

## STUDENT LEARNING OBJECTIVES AND DISTRICT INSTRUCTIONAL GOALS

It is the vision of the school district to build a school culture that values academic achievement, promotes character education, encourages community responsibility and facilitates lifelong learning. The district strives to provide safe and caring learning environments; and develop programs to encourage intellectual curiosity, celebrate diversity and maximize the individual talents of our children.

The Board of Education is committed to working with the Superintendent of Schools, district staff, parents, and students to develop a quality educational program designed to prepare all students to be college and/or career ready, so graduates can successfully meet the challenges of an economically competitive, technologically advanced, and culturally diverse twenty-first century. Therefore, the Board adopts the following learning objectives and instructional goals for all students in the district:

Standard 1: College and career readiness in reading marked by a steadily growing ability to discern more from and make fuller use of text, including making an increasing number of connections among ideas and between texts, considering a wider range of textual evidence, and becoming more sensitive to inconsistencies, ambiguities, and poor reasoning in text.

Standard 2: College and career readiness in writing, including the ability to plan, revise, edit and publish in a range of types of writing, such as argument, explanation and narrative.

Standard 3: College and career readiness in speaking and listening including skills necessary to make formal presentations. Students will learn to work together, express and listen carefully to ideas, integrate information from oral, visual, quantitative, and media sources, to evaluate what they hear, use media and visual displays strategically to help achieve communication, adapting speech to context and task.

Standard 4: College and career readiness in effective use of language, vocabulary and the essential rules of standard written and spoken English.

Standard 5: College and career readiness by achieving standards of mathematical practice characterized by the following abilities:

1. make sense of problems and persevere in solving them
2. reason abstractly and quantitatively
3. construct viable arguments and critique the reasoning of others
4. model with mathematics
5. use appropriate tools strategically
6. attend to precision
7. look for and make use of patterns/structure
8. look for and express regularity in repeated reasoning

Standard 6: Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments and turning points in New York, United States, and world history; as well as understanding the United States constitution, the basic civil values of American democracy and the roles, rights and responsibilities of citizenship, including avenues for participation.

Standard 7: Students will be able to use a language other than English for communication, and will demonstrate cross-cultural skills and understanding.

Standard 8: Students will actively engage in processes that constitute creation and performance in the arts (visual arts, music, dance and theater) and participate in various roles in the arts, as well as respond critically to a variety of works in the arts. Students will develop an understanding of the personal and cultural forces that shape art and how art shapes diverse cultures and past and present society.

Standard 9: Students will acquire the knowledge, skills and ability to establish and maintain physical fitness, participate in physical activity, maintain personal health; as well as create and maintain a safe and healthy environment using personal and community resources.

Standard 10: Students will be knowledgeable about the world of work, explore career options and relate personal skills, aptitudes and abilities to career decisions. Students will demonstrate mastery of the foundation skills and competencies essential for success in the work place.

To facilitate achievement of the Board's articulated learning standards for all students, the district's administration and staff will be guided by the following:

1. All students will be subject to high academic standards and performance expectations.
2. The district will implement measurable effective instructional strategies for closing the achievement gap among all students.
3. The district will align its core academic subject curricula with the state learning standards, and offer appropriate support services to enable all students to succeed.
4. The same core academic subject curricula will be used in all schools district-wide.
5. The district will use multiple general education approaches, including response to intervention strategies in accordance with Commissioner's regulations, to improve the academic performance of all students.
6. Instructional and professional development activities will be coordinated to reduce student failure rates in core academic subjects at all grade levels.
7. Steps will be taken to identify and address the cause(s) of student drop-out, and to reduce the student drop-out rate.
8. The district will recruit, hire and retain highly qualified staff.
9. Staff professional development will be designed to enable achievement of the Board's articulated learning objectives and instructional goals.
10. The district will implement a process of on-going review to identify and address any obstacles to the achievement of the Board's articulated learning standards.

*Cross-Ref:* 0000, *Mission Statement and Vision*

*Ref:* 8 NYCRR §§100.1 (t); 100.2 (ii)

Original Adoption Date: July 7, 2009  
Update, First Reading: July 2, 2013  
Update, Second Reading: August 13, 2013  
Update, Adoption date: August 13, 2013

## SCHOOL DAY

The length of the school day's educational program shall be established at a minimum of:

- a. Five (5) hours for Kindergarten;
- b. Six (6) hours, including lunch, for grades one (1) through six (6); and
- c. Six and a half (6.5) hours, including lunch, for grades seven (7) through twelve (12).

Starting times, lunch hours and dismissals in the various buildings shall be established by the Superintendent of Schools after taking into consideration student safety, efficient and economical use of the transportation system, the opportunity for after-school study, and a reasonable dismissal hour for after-school activities.

Adoption date:	July 7, 2009
Revised First Reading:	September 14, 2010
2 <sup>nd</sup> Reading/Adoption:	October 12, 2010

## **CURRICULUM MANAGEMENT**

The Board of Education recognizes its responsibility for the development, assessment and improvement of the educational program of its schools. To this end, the Board is committed to establishing and maintaining a coordinated curriculum management process that:

- Defines how the district’s curriculum is developed and approved.
- Ensures that the curriculum is taught and tested.
- Provides for the ongoing review and evaluation of the curriculum.

For purposes of this policy, “curriculum” means a series of planned instruction that is coordinated, articulated and implemented to result in achievement of specific knowledge and skills, and application of such knowledge and skills by all students.

### Curriculum Development

The Board views a centralized curriculum articulated among and between grade levels as essential to an effective instructional program designed to meet the learning standards established by the state and the Board.

The Superintendent of Schools, in coordination with the Assistant to the Superintendent for Curriculum and Instruction, shall be responsible for the development of a written curriculum designed to meet identified student needs. He/she shall establish procedures for curriculum development that provides for the effective participation of administrators, teaching staff, students, parents, other community members and members of the Board.

The curriculum shall:

- Comply with state mandates regarding course offerings and essential knowledge and skills.
- Focus on the content standards of each discipline and ensure that what students learn is rigorous, challenging and represents the most important learning for students.
- Provide sufficient flexibility to meet individual student needs at each stage of development.
- Reflect current research, best practices and technological advancements within each discipline.
- Promote congruence among the written, taught and assessed content.

### Curriculum Adoption

The Superintendent shall present the written curriculum to the Board for its review and adoption annually. Prior to adoption, the Board will review the curriculum to ensure consistency with Board-adopted learning objectives. In addition, the Board will adopt instructional materials that support the adopted curriculum.

### Curriculum Implementation

Implementation of the curriculum rests primarily with the teaching staff. In carrying out this responsibility, the teaching staff shall work to ensure continuity between the written, taught

and tested curriculum. The Building Principal shall be responsible for the management of the implementation of the aligned curriculum at the building level. He/she shall carry out this management function through activities including analyzing student assessment data; making classroom observations of teachers; and providing opportunities for teachers to discuss and share ideas and strategies.

The district's curriculum for each subject or course shall be communicated to the teaching staff in a written curriculum guide developed annually by the Superintendent. Such guides will provide the necessary information to direct instruction and ensure continuity among and between grade levels. The guides shall also include a description of the essential knowledge and skills for the course, instructional philosophy, appropriate sequence, and correlation of major resources. Curriculum guides shall be made available to parents and community members upon request to promote understanding of district goals and objectives.

#### Curriculum Review

The Board recognizes the need for and the value of a systematic, ongoing program of curriculum evaluation that includes collecting and analyzing data about student achievement. All aspects of the curriculum shall be subjected to a searching and critical analysis in an attempt to improve students' learning and growth. Such a program is essential to evaluate program effectiveness in each content area and to make judgments about resource allocation. The Superintendent shall develop guidelines to evaluate the instructional program to ensure its continued effectiveness. With prior Board approval, the Superintendent may conduct pilot programs deemed necessary to the continuing improvement of the instructional program.

The Superintendent shall report his/her findings regarding the effectiveness of the instructional program to the Board periodically, and, if necessary, shall recommend changes to the district's curriculum.

Ref: Education Law §§1709(3); 1711(5)

1st Reading: September 14, 2010  
2nd Reading: October 12, 2010  
Adoption: October 12, 2010  
Effective: October 12, 2010

## DISPLAY OF THE FLAG

The Board of Education believes that the flag of the United States is a symbol of the values of our nation, the ideals embedded in our Constitution and the spirit that should animate our district.

The district shall purchase a United States flag, flag staff and the necessary appliances for its display upon or near every school building. There shall be a flag on display in every assembly room of every school.

The flag shall be flown at full- or half-staff pursuant to law. In addition, the flag may be flown at half-staff to commemorate the death of a present or former Board member, present employee or student.

Consistent with national and state law and regulations and this policy, the Superintendent of Schools shall develop rules and regulations for the proper custody, care and display of the flag.

Ref: Education Law §§418; 419; 420 (requirement for the school to purchase,  
display and develop rules and regulations for the care and custody of the flag)  
Executive Law §§400-403 (rules for display of the flag)  
8 NYCRR Part 108 (flag regulations)  
36 U.S.C. §§173-177 (display of the flag)

Adoption date: July 7, 2009

## DISPLAY OF THE FLAG REGULATION

### Flags Displayed Out-of-Doors and on Movable Hoists Indoors

A United States flag shall be displayed in front of every school building in the district every day that school is in session and at such other times as the Superintendent of Schools shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night upon special occasions, at the discretion of the Superintendent, when it is desired to produce a patriotic effect.

In addition to days when school is in session, the flags will be displayed on the following days: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general thanksgiving or for displaying the flag.

Flags shall be flown at half-staff on Pearl Harbor Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

Flags on individual buildings will be flown at half-staff for 30 days if a present employee or student in that building dies. The flag shall also be flown at half-staff the day of the funeral of any former employee well-known in the school. This should be at the discretion of the Superintendent.

All flags in the district are to be flown at half-staff when a present Board member dies and are kept at half staff for 30 days. All flags are put at half-staff on the day of the funeral of a former Board member. All flags in the district are flown at half staff on the day of the funeral of a present employee or a present student.

The flag will not be displayed on days when the weather is inclement.

### Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half mast in the middle of the day. It must be put at half mast in the morning only.

### Indoor Flags and Those Not on Movable Hoists



There shall be a United States flag in each assembly room of every school in the district. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Adoption date: July 7, 2009

## TEACHING ABOUT RELIGION

The Board of Education recognizes its responsibility to teach students about religion and its role as a vital force in the development of civilizations, as well as to foster a respect for religion and religious beliefs. In addition, the Board believes that it is the duty of the school district to ensure that every student fully understands the principle of religious freedom that is part of this country's heritage.

To fulfill these acknowledged responsibilities, the Board encourages factual and objective teaching about religion. Instructional programs will be encouraged that: (1) focus on the role that religion has played in history or in the development of a society or culture, and (2) educate students about the principle of religious liberty as one of the central elements of freedom and democracy.

In no way is it the intent of this policy to indoctrinate the student in any particular religious faith.

Ref: U.S. Constitution, First Amendment  
Education Law §3210

Adoption date: July 7, 2009

## AIDS INSTRUCTION

The district will provide age appropriate classroom instruction in compliance with commissioner's regulations, for all students K-12 concerning Acquired Immune Deficiency Syndrome (AIDS). Instruction will be provided as part of the sequential and comprehensive health program and shall include the following information:

1. the nature of the disease;
2. methods of transmission of the disease; and
3. methods of prevention of the disease stressing abstinence as the most effective and appropriate protection against AIDS.

