-in basis. All students are assessed using the New York State Alternate Assessment.
- The Sequoya High School services students who have mild behavioral and/or intensive counseling concerns and/or mild to moderate learning disabilities. Ninth and tenth grade students receive a full day departmentalized academic program aligned to New York State Regents Curriculum. This same program is offered to eleventh and twelfth grade students with options available for students interested in a half day academic program and a half day Career and Technical Education component. Psychiatric services are also available through collaboration with Sagamore Children’s Center.
- The Westhampton Beach Learning Center (WHBLC) Pre-Vocational Program services students with various developmental disabilities. The primary goal of the program is to maximize each student’s potential and to teach skills that will enable them to

become as independent as possible within the confines of his/her disability. Program components include academics with an emphasis on functional skill development, as well as simulated work activities to apply newly acquired knowledge. Behavior management, independent living, and social skills are also addressed. Where needed, discrete trial and applied behavioral analysis is utilized in conjunction with grade level curriculum. Functional assessments of behavior and behavior intervention plans are implemented for support when needed.

The Westhampton Beach Learning Center (WHBLC) Secondary Developmental Program services students with various developmental disabilities. The primary goal is to maximize each student's potential and to teach skills that will enable them to become as independent as possible within the confines of his/her disability. Program components include improving cognition with an emphasis on sensory motor skills development. Functional assessments of behavior and behavior intervention plans are put in place for support when needed.

The 12:1:4 Program at Westhampton Beach Learning Center emphasizes a multi-sensory approach to learning. Emphasis is placed on improving cognition, sensory motor skills development and use of adaptive equipment to aid movement and independence. Students placed in the 12:1:4 class component are dependent upon staff for meeting their needs throughout the school day. Classroom instruction is provided with hand over hand assistance. Related services of speech, occupational therapy and physical therapy are provided on a group push in basis. All students are assessed using the New York State Alternate Assessment.

Sagamore Hospital Children's Center – Intensive Counseling Program, South Oaks and Brunswick Hospital

This program serves students who are in need of acute care for emotional/substance abuse issues. Students receive intensive therapeutic intervention and monitoring of pharmacologic regimes. Therapies are administered by hospital staff and the education component is provided via cross-contract with Western Suffolk BOCES. The program operates six days a week.

Home and Hospital Instruction

Home and hospital instruction as defined in section 200.6 (i) of the Commissioner's Regulations states that students with disabilities who are recommended for home and/or hospital instruction by the committee on special education shall be provided instruction and appropriate related services as determined by the committee on special education in consideration of the student's unique needs. Home and hospital instruction shall only be recommended if such placement is in the least restrictive environment and must be provided:

- (1) a minimum of five hours per week at the elementary level, preferably one hour daily; or
- (2) (2) a minimum of 10 hours per week at the secondary level, preferably two hours daily.

Private Schools and Residential Placements

Students are enrolled in special education programs operated by private schools to the extent that these programs represent the least restrictive environment and that appropriate less restrictive options do not exist for them either in other local education agencies or in BOCES.

Students who require a residential placement are recommended to such schools. These placements are reserved for the District's most severely disabled students.

Committee on Preschool Special Education (CPSE)

The steps to accessing services through the Committee on Preschool Special Education (CPSE) are established in New York State Education Law (4410) and the Regulations of the Commissioner, and provide parents and their children with certain rights. The New York State Education Department (NYSED), Office of Vocational and Educational Services for Individuals with Disabilities (VESID) oversees a statewide preschool special education program with school districts, municipalities, approved providers and parents. Evaluations and specially planned individual or group instructional services or programs are provided to eligible children, ages 3-5, who have a disability that affects their learning.

If a parent has concerns about their child's cognitive, language and communicative, adaptive, socio-emotional or motor development which adversely affects their ability to learn, they may refer their child to the CPSE for evaluation. Children who are currently receiving Early Intervention (EI - birth to 3 years) through the Department of Health Services and are approaching their third birthday may also access the preschool special education process if there are continued concerns about their development in any area. The child's Early Intervention Official is responsible for assisting the parent in making this transition. Parents register their preschooler through Central Registration and complete a referral request to the CPSE. The Sachem Office of Student Services (OSS) preschool team then contacts the parent to explain the CPSE process, eligibility guidelines and due process rights. A request for consent for evaluations is then mailed home. The parent has the right to select any approved evaluation center or the evaluations may be completed in their home by an approved evaluator. Once parental consent is received in Sachem's OSS, the evaluating agency is contacted and the agency schedules the evaluation with the parent. Upon completion, the evaluations are forwarded to Sachem's Committee on Preschool Education (CPSE) and a meeting is scheduled to determine whether the child requires special education services.