A student shall be excused from that segment of AIDS instruction regarding methods of prevention of the disease if his/her parent/guardian files a request with the Building Principal. The request must give assurance that such instruction will be given at home.

The Board of Education shall be responsible for determining the content of the district's AIDS curriculum, approving its implementation and evaluating the AIDS instructional program. In addition, the Board will ensure appropriate training and curriculum materials are provided for the instructional staff providing AIDS instruction and to parents who request such materials.

The Board shall establish an advisory council which shall be responsible for making recommendations on content, implementation, and evaluation of the AIDS instructional program. The advisory council must consist of Board members, appropriate school personnel, parents and community representatives, including representatives from religious organizations.

Ref: Education Law §3204(5)  
8 NYCRR §135.3 (Health Education incl. AIDS instruction)  
*Ware v. Valley Stream High School District*, 75 NY2d 114 (1989)  
*New York State School Boards Association v. Sobol*, 168 AD2d 188 (1991)  
*Matter of Knowledge*, 32 EDR 451 (1993) (function of advisory councils)

Adoption date: July 7, 2009

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

The Board of Education shall make available a free appropriate public education to all students with disabilities who reside within its 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 also shall make available special education and related services to eligible students with disabilities parentally placed in a nonpublic school located within the district, regardless of whether they are residents of the district. However, this obligation does not extend to resident students with disabilities who are placed by their parents in a nonpublic school within 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 district residents but who reside within New York State will be provided programs and services in accordance with their individualized education services program (IESP). Nonpublic school students with disabilities who reside out-of-state will be provided services in accordance with their services plan (SP). (Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89 for more guidance on this topic).

In addition, to the maximum extent appropriate to their individual needs, eligible students with disabilities residing within the district and attending the district's public schools will be entitled to participate in school district academic, cocurricular and extracurricular activities available to all other students enrolled in the district's public schools. Such cocurricular and extracurricular activities may include 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).

In providing a free appropriate public education to students with disabilities eligible under the IDEA and Article 89, the Board will afford the students and their parents the procedural safeguard rights they are entitled to under applicable law and regulations. The Board 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, 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 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.

To ensure the provision of a free appropriate public education to all eligible students with disabilities:

1. The Board will adopt and maintain a district special education services plan in conformance with Commissioner's Regulations (8NYCRR 200.2(c)). The plan will be available for public inspection and review by the Commissioner of Education.
2. School district staff will take steps to locate, identify, evaluate and maintain information about all children with disabilities within the district, including homeless children and children who are wards of the state, and children attending nonpublic school within the district (including religious schools), who are in need of special education.
3. The 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 district will provide general education support services, instructional modifications, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE). The Response to Intervention and Instructional Support teams will develop, implement and evaluate pre-referral intervention strategies (4321.2, School-wide Pre-referral Approaches and Interventions).
4. School district staff will initiate a request for evaluation of a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program. In making the request the staff person will describe in writing intervention services, programs and methodologies used to remediate the student's performance prior to referral. In addition, the extent of parental contact will be described as well.
5. The Board 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.
6. The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.
7. The Superintendent shall 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.

8. The Superintendent shall establish a comprehensive professional development plan designed to ensure that personnel necessary to carry out IDEA and Article 89 possess the skills and knowledge required to meet the needs of students with disabilities.
9. The Superintendent will establish a process for ensuring that district staff understand the right of students with disabilities to access and participate in the same academic, cocurricular and extracurricular programs and activities as all other students enrolled in the district's public schools, to the maximum extent appropriate to their individual needs.

#### *Locate and Identify Students with Disabilities*

The district will conduct an annual census to locate and identify all students with disabilities who reside in the district, and establish a register of such students who are entitled to attend the public schools of the 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 Superintendent 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 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.

(Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89, for more information regarding how to locate and identify nonpublic school students with disabilities).

#### *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 district will conduct a full evaluation of the student in accordance 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.

Once a student has been determined eligible to receive a free appropriate public education, the district will reevaluate the student with a disability whenever the student's parent requests a reevaluation, and when the 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 district agree it is unnecessary.

### *Parental Consent for Student Evaluations*

Before conducting any type of evaluation, 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 will 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, 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 district cannot document its efforts to obtain consent, the Board will commence due process proceedings to conduct a reevaluation without parental consent.
3. If 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 will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

### *Conduct of Evaluations*

In conducting evaluations of students with disabilities, the 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).

The 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 district will follow the procedures established in commissioner's regulations.

The 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.

### *Eligibility Determination*

The CSE or CSE subcommittee will determine whether a student is eligible for special education and related services under the IDEA and Article 89, as well as the student's educational needs.

The CSE or CSE subcommittee may not determine that a student is eligible for special education and related services if the determining factor is lack of appropriate instruction in the essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies; or lack of appropriate instruction in math; or limited English proficiency.

### *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. District staff will take steps to ensure 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 district.
2. The parent will be given at least five 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 district may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.
4. District staff will take any action necessary to ensure that the parent understands the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

The CSE or CSE subcommittee may meet without a student's parent only if district staff has 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 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 ensure parental involvement.

### *Provision of Services*

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

All staff responsible for the implementation of a student's individualized education program, or an individualized education services program or services plan in the case of parentally placed nonpublic school students with disabilities, will be provided information regarding those responsibilities (Refer to policy 4321.5 for more information on this topic).

### *Parental Consent for the Provision of Services*

The Board acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, 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 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.

### *Transition Service and Diploma/Credential Options*

In accordance with law and regulation, the Board will ensure the provision of transition services, which are a coordinated set of activities for students with disabilities that facilitates movement from school to post-school activities, which may include but are not limited to post-secondary education, vocational education, integrated employment, continuing and adult education, adult services, independent living or community participation. At age 15, or younger if appropriate, the student's IEP will include a statement of transition service needs and will include undertaking activities in the following areas:

- Instruction
- Related services
- Community experiences
- The development of employment and other post-school adult living objectives; and
- When appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

In developing the plan for transition services, students and parents will be made aware of the range of diploma and credential options available and the requirements associated with each option.

Cross ref: 1900, Parental Involvement (Title I)  
4000, Student Learning Objectives and District Instructional Goals  
4773, Diploma and Credential Options for Students with Disabilities  
5500, Student Records  
6700, Purchasing  
9700, Staff Development

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 *et seq.*;  
34 CFR Part 300  
N.Y. Education Law Article 89, §§4401 *et seq.*  
8 NYCRR Part 200

Original Adoption Date: July 7, 2009  
Update 1, Adoption Date: September 11, 2012  
Update 2, First Reading: July 8, 2014  
Update 2, Second Reading: August 12, 2014  
Update 2, Adoption Date: August 12, 2014

**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 commissioner's regulations.

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 will establish a process for ensuring that the CSE or CPSE 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.

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 CPSE, 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 §§1400 et seq.  
8 NYCRR §§200.2(b)(4); 200.6

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

## **PROGRAMS AND SERVICES FOR PARENTALLY-PLACED NONPUBLIC SCHOOL STUDENTS WITH DISABILITIES**

The Board of Education recognizes its responsibility to provide special education services to eligible students with disabilities enrolled by their parents in nonpublic schools located within its district, regardless of whether such students are residents of the district. The scope of that responsibility affects:

1. The district's child find activities for locating, identifying, and evaluating parentally-placed nonpublic school students with disabilities;
2. CSE and CSE subcommittee responsibilities for the development of an individualized education services program (IESP), or a services plan (SP), in the case of an out of state resident, for any such student determined to be eligible for special education services under the IDEA and Article 89;
3. The provision of services to such students;
4. The relationship between the district and nonpublic school officials and nonpublic school parents of students with disabilities, with whom the district is required to consult;
5. The district's data collection and reporting responsibilities; and
6. The district's use of federal funds available under the IDEA.

*(Refer to policy 4321, Programs for Students with Disabilities under the IDEA and Article 89 for more information regarding the provision of special education services to students with disabilities enrolled in the district's public schools).*

Consistent with applicable law and regulations, this policy does not apply to resident students with disabilities enrolled by their parents in a nonpublic school located within the district's boundaries because of a dispute over the provision of a free appropriate public education. Neither does it apply to charter school students, or to students placed in or referred to private schools by public agencies such as school district placements in approved private schools, Special Act school districts, and state-supported or state-operated schools.

District staff will obtain prior consent from the parent of a parentally-placed nonpublic school student with disabilities, or the student if the student is 18 years or older, for the release of personally identifiable information about the student from records collected or maintained pursuant to the IDEA between the district and the student's district of residence.

### **Location, Identification and Evaluation**

The district's activities for locating and identifying parentally-placed nonpublic school students with disabilities will be comparable to those undertaken for students attending the district's public schools, and will be completed in a comparable time period, as well. However, district staff will consult with nonpublic school representatives and representatives of parents of parentally-placed students with disabilities regarding these activities, in order to ensure the equitable participation and an accurate count of such students.

The district will use the same procedures that apply to the evaluation of the district's public school students to evaluate and reevaluate parentally-placed nonpublic school students with

disabilities. (Refer to policy 4321, Programs for Students with Disabilities under the IDEA and Article 89, for more information on those procedures).

### **CSE Responsibilities**

Once a parentally-placed nonpublic school student with disabilities is determined to be eligible for special education services under the IDEA and Article 89, the CSE or CSE subcommittee will develop an IESP or SP for the student in accordance with the following:

1. If the student is a New York State resident, the CSE or CSE subcommittee will develop an IESP based on the student's individual needs in the same manner and with the same contents as an individualized education program prepared for a public school student.
2. If the student is an out-of-state resident, the CSE or CSE subcommittee will develop an SP for the student in accordance with the IDEA and its implementing regulations.

### **Provision of Services**

Parents of nonpublic school students with disabilities eligible for special education services under this policy must submit to the Board a written request for such services on or before June 1 preceding the school year for which they want the district to provide services. However, if the student has not been first identified as a student with a disability until after June 1, the parent may submit the written request for services within 30 days after the identification, and the student will be entitled to services during the current year if the request is submitted before April 1.

The district will provide special education programs and services to parentally-placed nonpublic school students with disabilities with an IESP on an equitable basis, as compared to special education programs and services provided to other students with disabilities attending public and nonpublic schools within the district.

The district will provide special education programs and services to parentally-placed nonpublic school students with disabilities with an SP to the extent required by the IDEA and its implementing regulations, and in consultation with nonpublic school officials and representatives of parents of parentally-placed nonpublic school students with disabilities. In this regard, the district will expend a proportionate amount of the federal funds it receives under the IDEA to provide such services.

The district will provide parentally-placed nonpublic school students with disabilities only services, including materials and equipment, that are secular, neutral, and non-ideological.

### **Consultation**

The district will consult in a timely and meaningful manner with nonpublic school officials and representatives of parents of parentally-placed nonpublic school students with disabilities regarding the following issues:

1. The process that will be used to locate and identify parentally-placed nonpublic school students with disabilities, including who parents, teachers, and nonpublic school officials

will be informed of the process, and how the process will work throughout the school year to ensure that the students can participate in special education and related services.