Committee on Preschool Special Education Membership

The membership of the CPSE includes, but is not limited to:

- the parents of the preschool child;
- not less than one regular education teacher of the child whenever the child is or may be participating in the regular education environment;
- not less than one special education teacher of the child, or, if appropriate, not less than one special education provider of the child;
- a representative of the school district who is qualified to provide or supervise special education and who is knowledgeable about the general education curriculum and the availability of preschool special education programs and services and other resources of the school district and the municipality. The representative of the school district shall serve as the chairperson of the committee;
- an additional parent member of a child with a disability residing in the school district or a neighboring school district and whose child is enrolled in a preschool or elementary level education program, if specifically requested in writing by the parent of the student or by a member of the committee at least 72 hours prior to the meeting;
- an individual who can interpret the instructional implications of evaluation results, provided that such individual may also be the individual appointed as the regular education teacher, the special education teacher or special education provider, the school psychologist, the representative of the school district or a person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fulfill this role on the committee;

- other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party (parents or school district) who invited the individual to be a member of the committee on special education;
- for a child in transition from early intervention programs and services, at the request of the parent, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child; and
- a representative of the municipality of the preschool child's residence, provided that the attendance of the appointee of the municipality shall not be required for a quorum.

Eligibility Criteria

According to Regulations of the Commissioner, pursuant to Section 4410 of the NYS Education Law, a preschooler with a disability shall exhibit a significant delay or disorder in one or more functional areas related to cognitive, language and communicative, adaptive, socio-emotional or motor development which adversely affects the student's ability to learn. Such delay or disorder shall be documented by the results of the individual evaluation which includes but is not limited to information in all functional areas obtained from a structured observation of a student's performance and behavior, a parental interview and other individually administered assessment procedures, and, when reviewed in combination and compared to accepted milestones for child development, indicate:

- a 12-month delay in one or more functional area(s); or
- a 33 percent delay in one functional area, or a 25 percent delay in each of two functional areas; or
- if appropriate standardized instruments are individually administered in the evaluation process, a score of 2.0 standard

deviations below the mean in one functional area, or a score of 1.5 standard deviations below the mean in each of two functional areas; or

- The criteria set forth for autism, deafness, deaf-blindness, hearing impairment, orthopedic impairment, other health-impairment, traumatic brain injury, or visual impairment as described by section 200.1 (zz) of the Regulations of the Commissioner.

Eligibility Determination

It is the responsibility of the school district's CPSE to provide programs and/or services for an eligible child in the least restrictive environment (LRE). This means that special education and/or related services are provided, to the extent appropriate, to meet the needs of your child, with other children who do not have disabilities, and be as close as possible to the student's residence.

The CPSE must consider the appropriateness of services to meet the child's needs in the LRE. As per the regulations, the continuum of services that must be considered by the CPSE includes:

1. Related Services:

- speech-language pathology
- psychological services
- physical therapy
- occupational therapy
- counseling services
- nursing services

2. Special education itinerant services (SEIS) (services provided by a certified special education teacher of an approved program on an itinerant basis at a site determined by the board).

3. SEIS in combination with related services.
4. a half-day program (not more than 2.5 hours per day).
5. a full-day program (more than 2.5 hours per day).

Determination of 10 or 12 month programs and/or services is based on criteria set forth by the Regulations of the Commissioner.

Approved programs and/or services may be provided at:

- an approved or licensed pre-kindergarten or Head Start program
- the child's home
- the worksite of an approved provider (except SEIS services)
- a hospital
- a state facility
- a child care location

If the CPSE determines that your child does not meet eligibility for services, there are a number of other options that you may consider:

- Private services may be accessed and your health insurance carrier may provide reimbursement.
- Some universities and colleges in the area have clinics and provide low cost services.
- Community resources such as play groups, library programs, socialization groups, etc. are often beneficial to a preschool child who needs a little extra help in a particular area of development.
- If you have continued concerns about your child's development, you may return to your school district for a re-evaluation at a later date. It is typical to wait a period of 6 months to do so.