2. How, where and by whom special education and related services will be provided to such students, and with respect to students with an SP, the types of services that will be provided.
3. With respect to students with an SP, how a proportionate share of the federal funds the district receives under the IDEA will be spent on special education services to such students.
4. The determination of the proportionate amount of the district's IDEA funds available to serve parentally-placed private school students with disabilities, including how that amount was calculated.
5. How services will be apportioned if the proportionate amount of the district's available IDEA funds is not sufficient to serve all parentally-placed nonpublic school students with an SP, and how and when these decisions will be made. Notwithstanding, the district will provide services to students with an IESP, regardless of the apportionment of such federal funds.

The Superintendent will establish a process for obtaining from nonpublic school officials a written affirmation of their participation in the consultation process. If that affirmation is not secured within a reasonable time, the Superintendent will submit to the State Education Department documentation of the consultation process.

### **Data Collection and Reporting**

The Superintendent will establish a process for maintaining records and report to the commissioner of education on the number of parentally-placed nonpublic school students who are evaluated, and determined to have a disability, and receive special education services from the district.

Cross-ref: 4321, Programs for Students with Disabilities under the IDEA and New York's Education Law Article 89

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC § 612 (a)(10)(A); 34 CFR \*\*\*  
Education Law §§3602-c  
NYCRR §2002.2 (a)(7)

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

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

The Board of Education recognizes that, despite the 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 has endeavored to adopt policies, practices and procedures for the district that are consistent with the IDEA and Article 89 of New York's Education Law, and their implementing regulations.

Nonetheless, upon learning of a significant disproportionality either in the suspension, identification, classification and/or placement of the district's students with disabilities, the Board will immediately review the 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 will take immediate steps to adopt and implement any and all necessary revisions.

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

Cross-ref: 4321 *et seq.* as appropriate.

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

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

## PRESCHOOL SPECIAL EDUCATION

The Board of Education recognizes the value of special education and its responsibility in ensuring that all resident preschool children with disabilities have the opportunity to participate in special programs and services from which they may benefit. The Board authorizes the Superintendent of Schools to establish administrative practices and procedures which shall include:

1. locating and identifying all preschool children with disabilities pursuant to the relevant provisions of the Education Law. 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 parent(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 and training appropriately qualified personnel including the members of a CPSE;
5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjoining counties in which the district is located; and
6. reporting to the State Education Department the number of children with disabilities that are being served, as well as those not served.

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 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.

Placement may be appealed by a parent/guardian to an impartial hearing officer, appointed by the Board. Mediation shall be offered to such parents/guardians 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 Board.



The Board directs the Superintendent to ensure that the district considers that adequate and appropriate space is made available for such programs and 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: 4321.3, Independent Educational Evaluations

Ref: Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.  
34 CFR §§300.12; 300.503  
Education Law §4410  
8 NYCRR Part 200

Original Adoption date: July 7, 2009  
Update 1, First Reading: August 14, 2012  
Update 1, Second Reading: September 11, 2012  
Update 1, Adoption date: September 11, 2012

## SPECIAL EDUCATION PERSONNEL

The Board 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 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 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. Ensure that every member of the professional staff participates 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 ensure their continuing awareness of their obligations and responsibilities under the law.

The Superintendent is responsible for ensuring 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 recognizes its responsibilities to meet the alternative standards established by the State Education Department. The Superintendent, in consultation with the Assistant to the Superintendent for Student Services, shall prepare an annual report to the Board which provides information about the certifications and qualifications of the special education professional personnel, as well as a summary of the professional development opportunities offered.

Cross-ref: 4321, Programs for Students with Disabilities  
9240, Recruiting and Hiring  
9700, Staff Development

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)

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

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

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 district will implement on a school-wide basis practices appropriate to enable all of the district's students to succeed in the general education environment.

The Superintendent 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 under the IDEA and which may be coordinated with similar activities conducted under the Elementary and Secondary Education Act. 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 and 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.

District 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: 4000, Student Learning Objectives and Instructional Goals  
4325, Academic Intervention Services

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

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

## **RESPONSE TO INTERVENTION REGULATION**

In accordance with regulations of the Commissioner of Education, The Board of Education of the Hampton Bays School District adopts the following policy and procedures to ensure that all students in grades K-4 in the Hampton Bays Elementary School suspected of having a learning disability receive appropriate instruction in reading and mathematics in general education before the District initiates a referral to Committee on Special Education for an evaluation. Such procedures shall include, as part of its general education program, a process referred to as Response to Intervention (RTI).

The basic components of the RTI process shall include:

- Scientific, research-based core instruction in reading. Reading instruction shall address: phonemic awareness, phonics, vocabulary development, fluency and comprehension;
- Screening for all students in grades K-4 at least three (3) times per year to identify those who are not making academic progress at the expected rates;
- Research-based interventions matched to the student's targeted need at increasing levels of intensity for those student who do not make satisfactory progress in their levels of performance and/or in their rate of learning to meet age or grade level standards;
- Repeated assessments of targeted skill areas using curriculum-based measures to determine if interventions are resulting in student progress toward age or grade level standards;
- A building-based team to establish at-risk criteria (cut scores), review screening data, and make decision related to student performance and intervention need; and
- Written notice to parents when the student requires an intervention beyond that provided to all student in the general education classroom that provides information about:
  - The techniques, strategies, and /or programs that will be used to address deficit areas to increase the student's rate of learning and performance level;
  - The amount and nature of the student performance data that will be collected and the general education services that will be provided;
  - The parents' right to request an evaluation for special education.

### **Structure of Response to Intervention Program**

A Building-Wide Multi-Tiered Model that allows the building the flexibility to determine interventions specific to their population.

A Building Team comprised of any or all of the following: teachers (general and/or special education), school psychologist, social worker, speech therapist, reading specialist, building administrator. The Team shall convene to conduct the following tasks:

1. Identifying the interventions appropriate for each level of the tiered model and criteria for movement in and out of each level;
2. Reviewing and analyzing data collected pursuant to this policy;
3. Making decisions regarding the appropriateness of the interventions used and the grouping of students to maximize effectiveness;
4. Recommending changes in students' instructional programs based upon the analysis of the data; and

5. Determining whether students are making progress and when or if a referral to the CSE is appropriate.

### **I. Criteria for Determining the Appropriate Levels for Intervention**

All students in grades K-4 shall be assessed a minimum of three times per year in the general outcome areas of reading to identify those students who are at risk. Students who score below the established benchmarks shall be considered for additional classroom or Tier II intervention.

Progress monitoring of students at risk shall be conducted on a bi-weekly basis to each student receiving a Tier II intervention and on a weekly bases at Tier III using Curriculum Based Measures (CBM's) to determine if the interventions are resulting in student progress toward established benchmarks and/or grade/age level standards.

### **II. Types of Interventions**

#### **Tier I**

All students receive explicit, systematic and differentiated instruction in reading for 90 minutes a day as part of the core curriculum in grades K-4. Classroom interventions in the form of additional learning and practice opportunities are provided as appropriate.

#### **Tier II**

Students who fail to demonstrate adequate progress in reading and/or math as determined by progress monitoring data shall receive targeted interventions in the specific areas of difficulty at a frequency of at least 6-8 instructional weeks.

Targeted interventions are research-based and implemented with integrity and fidelity consistent with identified area of need. Intervention results are progress monitored on consistent bases for the purpose of timely reviews by the teacher and the building team to determine adequate progress. Data results shall be documented and lead to the termination or continuation of the intervention including extension of intervention duration at this Tier, long-term support or movement to a more intensive instructional approach.

#### **Tier III**

Students who fail to make progress or who continue to display inconsistent progress at expected rates, notwithstanding targeted interventions at Tier II provided over a least 6-8 instructional weeks, shall be provided specialized, research-based programs at a high frequency and intensity for at least 6-8 instructional weeks, shall be provided specialized, research-based programs at a higher frequency and intensity for at least 6-8 instructional weeks.

Based on the review of data, the Building Team shall determine whether a Tier III student is making adequate progress to meet age or grade level standards and requires long-term planning for continued success, or if a referral to the Committee on Special Education is needed for continuation of specialized instruction in reading or math. Upon the

recommendation of the Team that a student should be referred to the CSE, the District shall initiate a referral without delay.

### **III. The Amount and Nature of Student Performance Data to be Collected**

#### **A. Data to be Collected**

Curriculum-based measurements will be administered on a bi-weekly basis to each student receiving a Tier II intervention and on a weekly basis at Tier III, including students with IEPs to monitor the student's performance in the identified areas(s) of need; and Student progress shall be reviewed on a regularly-scheduled basis consistent with the time spent on specific interventions at each Tier.

#### **B. Nature of Data Collected**

The data collected shall reflect the general outcome areas of reading and math that are critical to student achievement and are aligned with state standards.

### **IV. The Manner and Frequency of Progress Monitoring**

The Team shall review the progress of each student receiving Tier II and Tier III interventions shall adjust student goals, refocus instruction and/or change strategies or interventions. Review shall occur upon the completion of each screening administration, at the completion of the intervention, on a scheduled basis throughout the duration of the intervention or at the request of the parent.

### **V. The Professional Staff Development**

Staff assigned to provide students with research-based reading and math interventions shall receive training on the specific intervention techniques and fidelity of implementation as well as assessment administration data collection and charting of performance data.

### **VI. Notice to Parents**

Notice to Parents of students receiving RTI intervention shall include notice that the student is involved in the RTI progress; the techniques, strategies or programs used; and notice of the parent's right to request an evaluation for special education.

Regulation Updated: September 11, 2012

## ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS AND SERVICES

The Board of Education recognizes its responsibility to ensure that appropriate space is available 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 district residents; and
2. Serving students with disabilities in settings with non-disabled peers, as well.

The 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 district's special education services plan.

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

As part of the process for ensuring the allocation of appropriate space for special education programs and services and serving students with disabilities in settings with non-disabled peers, the Superintendent, 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 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 district's latest census, and other 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 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.
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: 4321 Programs and Services for Students with Disabilities under the IDEA and New York's Education Law Article 89

4321.10 Programs and Services for Parentally-Placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89

Ref: Individuals with Disabilities Education Act (IDEA) 20 USC  
Education Law §§3602(10)  
8 NYCRR §§155.1(a); 200.2(c)(2)(iv),(v); 200.2(g)

Original Adoption Date: July 7, 2009  
Update 1, Adoption Date: September 11, 2012  
Update 2, First Reading: July 8, 2014  
Update 2, Second Reading: August 12, 2014  
Update 2, Adoption Date: August 12, 2014



## INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Education recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent evaluation at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

The independent examination shall be conducted by a qualified examiner who is not employed by the school district responsible for the child's education. Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

Parents or guardians should file a written request within 90 days from the date of the CSE or CPSE evaluation. The district has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing officer determines that the district's evaluation was appropriate, a parent or guardian is not entitled to reimbursement at public expense.

The Board directs the Superintendent of Schools to develop regulations establishing maximum allowable fees for specific tests, the geographic area in which such evaluations may take place, and minimum qualifications of the professionals who administer and interpret various tests; and a reasonable timeline for seeking reimbursement.