Evaluation of Individual and Program Objectives

The methods used to evaluate the objectives of the special education program include: review results from State testing program, review of Special Education placement, statistical data from evaluation in preparation for annual review, report cards, curricula measures, and monitoring the number of students receiving diplomas. The following instruments are representative of the evaluation tools utilized in obtaining pre/post evaluation data:

A. Individual Assessment

All classified students regardless of placement receive an individual assessment in the areas of his/her disability. Special education teachers and related service providers prepare narrative descriptions of student progress for presentation at annual review meetings. Complete re-evaluations are conducted every three years with parental consent to determine continued eligibility for classification and services. A variety of standardized measures are used for re-evaluation.

B. District-Wide Assessment

Classified students who are not otherwise designated as participating in the NYS Alternate Assessment program will participate in the district-wide testing program.

C. State-Wide Testing Program

All students in special education programs other than those designated as participating in the NYS Alternate Assessment program will receive the following:

Grade 3	English/Language Arts Test Mathematics Test
Grade 4	English/Language Arts Test Mathematics Test Science Test

Grade 5	English/Language Arts Test Mathematics test
Grade 6	English/Language Arts Test Mathematics Test
Grade 7	English/Language Arts Test Mathematics Test
Grade 8	English/Language Arts Test Mathematics Test Science Test

Testing Accommodations:

The IEP shall provide a statement of any individual testing accommodations to be used consistently by the student in the recommended educational program and in the administration of districtwide assessments of student achievement and, in accordance with department policy, State assessments of student achievement that are necessary to measure the academic achievement and functional performance of the student.

D. Alternate Assessment

What is the New York State Alternate Assessment (NYSAA)?

The NYSA is part of the New York State testing program that measures student performance on alternate achievement standards in the areas of English language Arts (ELA), mathematics, and science for students with the most severe cognitive disabilities. These standards are reduced in complexity from the learning standards.

What do we mean by students with the most severe cognitive disabilities?

“Students with the most severe cognitive disabilities” can be defined as students who have limited cognitive abilities, combined with behavioral and/or physical limitations, and who require highly specialized educational, social, psychological, and medical services in

order to maximize their full potential for useful and meaningful participation in society and for self-fulfillment.

Who should take the NYSAA?

Only students with the most severe cognitive disabilities are eligible to take the NYSAA. The Committee on Special Education (CSE) determines whether a student with a severe cognitive disability is eligible to take the NYSAA, based on the following criteria:

- The student has a severe cognitive disability, significant deficits in communication/language, and significant deficits in adaptive behavior; and
- The student requires a highly specialized educational program that facilitates the acquisition, applications, and transfer of skills across natural environments (home, school, community, and/or workplace); and
- The student requires educational support systems, such as assistive technology, personal care services, health/medical services, or behavioral intervention.

The NYSAA measures student performance in:

English Language Arts (ELA), mathematics, and science will be assessed using Dynamic Learning Maps (DLM) alternate assessment system. DLM is a computer-delivered, adaptive assessment that measures student knowledge on Essential Elements. Essential Elements are alternate achievement standards that are reduced in depth and breadth from the learning standards. Students are assessed annually in ELA and mathematics in grades 3-8 and once at the secondary level prior to exiting high school. In science, students are assessed in grades 4 and 8 and once at the secondary level prior to exiting high school.

Scores

What are NYSAA scores used for?

NYSAA scores show you and your child's teacher how your child is progressing on grade-level alternate achievement standards. These scores can help:

- Clearly identify your child's strengths and needs; and

- Provide information to allow for meaningful discussions surrounding your child's Individualized Education Program (IEP);
and
- Set instructional priorities that inform your child's functional and academic goals and short-term objectives; and
- Identify your child's most effective method of communication across multiple settings.

Note: NYSAA eligible students who will be leaving school before they reach their eighteenth birthday must take the secondary level NYSAA before they leave school (i.e. when they are 17 years old).