Cross-ref:      4321, Programs for Students with Disabilities  
                      4321.2, Preschool Special Education

Ref:      20 USC §1415(d)(2)(A)  
              34 CFR §300.503  
              8 NYCRR §§200.1(z); 200.5(a); 200.5(b); 200.5(c); 200.5(g)  
              *Application of a Child with a Handicapping Condition*, SRO Dec. No. 93-26 (1993)  
              *Application of a Child with a Handicapping Condition*, 30 EDR 129 (1990)  
              *Application of a Child with a Handicapping Condition*, 30 EDR 108 (1990)  
              *Application of a Child with a Handicapping Condition*, 26 EDR 439 (1987)  
              *Appeal of a Handicapped Child*, 25 EDR 185 (1985)  
              *Matter of a Child Suspected of Having a Handicapping Condition*, 23 EDR 140 (1983)  
              *Matter of Three Handicapped Children*, 21 EDR 353 (1981)  
              Memorandum to District Superintendents *Independent Evaluations; Updating on Regulatory Requirements*, State Education Department

Adoption date:      July 7, 2009  
First Reading:      August 14, 2012  
Second Reading:    September 11, 2012  
Adoption:            September 11, 2012

## INDEPENDENT EDUCATIONAL EVALUATIONS REGULATION

The Hampton Bays Union Free School District has established the following procedures for obtaining independent evaluations (IEE's) for children with learning and adjustment problems or for children who are referred to the Committee on Special Education (CSE) because they are suspected of having an educationally related 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 Sections 200.5 (a)(1)(vi). Additionally, the Federal Regulations 34 CFR 300.503 specifies requirements for IEE's. These documents, as well as **A Parent's Guide to Special Education: Your Child's Right to an Education in New York State** detail IEE requirements. These documents are available from the Hampton Bays School District Office of Student Services for parents who desire to review them.

### **Definition**

An independent educational evaluation (IEE) means an evaluation conducted by qualified examiners as defined in 34 CFR 300.12, who are not employed by the school 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. The district requests that the parent specify the areas of disagreement with the district's evaluation. The District may initiate an impartial hearing to show that its evaluation is appropriate, and if the 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 an IEE they may have already obtained.

### **Timeline**

Upon completion of the evaluation conducted by the District, the parent/guardian will have up to 45 calendar days from the date of receipt of the District's evaluation to request an IEE. Requests received more than 45 calendar days after the parent/guardian receives the results of the evaluation prepared by the District will not be considered for payment by the District. Exceptions may be allowed in extenuating situations.

Requests should be in writing, specify the evaluations to be completed, the specific areas of disagreement with the District evaluation, and the reasons for seeking the evaluation outside the District. This request should be sent to:

Mark Pagano  
Assistant to the Superintendent for Student Services  
Hampton Bays Union Free School District  
70 Ponquogue Avenue  
Hampton Bays, New York 11946

**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 has established reasonable reimbursement rates for independent evaluators that do not exceed the costs that the district would be required to pay to BOCES. The District has set the following rates as the maximum allowable fees per evaluation:

Psychoeducational Evaluation	\$2000
Neurological Evaluation	\$550
Educational Evaluation	\$450
Speech/Language Evaluation	\$450
Occupational Therapy Evaluation	\$350
Physical Therapy Evaluation	\$350
Psychiatric Evaluation	\$795
Neuropsychological Evaluation	\$3600
Audiological Evaluation	\$250
Central Auditory Processing Evaluation	\$1200
Assistive Technology Evaluation	\$1500
Comprehensive Evaluation (Autism)	\$3800

**Payment**

The District may pay for an IEE or assessment only if conducted by an individual who possesses current license or certification from the NYS Education Department in the area of the evaluation. Such IEEs may also be presented as evidence at a hearing conducted by the District or requested by the parent.

The District, upon receiving a request for reimbursement for an IEE, will forward a letter of acknowledgment to the parent and/or the independent evaluator within 20 school days. Any further information needed by the District to reach a decision regarding payment will be requested in the letter. (A copy of the evaluation report must be attached to the request for reimbursement.) The bill for the evaluation should include some breakdown of costs (i.e., record review, client interview, test administration, scoring and interpretation, and report writing).

If reimbursement is denied, the reason for the denial, as well as many intention of the District to initiate a hearing to support this refusal will be addressed to the parents in writing. Conversely, if the District agrees to pay for an IEE, the parents will be notified by letter.

**Responsibilities**

Parents may select any professional who meets the criteria stated previously. 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 Assistant to the Superintendent for 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 200-mile radius of the District. The District is not responsible for mileage to and from the evaluation site. Requests for exception to these procedures should be forwarded in writing to the Assistant to the Superintendent for Student Services.

### **Listing of Qualified Professionals**

The District will permit parents to select any independent evaluator in practice within a 200-mile radius of the District at the time the parent makes the request of the District, as long as the qualified professional selected by the parent is a NYS certified and/or licensed evaluator. The District has also established a list of qualified professionals who are in private practice or employees of other public agencies to who parents may go to secure an IEE. In addition, the District will consider for payment, an evaluation performed by an employee of any other public school district or BOCES within the counties of Suffolk, Nassau, or New York City whom the parent chooses to employ as an independent evaluator at the then current hourly rate paid to that NYS licensed or certified individual by his/her respective public school district or BOCES.

### **Further Information**

The District has developed these procedures on IEEs in order to avoid any misunderstandings and ensure that the District is following its responsibility to provide IEEs at parental request. Parents can obtain further information on IEEs by contacting the Assistant to the Superintendent for Student Services.

Ref: 8NYCRR §§200.1(u); 200.5(a)(1)(vi)(a)  
34 CFR§ §300.12; 300.503

Updated: September 11, 2012

**CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION  
PROGRAMS, INDIVIDUALIZED EDUCATION SERVICES PROGRAMS  
AND SERVICE PLANS**

The Board of Education recognizes the importance of ensuring 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.

Personally identifiable data is defined in the policy on Student Records, 5500.

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.

To this end, this policy establishes procedures to ensure that any person having both direct contact with a student with an IEP, IESP or SP and a responsibility to provide a service, accommodation or program modification for the student in accordance with that student's IEP, IESP or SP shall be informed of his/her responsibilities under the IEP, and shall receive or have access to a copy of the student's IEP, IESP or SP as specified below.

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, IESP or SP services.

The CSE, CSE Subcommittee and CPSE Chairpersons shall ensure that a paper or electronic copy of each student's IEP, IESP or SP is provided 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, IESP or SP shall, in turn, ensure that all paraprofessionals (teacher aides and teacher assistants) and other providers responsible for assisting in implementation are given 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.

## II. Notification of Responsibilities

In addition to disseminating copies of a student's IEP, IESP or SP, CSE, and CPSE Chairpersons must designate one or more professional employees of the district with knowledge of the student's disability and program to inform each regular education teacher, special education teacher, related service provider, other service provider, paraprofessional, and other provider and support staff person of his or her responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP, IESP or SP. In selecting the professional staff person(s), the chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional, as appropriate.

## III. Confidentiality

All copies of a student's IEP, IESP or SP 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). To ensure such 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, IESP or SP 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, IESP or SP.

## IV. Documentation

The designated professional employee(s) defined in section II 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 has been revised, the CSE and CPSE Chairperson shall collect all IEP 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(7)  
8 NYCRR §§200.2(b)(11); 200.4(e)(3); 200.16(e)(6)  
New York State Education Department, Vocational and Educational Services for  
Individuals with Disabilities (VESID), SED Guidance Document, Providing copies  
of the IEPs for Students with Disabilities, May 13, 2003  
(<http://www.p12.nysed.gov/specialed/publications/policy/chap408final.htm>)

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

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

The Board of Education recognizes its responsibility to ensure that all the instructional materials used in the district's schools are made available 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 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.

The Superintendent will develop a plan to ensure the availability of 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 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 district's ordering timelines for the purchase of instructional materials to ensure 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 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.



Cross-ref: 6700, Purchasing

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1474(e)(3)(B)  
N.Y. Education Law §§1604(29-a); 1709(4-a) 1950(4-a); 2503(7-a); 2554(7-a);  
3602(10)(b)  
8 NYCRR §§ 200.2(b)(10)  
State Education Department, Office of Vocational and Educational Services for  
Individuals with Disabilities (VESID), Policy 02-05 Amendment to Section 200.2 of the  
Regulations of the Commissioner Implementing Chapter 377 of the Laws of 2001: Plans  
to Provide Instructional Materials in Alternative Formats for Students with Disabilities,  
May 2002, (available electronically from the VESID website at:  
<http://www.vesid.nysed.gov/specialed/publications/policy/alterformat502.htm>).

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

## **DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES**

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 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. Examples of testing accommodations are: 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), Individualized Education Services Program (IESP) or Service Plan (SP). 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, IESP or SP. The 504 Team will include the appropriate test accommodations as part the 504 plan.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or 504 team. The Board acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among 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 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.

Cross-ref: 4321, Programs for Students with Disabilities  
4321.5, Confidentiality and Distribution of IEP, IESP and SP  
5020.3 Students with Disabilities and Section 504

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)

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

**IMPARTIAL HEARING OFFICER SELECTION,  
APPOINTMENT AND COMPENSATION**

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 for this county 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 district their interest in serving as an IHO in the district.

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 district of such written request. Should an IHO decline appointment, or if within 24 hours the IHO fails to respond or is unreachable after reasonable efforts by the District Clerk or designee, such efforts will be documented through independently verifiable efforts. The district representative shall then proceed through the list to determine availability of the next successive IHO.

The District Clerk or other person so designated, under the direction of the Board President, shall initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served. The District Clerk or designee shall canvass the list in alphabetical order as prescribed by the Regulations of the Commissioner of Education until an appointment is accepted. Pursuant to the Regulations of the Commissioner of Education, if an impartial hearing is currently pending for the same student when a new hearing request is received, the district will appoint the same IHO, if available, who will determine whether or not to consolidate the hearings. Additionally, if the new hearing request concerns an issue which had been previously withdrawn in the 12 months prior, the district shall appoint the same IHO, if available.

An IHO on the 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 days of receiving such a request; and
2. Initiate the hearing within the first 14 days after either:
  - The date on which he or she receives written notice that the parents and the district waived their right to hold a resolution meeting to resolve their differences prior to commencement of the hearing, or met but were unable to reach agreement; or

- The expiration of the 30-day period beginning with the receipt of the due process complaint, whichever occurs first.

### **Appointment**

The Board President, or in his or her absence or inability the Vice President, will appoint an IHO immediately after the IHO selected from the rotational list indicates he or is available.

The Board 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 district shall compensate an impartial hearing officer for his or her services at the maximum rate established for such purpose by the Director of the Division of the Budget. Currently, this rate is \$100.00 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 district reimbursement rate set for district employees. Mailing costs associated with the hearing will also be reimbursed. The District will not reimburse impartial hearing officers for administrative assistance, secretarial or other overhead expenses.

### **Cancellation**

The 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 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 district agrees to pay the Impartial Hearing Officer a fee of \$100.00. The 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.

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 district and such information will be reported to the Office of Vocational and Educational Services for Individuals with Disabilities of SED as required by Commissioner's regulations.

Ref: 8 NYCRR §§200.2; 200.5; 200.21

Original Adoption Date: July 7, 2009  
 Update 1, Adoption Date: September 11, 2012  
 Update 2, First Reading: July 8, 2014  
 Update 2, Second Reading: August 12, 2014  
 Update 2, Adoption Date: August 12, 2014

## 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 reasons 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 Students with Disabilities

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

First Reading: August 14, 2012  
Second Reading: September 11, 2012  
Adoption date: September 11, 2012

## ACADEMIC INTERVENTION SERVICES

The Board of Education is committed to providing academic intervention services to students at risk of not meeting the state learning standards. Such services may include additional instruction supplementing the instruction provided in the general curriculum and/or student support services such as guidance, counseling, attendance and study skills needed to support improved academic performance.

Eligibility for academic intervention services will be determined based on a student's performance on state assessment exams and/or in accordance with the uniformly applied district-developed district-adopted procedures, which are attached to this policy by regulation. Eligible students will receive services consistent with law and regulations which shall commence no later than the beginning of the semester following a determination that a student is eligible for such services.

### Notification of District Eligibility Procedures

The district shall post on its website a description of the district-developed procedures for determining which students are eligible for academic intervention services, as specified in state regulations.

### Notification on Commencement of Services

The Building Principal will notify the parents of a student determined to be in need of academic intervention services, in writing, upon the commencement of such services. Such notification will include:

- A summary of the academic intervention services to be provided;
- The reason the student needs such services; and
- Consequences of not achieving expected performance levels.

### Notification on Ending of Services

The Principal will notify the parent in writing when academic intervention services are no longer needed. Such notification will include:

- The criteria for ending services; and
- The performance levels obtained on district selected assessments, if appropriate.

In addition, the district/schools will provide for ongoing communication with parents which must include opportunities to consult with teachers and other professional staff, regular reports on the student's progress and information on ways to monitor and work with educators to improve the student's performance.

All parental notifications and communications will be done in English and translated, when appropriate, into the native language or mode of communication of the parents.



Description and Review of Academic Intervention Services

The Superintendent of Schools, in consultation with each Building Principal, shall maintain a description of academic intervention and/or student support services for each school. This description will include any variations in services in schools within the district and will specifically delineate:

- the district-wide procedures used to determine the need for academic intervention services;
- the academic intervention instructional and/or support services to be provided;
- whether instructional services and/or support services are offered during the regular school day or during an extended school day or year; and
- the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.

Beginning July 1, 2002 and every two years thereafter, the Superintendent shall review and revise the description of academic intervention services based on student performance results and present such revised description to the Board for approval.

Ref: 8 NYCRR §§100.1(g); 100.2(r), (ee); 100.4(b)(4), (d) (Academic Intervention Services)

Adoption date:	July 7, 2009
Update 1, First Reading:	August 22, 2017
Update 1, Second Reading:	September 12, 2017
Update 1, Adoption Date:	September 12, 2017

## ACADEMIC INTERVENTION SERVICES REGULATION

Section 100.2 of the Commissioner's Regulations, Academic Intervention Services (AIS) provides for districts to identify students who are at risk of not achieving State learning standards and provide additional academic services. In accordance with Commissioner's Regulations, a two-step process is followed. This includes identifying students using the grade 3-8 English Language Arts and Math assessment and also multiple measures in accordance with our Response to Intervention and universal screening protocols.

### **Initial Identification of Students based on Commissioner's Regulations**

As per NYSED Memo, 8/22/2017

ELA	Level 1	Level 2	Level 3	Level 4	Median Score b/n 2-3
Gr. 3	180-290	291-319	320-357	358-412	305
Gr. 4	164-286	287-319	320-342	343-416	303
Gr. 5	126-288	289-319	320-345	346-428	304
Gr. 6	128-282	283-319	320-337	338-403	301
Gr. 7	133-286	287-317	318-346	347-402	302
Gr. 8	121-283	284-315	316-342	343-402	300

Math	Level 1	Level 2	Level 3	Level 4	Median Score b/n 2-3
Gr. 3	145-284	285-313	314-339	340-397	299
Gr. 4	133-282	283-313	314-340	341-397	298
Gr. 5	151-293	294-318	319-345	346-401	306
Gr. 6	132-283	284-317	318-339	340-421	301
Gr. 7	160-292	293-321	322-347	348-401	307
Gr. 8	134-286	287-321	322-348	349-400	304

Students who perform below the median scale score between level 2 and level 3 are identified as eligible for Academic Intervention Services. From there, districts also apply local measures to determine which students shall receive AIS.

### **Elementary School (Grades K-4)**

Hampton Bays Elementary School engages in *universal* screening of all students using AimsWeb. AimsWeb is a "general outcome measurement," a brief assessment that measures performance of key foundational skills at each grade level. The tool is a measure in providing an accurate prediction of reading and math achievement as well as its sensitivity to growth.

Universal screening is conducted three times annually (fall, winter, spring) and services are provided in response through the district's Response to Intervention (RTI) program after being reviewed by the School-Wide Assessment Team (SWAT). All of the information is entered into the AimsWeb online data management system which allows for data accessibility by all teachers. Screening data is discussed after each assessment period with classroom teachers and the Data Analysis Team (DAT) for each grade level. The DAT is comprised of administration, classroom teachers, reading and math specialists and support staff. At these meetings, data is analyzed to determine if at least 80 percent of the students reached benchmark targets. The team discusses core instructional strategies to address any grade-level patterns or weaknesses.

At a student-level, multiple measures are analyzed that include performance on state assessments, AimsWeb data, Scholastic Reading Inventory, and classroom performance.

Those measures then allow the team to identify services using tiers of intervention that range from tier one to tier three. Grade-level teams discuss a referring teacher's concerns about a student and an intervention plan is developed. Student scores are then ranked in percentiles, then compared to students of like demographics. The bottom 25% of the student body is flagged and the team meets to discuss their progress. From there, a plan is developed and students receive the services that they need.

#### Tier One Intervention

Typically lasting six to twelve weeks, the referring teacher implements the plan and the team reconvenes to review. If growth is identified, the intervention continues. Tier One interventions are implemented by the teacher, within the classroom utilizing McGraw-Hill Treasures reading series, Envisions Mathematics, and the NYS ELA and Mathematics modules. They can include one or many of the following: modifications of the core instruction, scaffolding of the instruction, leveled instruction, or small group instruction.

#### Tier Two and Three Intervention

In the event that the student does not make any, or enough progress as defined by the team, the student is referred to the Tier Two-Three Coordinator, a certified reading teacher on staff. The teacher continues the tier one interventions while the Coordinator determines if a Tier 2 intervention is appropriate or if it should go to the RTI Problem-Solving Team for a Tier 3 intervention.

#### Tier Two

For at least six weeks, the student is serviced by a reading teacher using a research-based intervention plan. Monthly, the coordinator reviews the progress monitoring data. If a student is found to have closed the achievement gap, the student returns to the mainstream with continued progress monitoring. If insufficient progress is made, the team determines what other intervention can be implemented. Once two or three Tier Two interventions are attempted, a tier three intervention may be considered.

#### Tier Three

The RTI Problem-Solving Team meets once the student is referred to them. Occasionally, a student will present with such great need, that the team decides to meet without pursuing Tier Two interventions. A Tier Three intervention lasts for six to eight weeks. Should the student receive a series of at least three interventions and not make progress, the team may decide to make a referral to the Committee on Special Education.

Tier Two and Three interventions include smaller group, leveled instruction, that is provided by a math or reading specialist, out of the homeroom setting. Programs include Scholastic Read 180 and System 44. Specialists may utilize components of McGraw-Hill's Treasures series, as

well, such as Treasure Chest and Triumphs. These components support the core instruction in the mainstream. Additionally, specialists use Wilson Reading, Leveled Literacy Intervention, guided reading practices, and Reading Works. Linda Mood-Bell interventions are also implemented through the use of Visualizing and Verbalizing and Seeing Stars.

### **Middle School (Grades 5-8)**

Students are assessed utilizing multiple measures that include NYS assessments in reading and mathematics, Scholastic Reading Inventory, Scholastic Math Inventory, local quarterly assessments and final exams, unit assessments, and teacher and parent recommendations or referrals.

Progress monitoring occurs throughout the school year. For the Scholastic Reading and Math Inventories, assessments are administered three times per year (fall, winter, spring). Additionally, teachers utilize unit and quarterly assessments to identify struggling students. When a student scores below a 65, the student is mandated to attend an extra help session and is able to take the assessment over if s/he completes test corrections. This ensures that students are captured before they fall further behind in the curriculum.

Quarterly, the multiple measures are reviewed and the grade level team determines if the student's placement is appropriate. The interventions are managed by a Learning Support Team (LST) that meets weekly to review referred or flagged cases. The LST includes administration, student service personnel, as well as teachers, as needed.

The district strives to provide early interventions that are put into place by assessing test scores from the prior grade level to ensure that a student is placed in a support class early in the school year. This is not to say that a student cannot be added to a class or be removed from a support class if it is no longer necessary.

For mathematics, the following cut scores are utilized:

- Math Lab 5: SMI Score of 640 (Below Basic) or lower
- Math Lab 6: SMI Score of 700 (Below Basic) or lower
- AIS Math 7: Math 6 Final Exam Score: 74 – 65
- Math Lab 7: Math 6 Final Exam Score:  $64 \leq 0$
- AIS Math 8: Math 7 Final Exam Score: 74 – 65
- Math Lab 8: Math 7 Final Exam Score:  $64 \leq 0$

For English Language Arts, the following numbers are utilized:

- Literacy Lab 5: SRI Score of 620 (Below Basic) or lower
- Literacy Lab 6: SRI Score of 729 (Below Basic) or lower
- Literacy Lab 7: SRI Score of 769 (Below Basic) or lower
- Literacy Lab 8: SRI Score of 789 (Below Basic) or lower

A tier one intervention offers various accommodations in the classroom that may include:

### **Tier One Interventions (Work/Study Habits)**

Disorganization:

- Allow extra time at the beginning and end of class to organize the student
- Pre-punched handouts for the binders
- Distribute homework at the beginning of period

- Have the student leave necessary materials at specified activity areas
- Develop calendars to keep track of important events, due dates, assignments
- Instruct the student to carry important items in a backpack or binder
- Create a color-coded organizational plan by subject, consistent across grades
- Establish a routine to be followed for organization and appropriate use of the work materials. Provide the routine for the student in written form and verbally review it

**Performs classroom tests, quizzes or tasks at a failing level:**

- Teach and encourage basic study skills (e.g. reading for main point, note taking, summarizing, highlighting, appropriate studying environment, time management) before tests or quizzes
- Give shorter tests or quizzes, but more frequently. As success is demonstrated, gradually increase the length of tests or quizzes.
- Arrange a time student to study with a peer tutor before taking tests or quizzes
- Analyze individual student situations to identify root causes of failing
- Review their note-taking strategies
- Teach test-taking strategies (e.g. answer easy questions first, summarize, check work, etc.)
- Communicate with parents (e.g. notes home, phone calls, etc.) to share information concerning the student's progress. The parents may reinforce the student at home for improved test or quiz scores
- Have the student take a sample test or quiz before the actual test

**Tries to avoid situations, assignments, responsibilities:**

- Make positive comments about school and the importance of school
- Speak to the student to explain incorrect behavior and how to correct it
- Explain that work not done during work time must be done during other times (e.g. recreational time, break time, after school)
- Assign responsibilities he/she will enjoy performing (e.g. teacher assistant, line leading, chores in the classroom, etc.). As the student demonstrates success, gradually introduce less desirable assignments and responsibilities
- Communicate with parents (e.g. notes home, phone calls, etc.) to share information concerning the student's progress. Parents can reinforce the student at home for appropriate behavior at school.