Operating Budget

The Special Education operating budget for the 2018-2019 school year is:

General Fund

2250 Special Education	\$ 44,448,849
2251 Committee on Special Education	\$ 1,955,236
2820 Psychologist	\$ 2,475,717
2825 Social Worker	\$ 1,712,464
General Fund Total	\$ 50,592,266

Federal Fund

IDEA 611	\$ 3,817,999
IDEA 619	\$ 181,207
IDEA Total	\$ 3,999,206
Grand Total	\$ 54,591,472

SCHOOL-AGE STUDENTS WITH DISABILITIES
RECEIVING SPECIAL EDUCATION SERVICES
on OCTOBER 3, 2018

October 2018 SNAPSHOT

SCHOOL-AGE STUDENTS BY DISABILITY	# OF STUDENTS
Autism	192
Emotional Disturbance	41
Learning Disability	523
Intellectual Disability	58
Deafness	3
Hearing Impaired	16
Speech or Language Impairment	703
Visual Impairment (includes Blindness)	4
Orthopedic Impairment	5
Other Health Impairment	572
Multiple Disabilities	35
Deaf-Blindness	0
Traumatic Brain Injury	4
TOTAL	2156

IDENTIFICATION OF NUMBER OF PUPILS SERVED LISTED BY AGE & SETTING

OCTOBER 2018 SNAPSHOT

Report 14A: Report of School-Age Students with Disabilities Receiving Services on 10/3/2018 Ages 4-5

Table 1 CONTINUED: Least Restrictive Environment (LRE) Setting for Students with Disabilities, Ages 4-5, who Receive SCHOOL- AGE Special Education and Related Services	Educational Environment	Total
1	Parentally placed in a nonpublic elementary school and receiving majority of hours of special education and related services in the regular classroom.	0
2	Parentally placed in a nonpublic elementary school and receiving majority of hours of special education and related services in some other location.	0
3	Parentally placed in a nonpublic elementary school and NOT receiving publicly funded special education and related services.	0
4	Attending a kindergarten, 1st grade or other regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in the regular early childhood program.	27
5	Attending a kindergarten, 1st grade or other regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in some other location.	128
6	Attending a kindergarten, 1st grade or other regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related in the regular early childhood program.	0
7	Attending a kindergarten, 1st grade or other regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related services in some other location.	0
8	Separate Class	0
9	Separate School	2
10	Residential Facility	0
11	Home	0
12	Service Provider Location or some other location that is not in any other code.	0
13	Total	157

**Report 14B: Summary Report of All Students with Disabilities Receiving
Services on 10/3/2018 Ages 6-21**

**Table 1: In regular school-based programs in
buildings attended by disabled and nondisabled
students**

Line Number	Time INSIDE Regular Classroom	Age Group				Total
		6- 11	12- 13	14- 17	18- 21	
01	80% or more	586	187	300	10	1083
02	40% to 79%	21	72	139	11	243
03	Less than 40%	311	77	159	37	584
04	Total	918	336	598	58	1910

Table 2: In Separate Settings Outside of regular school facilities, in buildings that are attended by students with disabilities only. Line 4 includes students who are placed on home instruction by the CSE. Students who are home-schooled by parent choice are reported in Table 3.

Line Number	Type of Setting	Age Group				Total
		6- 11	12- 13	14- 17	18- 21	
01	Separate School	17	10	13	10	50
02	Residential Facility	0	2	3	7	12
03	Hospital (In-patient)	0	0	0	0	0
04	Home Placement by CSE	3	1	2	2	8
05	Total	20	13	18	19	70

Table 3: In Other Specific Settings. School districts do not place students in these settings. Instead, students are in these settings because of court decisions or parental choice.

Line Number	Type of Setting	Age Group				Total
		6-11	12-13	14-17	18-21	
01	Incarcerated in County Correctional Facilities *	0	0	0	0	0
02	Home Schooled at Parental Choice	0	0	0	0	0
03	Parentally Placed in Nonpublic School-Receiving Special Education	15	4	0	0	19
04	Parentally Placed in Nonpublic School-Not Receiving Special Education Services	0	0	0	0	0
05	Total	15	4	0	0	19

*Or incarcerated in correctional facilities operated by the Department of Corrections (DOCS) as reported by DOCS

DISTRIBUTION OF STUDENTS IN OUT-OF-DISTRICT PLACEMENTS AS OF

February 2019

PUBLIC SCHOOLS OTHER THAN BOCES

Three Village Central School District

Eastern-Suffolk BOCES - Center-Based Programs

BOCES-ES Bellport AC
BOCES-ES Brookhaven LC
BOCES-ES Brookhaven LC at Samoset Middle School
BOCES-ES Islip AC
BOCES-ES Jefferson AC
BOCES-ES Masera LC
BOCES-ES Premm LC
BOCES-ES Sayville@ Tecumseh Elementary
BOCES-ES Sayville AC
BOCES-ES Sayville AC @ Sherwood Elementary
BOCES-ES Sequoya HS
BOCES-ES Sequoya HS @ Patchogue Medford HS
BOCES-ES Transition Services Program
BOCES-ES Westhampton Beach LC