**Tier Two Interventions (Academic Interventions)**

- **Literacy/Math Labs**  
Struggling students are assigned to a period in the literacy and/or math labs. There, specialized programs are utilized in order to remediate lack of skills. Specialized reading interventions are implemented and include Linda Mood Bell interventions, Guided Reading, Scholastic Read 180 and Scholastic System 44, Think-Through Math and Open Book.
- **AIS in Math and ELA**, taught by content-specialists to pre-teach, re-teach.

When the various interventions do not result in academic progress for the student, the Instructional Support Team (IST), consisting of the grade-level team, student services staff, and administration may consider a referral to the Committee on Special Education (CSE) for a review of the student's overall academic program.

For more information on the plan to identify and service students with Academic Intervention Services (AIS), please contact the building principal or Denise Sullivan, Assistant Superintendent at (631) 723-2100, ext. 5104 or [dsullivan@hbschools.us](mailto:dsullivan@hbschools.us).

Adoption Date:           September 12, 2017

## PROGRAMS FOR ENGLISH LANGUAGE LEARNERS

The Board of Education believes that students who, by reason of foreign birth or ancestry, have limited English proficiency (referred to here as “English Language Learners” or ELLs), will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The district will therefore take steps to identify ELL students and provide ELL students with an appropriate program of either Bilingual Education or English as a New Language.

Pursuant to this policy and regulations of the Commissioner of Education, the Superintendent of Schools is directed to develop appropriate administrative regulations to ensure that students are:

1. screened to determine if the student is an ELL, in accordance with Parts 117 and 154 of the Commissioner's Regulations, a process that will include interviews and assessments and will assign each ELL student to the appropriate subpopulation (newcomer, developing, long term, former or inconsistent/interrupted formal education);
2. identified, as appropriate, as an ELL student with a disability;
3. annually evaluated to determine continued ELL eligibility. Included in the evaluation shall be each student's performance in English language proficiency and academic progress in content areas;
4. assured of access to appropriate instructional and support services, including guidance programs within the timeframes provided by Commissioner's Regulations; and
5. assured of having equal opportunities to participate in all school programs and extracurricular activities as non-ELL students.

The Superintendent shall be responsible for ensuring that the Commissioner of Education is provided with a comprehensive plan that describes the district's ELL program and includes all information specified in the Commissioner's Regulations, before the start of each school year. The district will also provide assurances that the district is providing appropriate school-related information to the parents (or persons in parental relation) of ELL students in English and the language they best understand.

The district will provide an orientation program annually for parents of newly enrolled ELL students. In addition, the district will meet individually with ELL parents at least once a year to discuss the goals of the ELL program, and their child's language development (in both their native language and English), in addition to regular parent/teacher meetings.

In addition, the Superintendent shall ensure that all teachers employed in any Bilingual and/or English as a New Language program are properly certified in accordance with the Commissioner's Regulations, and that all staff receive appropriate professional development on ELL students.

Cross-ref: 4321, Programs for Students with Disabilities  
9700, Professional Development

Ref: Education Law §3204

English Acquisition, Language Enhancement, and Academic Achievement Act, 20 USC §§6801 et seq

Equal Educational Opportunities Act of 1974, §§201 et seq.,

20 U.S.C. §§1701 et seq.

8 NYCRR §§80-2.9; 80-2.10; 117; Part 154

*Lau v. Nichols*, 414 U.S. 563 (1974)

*Rios v. Read*, 480 F. Supp. 14 (1978)

*Cintron v. Brentwood UFSD*, 455 F. Supp 57 (1978)

*Aspira of New York v. Board of Educ. (City of New York)*, 394 F. Supp. 1161 (1975)

Original Adoption Date: July 7, 2009  
Update 1, First Reading: August 25, 2015  
Update 1, Second Reading: September 8, 2015  
Update 1, Adoption Date: September 8, 2015

**SAMPLE PARENTAL NOTIFICATION****PLACEMENT IN A LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM**

Dear Parent/Guardian:

Your child (insert child's name) has been identified as a "limited English proficient/English language learner" student in need of help to learn English and placement in a (insert name of program). We have determined (insert child's name) eligibility, and placed (him or her) in such a program based on (insert reasons).

(Child's name) is performing at (insert status of child's academic achievement). We have determined (his or her) level of English proficiency at (insert level) based on (insert how the district assessed that level).

We believe that placement in a (insert name of English instruction program) will help (insert child's name) both to learn English and increase his level of academic performance. Attached is a series of questions and answers we hope will help you better understand the program in which we have placed (insert child's name) and the benefits of that program.

The district will hold regular meetings at least twice a year for parents/guardians of English learners and we encourage you to attend. At those meetings, we will provide you with information that will help you to better understand the goals of your child's program, and assist you in ways to help (insert child's name). In between meetings we are always ready to listen and respond to any questions and recommendations you might have.

However, you should know that you have the right to:

1. request that (insert child's name) be immediately removed from the program,
2. decline (insert child's name) in the program or choose another available program or method of instruction, and
3. assistance in selecting from among the various programs and methods of instruction available.

Whatever your decision, we encourage you to help (insert child's name) attain English proficiency and high academic achievement levels. Some ways in which you can do this include: (insert some examples).

If you have any questions about this notice or the attached information, please contact (insert the name of the Building Principal or the program's coordinator). All of us in the district look forward to working with you to help (insert child's name) improve (his or her) English and overall academic skills.

Sincerely,

Building Principal



**Questions and Answers About Your Child's English Instruction Educational Program**

1. What methods of instruction will be used in my child's program?
2. Does the district offer any other programs for English language learners?
3. How do these other programs differ from the one offered my child in terms of methods of instruction, content, instructional goals and the use of English and a native language in instruction?
4. On what basis did the district select my child's program as opposed to another one?
5. How will my child's program specifically help (him or her) learn English and meet age appropriate academic achievement standards for grade promotion and graduation?
6. My child is classified as a student with a disability. How will my child's English learning program meet the objectives set out in (his or her) individualized education program?

Adoption date: July 7, 2009

**SAMPLE PARENTAL NOTIFICATION**

**FAILURE TO MEET ANNUAL MEASURABLE OBJECTIVES RELATING TO  
ENGLISH PROFICIENCY**

Dear Parent/Guardian:

We regret to inform you that there has been a failure to meet the annual objectives established by the state for the development and attainment of English proficiency by limited English proficient students while meeting state academic standards.

The district has plans for addressing this matter, including (insert steps to be taken by the district).

We welcome any questions and recommendations you might have. Please feel free to contact your child's Building Principal.

Sincerely,

Superintendent of Schools

Adoption date: July 7, 2009

## HOMEBOUND INSTRUCTION

Homebound instruction is a service provided to students who are unable to attend school due to medical, emotional or disciplinary problems. Homebound instruction may be provided for students who anticipate an absence for at least two consecutive weeks (ten school days), as verified by a written statement from the student's physician.

Secondary students (Grades 7-12) receive instruction for two hours per day and elementary students (Grades 1-6) receive one hour per day. Students receive credit for their work while on homebound instruction.

The district makes provisions for homebound instruction upon referral from the Medical Director or the Assistant to the Superintendent for Student Services. Students or their parents/guardians desiring homebound instruction must submit an application to the Office of Student Services only after the student's absence has commenced, and the first date of the absence must be noted on the application. This application may be submitted as soon as the student's absence commences, if the physician's statement assures that the absence will be more than ten school days.

Ref: Education Law §§1709(24); 4401 et seq.  
8 NYCRR §175.21

Original Adoption date: July 7, 2009  
Update 1, Adoption Date: August 16, 2011

HAMPTON BAYS SCHOOL DISTRICT  
Hampton Bays, New York

APPLICATION FOR HOME INSTRUCTION

NAME OF STUDENT \_\_\_\_\_ DATE \_\_\_\_\_

ADDRESS \_\_\_\_\_ GRADE \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_ DATE OF BIRTH \_\_\_\_\_

PARENT'S NAME \_\_\_\_\_ / \_\_\_\_\_  
(Print) (Signature of Parent)

TO BE COMPLETED BY THE PHYSICIAN

DATE OF EXAMINATION \_\_\_\_\_

Nature of Disability \_\_\_\_\_

\_\_\_\_\_

Expected period of time student will be out of school: \_\_\_\_\_

NOTE: Home instruction may be provided for a student who is expected to be out of school more than ten school days. If home instruction is provided, the students in grades one through six will receive one hour per day, per school week. Students in grades seven through twelve will receive two hours per day, per school week.

Physician's recommendations or remarks: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Physician \_\_\_\_\_ / \_\_\_\_\_  
(Print) (Signature of Physician)

Address \_\_\_\_\_ Date \_\_\_\_\_

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TO BE COMPLETED BY OFFICE OF STUDENT SERVICES

First date of student's absence \_\_\_\_\_

Recommended starting date of home instruction \_\_\_\_\_

Name of Home Instructor(s) assigned \_\_\_\_\_

\_\_\_\_\_

**Application for Home Instruction**

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date Submitted \_\_\_\_\_

Approved by Office of Student Services \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

### Home Instruction Procedure

As per Board of Education Policy #4327, a student must be absent for a minimum of 10 days to be eligible for home instruction. However, if a student provides documentation stating that they *will be* absent for this minimum amount of days (10), the home instruction process can begin as soon as the absence commences. Listed below are the guidelines for instituting home instruction:

- Student/Guardian provides medical documentation to their guidance counselor with the appropriate application completed.
- Guidance Counselor will provide the students' schedule to their secretaries to initiate the process.
- Guidance secretaries will send an email to students' teachers asking if they are interested in tutoring the student.
- If teachers do not respond within two days, secretaries will then send an email to the entire staff asking if they would be interested in tutoring.
- If still unable to obtain a tutor, the secretaries will then refer to an outside source (please see attached).
- Once a tutor commits, guidance secretaries are to provide student contact information to them. The tutor is to contact the parent/guardian immediately to coordinate meeting times. As per policy, home instruction is only to occur when school is in session.
- At this point, secretaries are to inform administration and the appropriate counselor of the tutors that have committed.
- Tutors are responsible for collaborating with the core teachers.

## COURSE CREDIT OUTSIDE THE SCHOOL DISTRICT

The Board of Education recognizes the value that college courses or self directed study can add to a student's educational program. Students wishing to complete self-directed study, apart from regularly scheduled instruction, must apply for special arrangements with the Building Principal or Academic Director, who will request permission from the Superintendent of Schools.

High school credit will be awarded to students who enroll in approved college courses pursuant to the following criteria:

1. The number of college courses a student may participate in each school year shall be subject to the approval of the Superintendent and the high school Principal. The course content, equivalency of instruction, and time requirements shall be approved in advance by the Principal and the Superintendent. In the case of students with disabilities, the above must also be approved by the Committee on Special Education (CSE).
2. One semester of college course work shall be determined by the articulating college, shall be equivalent to 1.0 unit(s) of high school credit.
3. The costs for any and all such higher education shall be borne by the individual student.
4. High school credit shall not be granted for any college course for which a student receives a failing grade.
5. Students who wish to participate in college courses must meet specific academic, grade level and coursework requirements as set forth by the Superintendent.
6. All approved outside coursework shall be excluded from class rank calculations as provided for in Board Policy 4741, Class Rankings.