Western-Suffolk BOCES - Center-Based Programs

BOCES-WS Sagamore Children's Center

PRIVATE SCHOOLS – DAY

Anderson Center for Autism
Ascent
Brookville Center for Children's Services
Clark Academy
Developmental Disabilities Institute
Madonna Heights
Maryhaven Center of Hope
NYSARC - Suffolk Chapter (SA)
The Charlton School
The Genesis School
UCP - The Children's Center (SA)

PRIVATE SCHOOLS – Residential (In State)

Developmental Disabilities Institute
Harmony Heights
Little Flower
Maryhaven Center of Hope (Residential / CRP)
Mountain Lake Academy
The Summit School

PRIVATE SCHOOLS – Residential (Out of State)

Judge Rotenberg Center – Massachusetts
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EDUCATIONAL PLACEMENT OF PRESCHOOL STUDENTS WITH DISABILITIES

AS OF (10/3/2018)

OCTOBER 2018 SNAPSHOT

Preschool LRE Setting Report

Educational Environment		A	B	C
		Age 3	Age 4	Total # of Students Ages 3-4 (October 3, 2018)
Attending a regular early childhood program for 10 or more hours a week	and receiving the majority of hours of special education and related services in the regular early childhood program	28	24	52
	and receiving the majority of hours of special education and related services in some other location.	8	24	32
Attending a regular early childhood program for less than 10 hours a week	and receiving the majority of hours of special education and related services in the regular early childhood program	1	3	4
	and receiving the majority of hours of special education and related services in some other location	10	10	20
Separate Class		36	32	68
Separate School		0	0	0
Residential Facility		0	0	0
Home		13	7	20
Service Providers Location		5	1	6
(3.0) Total		101	101	202

Special Education Board Policies

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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SACHEM CENTRAL SCHOOL DISTRICT

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

Policy 4321

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

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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,

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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

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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.

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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).

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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.

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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

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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.

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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

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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.

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.

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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;

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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.

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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.

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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

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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 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.

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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)(i)(vi)(a); 200.5(b); 200.5(c)(6)
8 NYCRR §§100.1(q), (ooo)

Adoption Date: January 20, 1998

Revised: October 17, 2000

Revised: January 15, 2008

Revised: April 11, 2018

4321.1

PROVISION OF SPECIAL EDUCATION SERVICES IN THE LEAST RESTRICTIVE ENVIRONMENT

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

Therefore, the 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 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 District will implement the provisions of Section 200.6 of the Commissioner's Regulations. The Superintendent will establish a process for ensuring that the CSE or CSE Subcommittee Chairperson, as appropriate, obtains an up-to-date copy of those provisions at the beginning of each school year, and copies of any amendments that become effective during the school year.

Students with disabilities placed together for purposes of special education shall be grouped by similarity of individual needs; placements shall include the following considerations:

- The range of academic or educational achievement of the students must be limited to assure that instruction provides each student with appropriate opportunities to achieve his/her annual goals. The learning characteristics of the students in the group shall be sufficiently similar to assure that the range of academic or educational achievement is, at minimum, maintained.
- The social development of each student must also be considered in making placement decisions to assure that the social interaction within the group is beneficial to each student, contributes to each student's social growth and maturity, and does not consistently interfere with the instruction being provided.
- The levels of physical development of the students may vary, so long as each student is provided appropriate opportunities to benefit from instruction.
- The management needs of the students may vary, so long as environmental modifications, adaptations, or human or material resources required to meet the needs of each student are provided and do not consistently detract from the instruction being provided.

The Board also recognizes that the least restrictive environment requirements established by applicable law and regulations also extend to nonacademic settings. Therefore, the District will provide students with disabilities the opportunity to participate with non-disabled students in school-sponsored cocurricular and extracurricular activities, to the maximum extent appropriate to each individual student's needs. The District also will provide students with disabilities with supplementary aids and services the CSE or CSE subcommittee, as applicable, determines to be appropriate and necessary for the students to participate in such activities.

Ref: Individuals with Disabilities Education Act (IDEA) 20 USC Sections 1400 et seq

34 CFR Sections 300.114-120

8 NYCRR Sections 200.2(b)(4); 200.6

Adoption Date: January 15, 2008

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SCHOOL-WIDE PRE-REFERRAL APPROACHES AND INTERVENTIONS

Policy 4321.2

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: 01/15/2008

Revision Date: 05/02/2018

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ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES

Policy 4321.3

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.