Ref: 8 NYCRR §100.5(d)

Original Adoption date:	July 7, 2009
Update 1, First Reading:	June 14, 2016
Update 1, Second Reading:	July 5, 2016
Update 1, Adoption Date:	July 5, 2016

## TEXTBOOK SELECTION AND ADOPTION

The Board of Education is responsible for the selection and designation of all textbooks to be used in the district schools. The Superintendent of Schools, in cooperation with the Assistant to the Superintendent for Curriculum & Instruction, shall recommend suitable lists of textbooks to be used in the schools for the Board's consideration.

Texts, once approved by the Board, shall not be superseded for a period of five years, except by a three-fourth's vote of the Board.

The Superintendent shall establish procedures for the selection and recommendation of textbooks and a method for selecting staff members who shall serve in the selection and recommendation process.

The following criteria are to be considered in the selection of textbooks:

1. textbook or material should have been copyrighted within the past five years;
2. qualifications of the author(s) on the subject;
3. adaptability to existing instructional program;
4. accuracy of the information presented;
5. sufficient scope to meet the requirements of the curriculum as developed locally and approved by the State Education Department;
6. objectivity and impartiality in treatment of subject matter and freedom from bias and prejudice;
7. high quality format in respect to typography, arrangement of materials or pages, cover design, size and margins;
8. appropriateness to grade level as to vocabulary, sentence structure, and organization;
9. textbook series should meet grade-to-grade requirements. They should contain supplementary aids to learning, when desirable and necessary, such as a table of contents, introduction, study activities, exercises, questions, problems, selected references, bibliography, index glossary and appendices;
10. texts should include appropriate illustrative materials--pictures, maps, charts, graphs, diagrams, etc., which clarify the text and enrich the content;
11. materials should fairly represent the many ethnic and cultural groups and their contribution to American heritage; and
12. a reasonable balance of viewpoints regarding controversial issues should be presented.

The following criteria are to be considered in the selection of literary works for classroom use in teaching literature, as well as the assignment of such works to particular grade levels:

1. use of a compositional style which contributes to the reader's critical and appreciative understanding of the work;
2. sophisticated use of literary devices (i.e., metaphor, point of view, tone) to further student understanding of written concepts;
3. levels of student maturity and experience necessary for empathic reading of literature;
4. capacity of a work to capture student interest;



5. thematic treatment which promotes sound and healthy values for students;
6. intrinsic qualities that establish a work as a significant part of the literary heritage; and
7. variety to avoid duplication of theme, plot, setting, etc., unless such duplication affords opportunities for comparison and contrast or serves to reinforce understanding.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials

Ref: Education Law §§701 et seq.; 1711; 2508; 2566

1st Reading: September 14, 2010

2nd Reading: October 12, 2010

Adoption: October 12, 2010

Effective: October 12, 2010

## LIBRARY MATERIALS SELECTION

The Board of Education supports the establishment and maintenance in each building of library-media centers which provide services to students and staff. The Board delegates the responsibility to the Superintendent or his/her designee for the selection and purchase of materials and equipment.

The library-media staff will work closely with students, staff and administrative personnel in the selection and evaluation of materials for purchase.

In order to provide the Superintendent and his/her staff with guidance in the acquisition of instructional resource material, such as library books, references, audiovisuals, maps, etc., the Board endorses the guidelines approved by the American Library Association that such resources:

1. provide information that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served;
2. provide information that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards;
3. provide information that will enable students to make intelligent judgments in their daily lives;
4. provide information on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking;
5. provide information representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage; and
6. place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

The Superintendent shall be responsible for the selection of resource materials within the aforesaid guidelines and for the determination of factual accuracy, readability, authoritativeness, integrity and quality of format. To assist in the selection process, reputable, unbiased professionally prepared aids (such as the Horn Book, School Library Journal, etc.) shall be consulted as guides.

In order to respond to any complaints about, or challenges to, the selection of library materials, the district has adopted regulations (1420-R, Complaints about Curricula or Instructional Materials Regulation) establishing a complaint procedure and providing for a committee to review such complaints or challenges.

If any person wishes to permanently remove materials from a school district library, he/she must seek the formal approval of the Board. The Board may determine that such materials should be removed. Such determination must not be based upon official suppression of ideas, but rather upon the educational suitability of the materials in question. Only the Board and/or the Superintendent may authorize said permanent removal of instructional materials, pursuant to the decision of the Board.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials

Ref: Education Law §§1709(15); 1711(5)(f)  
*Board of Educ., Island Trees UFSD v. Pico*, 457 US 853 (1982)

Adoption date: July 7, 2009

## **Hampton Bays School Network - Student Acceptable Use Policy**

The Hampton Bays School District is pleased to offer Internet access and other communications services for student use. This policy outlines the rights and responsibilities of students and their use of the Hampton Bays School Network (“Network”). The Hampton Bays Union Free School District has the right to place reasonable restrictions on the material that students may access or post through the system. You are expected to follow the rules set forth in this policy, applicable federal and state laws, in your use of the network.

### Educational Purpose

The Network has been established for a limited educational purpose. The term “educational purpose” includes classroom activities, career development, and limited high-quality self-discovery activities. The Network is not a public access service or a public forum. All users on the Network are expected to follow the rules set forth in this policy and other relevant Board of Education policies, and applicable federal and state laws. Students may not use the Network for commercial purposes, meaning offering, providing, or purchasing products or services through the network. While the Network is not to be used for political lobbying, users may use the Network to communicate with elected representatives and to express opinions on political issues.

### Personal Safety

Students are not permitted to post personal contact information about themselves or others. Personal contact information includes address, telephone, school address, work address, locker combinations, class schedules, etc. Students will not agree to meet with someone s/he has met online unless part of an official classroom activity. Students must promptly disclose to a teacher, or other school employee, any message you receive that is inappropriate or makes s/he feel uncomfortable.

### System Security

Students are responsible for his/her individual account and should take reasonable precautions to prevent others from being able to access that account. Students should never provide a password or other specific login information to others or attempt to learn others. Students should immediately notify a teacher if s/he has identified a possible security problem. Students must not intentionally damage any computer or network-related hardware.

### Illegal Activities

Students will not attempt to access any other network resources not specifically delegated to the student, including attempting to log in through another person's account or access another person's files. Students will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. Students will not use the network to engage in the purchase or solicitation of illicit substances, controlled substances, alcohol, or contraband, as defined by the District Code of Conduct (5300) and students will not use the network to threaten the safety of any person nor harass another person.

### Inappropriate Language

Students will not use disrespectful, profane, lewd, vulgar, rude, inflammatory, threatening, or obscene language while using the Network and must not post information that could cause

damage or a danger of disruption to the school or knowingly post false or defamatory information about a person or organization. Students will not engage in personal attacks, cyber-bullying, or prejudicial or discriminatory attacks.

#### Respecting Resource Limits

The network is to be used for educational and college and career development activities. Students will not install any commercial software, shareware, or freeware onto local or network drives without permission from the Network Administrator; students will not download software or files from the Internet without approval from the teacher.

#### Plagiarism and Copyright Infringement

Students will not use the Network to plagiarize works that nor will they copy, or attempt to copy, another student's work files. Students must respect the rights of copyright owners and use appropriate citations when required.

#### Accessing Inappropriate Materials

Students will not use the Network to access material that is profane or obscene, that advocates illegal acts, or violence or discrimination towards other people (e.g. hate literature); if students mistakenly access inappropriate information, the teacher should be immediately notified.

#### Free Speech

A student's right to free speech, as set forth in the Code of Conduct (5300), applies also to communication on the Internet. The Network is considered a limited forum, similar to the school newspaper, and therefore the District may restrict speech for valid educational reasons.

#### Search and Seizure

Students should expect limited privacy in the contents of personal files on the Network, as it District-property. Routine maintenance and monitoring of the Network may lead to discovery of a violation of this Policy, the Code of Conduct, or the law. An individual search will be conducted if reasonable suspicion exists.

#### Due Process

The District will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the Network. In the event there is a claim that a student has violated this policy or the Code of Conduct in his/her use of the Network, the student will be provided with a written notice of the suspected violation and an opportunity to present an explanation before a building administrator.

#### Limitation of Liability

The District makes no guarantee that the functions or the services provided by or through the District system will be error-free or without defect. The District will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system nor will the District be responsible for financial obligations arising through the unauthorized use of the system.

Personal Responsibility

While using the Network, it is important to remember that users leave an "electronic footprint." Both Internet and network use is monitored at all times. Failure to adhere to this policy will subject students to disciplinary actions as set forth in the Hampton Bays Code of Conduct.

Cross-ref: 5300, Code of Conduct  
8630, Hampton Bays School Network  
9130, Hampton Bays School Network – Employee Acceptable Use

Original Adoption date: July 7, 2009  
Update 1, First Reading: August 25, 2015  
Update 1, Second Reading: September 8, 2015  
Update 1, Adoption Date: September 8, 2015

**Hampton Bays School Network - Student Acceptable Use Policy  
(Grades K-4 Student Handbook)**

The Hampton Bays School District is pleased to now offer Internet access and other computer services to students of the Elementary School. All students will have access to the Internet through their classroom, library and school computer lab and will have e-mail access, under their teacher's supervision, using a classroom account. This policy has been reviewed with your child(ren) by the Computer Lab teacher.

**Rules Of The Computer Network**

1. Respect the computer equipment and treat it with care so as not to damage it.
2. Do not place any food or drinks near the computer and make sure your hands are clean before using it.
3. Do not use disrespectful, vulgar, rude or threatening language.
4. Never give your password to another student and never log onto the computer using another student's password.
5. Do not post personal information about yourself or other people. This includes names, addresses, telephone numbers, or other information, unless related to a class activity.
6. Do not attempt to disrupt the computer system by deleting files or destroying data.
7. Do not insert floppy disks or install programs obtained from home or from another student without the permission of your teacher.
8. Do not download large files from the Internet without the permission of your teacher.
9. Do not plagiarize works that you find on the Internet (plagiarism is taking the ideas or writings of others and presenting them as if they were yours). Also, do not copy, or attempt a copy, another student's work files.
10. Do not use the Internet to access, send, or display messages or pictures that are inappropriate. If you accidentally access inappropriate information, you should immediately tell your teacher. Your parent(s) should also instruct you if there is certain material that they think it would be inappropriate for you to access. We fully expect that you will follow your parents' wishes in this matter.

When you're using the computer it may feel like you can more easily break a rule and not get caught. However, this is really not true because, whenever you do something on a computer, you leave little "electronic footprints." Computer and Internet uses are monitored at all times. If you break the above rules, you may lose your computer privileges and be further disciplined.

## **Hampton Bays School Network - Student Acceptable Use Policy (Grades 5-12 Student Handbook)**

The Hampton Bays School District is pleased to offer students Internet access and other communications services for instructional use. This policy outlines the rights and responsibilities of students and their use of the Hampton Bays School Network (“Network”). The District has the right to place reasonable restrictions on the material that students may access or post through the system. You are expected to follow the rules set forth in this policy, applicable federal and state laws, in your use of the network.

### **I. Educational Purpose**

1. The Hampton Bays School Network (HBSN) has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, career development, and limited high-quality self-discovery activities.
2. The HBSN has not been established as a public access service or a public forum. The Hampton Bays District has the right to place reasonable restrictions on the material you access or post through the system. You are expected to follow the rules set forth in this policy, and applicable federal and state laws, in your use of the HBSN.
3. You may not use the HBSN for commercial purposes. This means you may not offer, provide, or purchase products or services through the network.
4. You may not use the HBSN for political lobbying. However, you may use the system to communicate with elected representatives and to express your opinion on political issues.