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Policy 4321.3

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: January 15, 2008

Revised Date: November 9, 2017

Revised Date: May 2, 2018

4321.4

INDEPENDENT EDUCATION EVALUATIONS

The Sachem Central 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 District.

If a parent or guardian disagrees with the evaluation conducted by the District, the parent or guardian may have the right to obtain one IEE at public expense for each District evaluation. If a parent requests an IEE at public expense, the 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 District's criteria and/or to defend the appropriateness of the evaluation conducted by the District, or (b) provide the IEE at public expense. If the impartial hearing officer determines that the 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 District at any time. However, a parent is entitled to only one IEE at public expense each time the 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 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 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 District may ask why the parent objects to the evaluation of the child done by the District. The 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 District.

Public Expense

Public expense means that the 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 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 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 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 District will be high enough to permit parents to choose among qualified professionals within a 50-mile radius of the District. Requests for exception to the maximum allowable fees 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.

Responsibilities

Parents may select any professional who meets the criteria stated previously. The 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 District has the responsibility to designate the geographic area in which the parents would be limited in their search for an independent evaluator. The District will consider for public funding evaluations conducted within a 50-mile radius of the district. The 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.

Cross-Ref: 4321, Programs for Students with Disabilities under IDEA and Article 89

Ref: New York State Regulations of the Commissioner of Education §200.5(g) and Federal Regulations 34 CFR § 300.502

A Parent's Guide to Special Education: Your Child's Right to an Education in New York State – NYSED

34 CFR § 300.502(a)(3)(i)

Adoption Date: January 15, 2008

Revised Date: June 18, 2009

SACHEM CENTRAL SCHOOL DISTRICT

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

Policy 4321.5

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).

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

Policy 4321.5

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

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

Policy 4321.5

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

(6) Adoption date: January 15, 2008
Revised date: December 19, 2012
Revised date: May 2, 2018

SACHEM CENTRAL SCHOOL DISTRICT

AVAILABILITY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES

Policy 4321.6

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.

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AVAILABILITY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES

Policy 4321.6

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: January 15, 2008
Revised date: May 2, 2018

SACHEM CENTRAL SCHOOL DISTRICT

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

Policy 4321.7

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

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

Policy 4321.7

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: January 15, 2008

Revised date: May 2, 2018

SACHEM CENTRAL SCHOOL DISTRICT

IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

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

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IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

- 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 officer 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.

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IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION

Policy 4321.8

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: January 15, 2008

Revised date: May 2, 2018

DECLASSIFICATION OF STUDENTS WITH DISABILITIES

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 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 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.

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.

Cross-Ref : 4321, Programs for Student with Disabilities

Ref : 8 NYCRR 100.1 (q); 200.2(b)(8), 200.4(b)(4-6),(c)(3)

Adoption Date: January 15, 2008

SACHEM CENTRAL SCHOOL DISTRICT

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

Policy 4321.11

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: January 15, 2008
Revised date: May 2, 2018

USE OF TIME OUT ROOMS

Purpose :

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.

Description of Time Out Room :

A time out room shall provide a means for continuous visual and auditory monitoring of the student. 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 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 District's policy on the use of such rooms.

Factors Precipitating the Use of a Time Out Room :

The 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 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.

Recordkeeping :

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.

Staff Training :

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

Ref: 8 NYCRR § 200.22(c)

Adoption Date: April 17, 2007

Revised Policy Number: January 15, 2008

PRESCHOOL 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 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;
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 to arrange for the appropriate approved preschool program and services for the district's children. Should the Board 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'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 district to try and resolve the complaint within 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 directs the Superintendent 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.

Cross ref:

4321 Programs for Students with Disabilities
4321.3 Allocation of Space for Special Education Programs
4321.4 Independent Educational Evaluations
4321.5 Confidentiality and IEP Distribution
4321.8 Hearing Officer Appointment and Compensation
4321.14 Special Education Personnel

Ref:

Education Law § 4410
8 NYCRR Part 200, 200.2, 200.5, 200.16

Adoption Date: December 17, 2008

SACHEM CENTRAL SCHOOL DISTRICT

SPECIAL EDUCATION PERSONNEL

Policy 4321.14

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)

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