### **II. Internet Access and E-Mail**

1. All students will have access to Internet World Wide Web information resources through their classroom, library, or school computer lab.
2. Students may be provided with individual e-mail accounts under special circumstances, at the request of their teacher and with the approval of their parent. You and your parent must sign an Account Agreement to be granted an individual e-mail account on the HBSN. This Agreement must be renewed on an annual basis. You parent can withdraw their approval at any time.
3. If approved by the Web Page Approval Committee, a Web page may be created on the HBSN. All material placed on the Web page must be pre-approved in a manner specified by the school. Material placed on the Web page must relate to your school and career preparation activities.

### **III. Unacceptable Uses**

#### **1. Personal Safety**

- a. You will not post personal contact information about yourself or other people. Personal contact information includes your address, telephone, school address, work address, etc.
- b. You will not agree to meet with someone you have met online unless part of an official classroom activity.
- c. You will promptly disclose to your teacher, or other school employee, any message you receive that is inappropriate or makes you feel uncomfortable.



**2. Illegal Activities**

- a. You will not attempt to gain unauthorized access to the HBSN or to any other computer system through the HBSN or go beyond your authorized access. You will not attempt to access any other network or server (e.g. the Administrative Network, Web Server, E-Mail Server, etc.) other than the Educational Network for any reason. This includes attempting to log in through another person's account or access another person's files. These actions are illegal, even if only for the purposes of "browsing".
- b. You will not make deliberate attempts to disrupt the computer system or destroy data by spreading computer viruses or by any other means. These actions are illegal.
- c. You will not use the HBSN to engage in the purchase or solicitation of illicit substances, controlled substances, alcohol, or contraband, or engage in any other illegal act including, but not limited to, criminal activity, threatening the safety of any person, etc.

**3. System Security**

- a. You are responsible for your individual account and should take all reasonable precautions to prevent others from being able to use your account. Under no conditions should you provide your password to another person.
- b. You will immediately notify a teacher or the system administrator if you have identified a possible security problem. Do not go looking for security problems, because this may be construed as an illegal attempt to gain access.
- c. You will avoid the inadvertent spread of computer viruses by following the district's virus protection procedures if you download software.

**4. Inappropriate Language**

Restrictions against inappropriate language apply to public messages, private messages, and material posted on Web pages.

- a. You will not use disrespectful, profane, lewd, vulgar, rude, inflammatory, threatening, or obscene language.
- b. You will not post information that could cause damage or a danger of disruption to the school or knowingly post false or defamatory information about a person or organization.
- c. You will not engage in personal attacks, including prejudicial or discriminatory attacks.
- d. You will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If you are told by a person to stop sending messages, you must stop.

**5. Respect for Privacy**

- a. You will not repost a message that was sent to you privately without permission of the person who sent you the message.
- b. You will not post private information about another person.
- c. You will not log onto the network using any other person's user name and password. You will also not attempt to gain access to any other person's files.

**6. Respecting Resource Limits**

- a. You will use the system only for educational and career development activities and limited, high-quality, self-discovery activities. There is no limit on use for education and career development activities.

- b. You will not install any commercial software, shareware, or freeware onto local or network drives without permission from the Network Administrator. You will also not download large files unless absolutely necessary.
- c. You will not post chain letters or engage in "spamming". Spamming is sending an annoying or unnecessary message to a large number of people.
- d. You will check your e-mail frequently, delete unwanted messages promptly, and stay within your e-mail quota.
- e. You will have access only to high quality discussion group mail lists that are relevant to your education or career development.

**7. Plagiarism and Copyright Infringement**

- a. You will not plagiarize works that you find on the Internet (plagiarism is taking the ideas or writings of others and presenting them as if they were yours). Nor will you copy, or attempt to copy, another student's work files.
- b. You will respect the rights of copyright owners. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. If a work contains language that specifies appropriate use of that work, you should follow the expressed requirements. If you are unsure whether or not you can use a work, you should request permission from the copyright owner. Copyright law can be very confusing so if you have questions, ask a teacher.

**8. Accessing Inappropriate Materials**

- a. You will not use the HBSN to access material that is profane or obscene (pornography), that advocates illegal acts, or that advocates violence or discrimination towards other people (e.g. hate literature). A special exception may be made for hate literature if the purpose of your access is to conduct research and both your teacher and parent have approved.
- b. If you mistakenly access inappropriate information, you should immediately tell your teacher or another District employee (or disclose this access in the manner specified by your school). This will protect you against a claim that you intentionally violated this Policy.
- c. Your parents should instruct you if there is additional material that they think it would be inappropriate for you to access. The district fully expects that you will follow your parent's instructions in this matter.

**IV. Your Rights**

**1. Free Speech**

Your right to free speech, as set forth in the disciplinary code, applies also to your communication on the Internet. The HBSN is considered a limited forum, similar to the school newspaper, and therefore the District may restrict your speech for valid educational reasons. The District will not restrict your speech on the basis of a disagreement with the opinions you are expressing.

**2. Search and Seizure**

- a. You should expect only limited privacy in the contents of your personal files on the District system. The situation is similar to the rights you have in the privacy of your locker.
- b. Routine maintenance and monitoring of the HBSN may lead to discovery that you have violated this Policy, the disciplinary code, or the law.

- c. An individual search will be conducted if there is reasonable suspicion that you have violated this Policy, the disciplinary code, or the law. The investigation will be reasonable and related to the suspected violation.

### **3. Due Process**

- a. The District will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the HBSN.
- b. In the event there is a claim that you have violated this Policy or disciplinary code in your use of the HBSN, you will be provided with a written notice of the suspected violation and an opportunity to present an explanation before a building administrator (or the opportunity to be heard in the manner set forth in the disciplinary code).
- c. If the violation also involves a violation of other provisions of the disciplinary code, it will be handled in a manner described in the disciplinary code. Additional restrictions may be placed on your use of your Internet account.

## **V. Limitation of Liability**

The District makes no guarantee that the functions or the services provided by or through the District system will be error-free or without defect. The District will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the system nor will the District be responsible for financial obligations arising through the unauthorized use of the system.

## **VI. Personal Responsibility**

When you are using the HBSN, it may feel like you can more easily break a rule and not get caught. However, this is not really true because, whenever you do something on a network, you leave little "electronic footprints." Both Internet and network use are monitored at all times. Failure to adhere to this policy will subject you to disciplinary actions as set forth in the Hampton Bays UFSD District Code of Conduct.

**HAMPTON BAYS SCHOOL NETWORK – STUDENT ACCEPTABLE USE EXHIBIT****Student Internet Agreement**

Use of the school's computer network is public in nature and general school rules for behavior and communications apply. It is expected that users will comply with the rules forth in the district's Internet Acceptable Use Policy. The use of the network is a privilege, not a right, and may be revoked if abused. Users are personally responsible for their actions in utilizing the school's computer resources and are advised never to access, keep or send anything that they would not want their parents or teachers to see.

Student Section

Student Name \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_

I have read the district's Internet Acceptable Use Policy and I agree to follow the rules contained in this policy. I understand that if I violate the rules my access can be terminated and I may face other disciplinary measures.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

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Parent or Guardian Section

I have read the district's Internet Acceptable Use Policy. I hereby release the district, its personnel, and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from my child's use of, or inability to use, the district system, including, but not limited to, claims that may arise from the unauthorized use of the system to purchase products or services.

I will instruct my child regarding any restrictions against accessing material that are in addition to the restrictions set forth in the district Acceptable Use Policy. I will emphasize to my child the importance of following the rules for personal safety.

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

Print Name \_\_\_\_\_

Home Address \_\_\_\_\_ Date \_\_\_\_\_

Adoption date: July 7, 2009

## INTERNET SAFETY

The Board of Education is committed to undertaking efforts that serve to make safe for children the use of district computers for access to the Internet and World Wide Web. To this end, although unable to guarantee that any selected filtering and blocking technology will work perfectly, the Board directs the Superintendent of Schools to procure and implement the use of technology protection measures that block or filter Internet access by:

- adults to visual depictions that are obscene or child pornography, and
- minors to visual depictions that are obscene, child pornography, or harmful to minors, as defined in the Children's Internet Protection Act.

Subject to staff supervision, however, any such measures may be disabled or relaxed for adults conducting bona fide research or other lawful purposes, in accordance with criteria established by the Superintendent or his or her designee.

The Superintendent or his or her designee also shall develop and implement procedures that provide for the safety and security of students using electronic mail, chat rooms, and other forms of direct electronic communications; monitoring the online activities of students using district computers; and restricting student access to materials that are harmful to minors.

In addition, the Board prohibits the unauthorized disclosure, use and dissemination of personal information regarding students; unauthorized online access by students, including hacking and other unlawful activities; and access by students to inappropriate matter on the Internet and World Wide Web. The Superintendent or his or her designee shall establish and implement procedures that enforce these restrictions.

The District shall also provide age appropriate instruction students regarding appropriate online behavior including, but not limited to, interacting on social networks, websites, and chat rooms, and cyber bullying awareness and response. Such instruction will be provided even though the District prohibits students from accessing social networking sites and chat rooms on District technology.

The computer network coordinator designated under the district's Computer Network or Acceptable Use Policy shall monitor and examine all district computer network activities to ensure compliance with this policy and accompanying regulation. He or she also shall be responsible for ensuring that staff and students receive training on their requirements.

All users of the district's computer network, including access to the Internet and World Wide Web, must understand that use is a privilege, not a right, and that any such use entails responsibility. They must comply with the requirements of this policy and accompanying regulation, in addition to generally accepted rules of network etiquette, and the district's Acceptable Use Policy. Failure to comply may result in disciplinary action including, but not limited to, the revocation of computer access privileges.

Our internet safety policy addresses the following as required by CIPA: access by minors to inappropriate matter on the Internet and World Wide Web; the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications; unauthorized access, including so-called “hacking” and other unlawful activities by minors online; and unauthorized disclosure, use of dissemination of personal information regarding minors; measures designed to restrict minors’ access to materials harmful to minors and educating minors about appropriate online behavior including interacting with other individual on social networking web sites and in chat rooms, and cyber bullying awareness and response.

Ref: Public Law No. 106-554  
47 USC §254  
20 USC §6801

Original Adoption date:	July 7, 2009
Update 1, Adoption Date:	September 14, 2010
Update 2, Adoption Date:	August 14, 2012

## INTERNET SAFETY REGULATION

The following rules and regulations implement the Internet Safety Policy adopted by the Board of Education to make safe for children the use of district computers for access to the Internet.

### I. Definitions, in accordance with the Children's Internet Protection Act:

- *Child pornography* refers to any visual depiction, including any photograph, film, video, picture or computer or computer generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct. It also includes any such visual depiction that (a) is, or appears to be, of a minor engaging in sexually explicit conduct; or (b) has been created, adapted or modified to appear that an identifiable minor is engaging in sexually explicit conduct; or (c) is advertised, promoted, presented, described, or distributed in such a manner than conveys the impression that the material is or contains a visual depiction of a minor engaging in sexually explicit conduct.
- *Harmful to minors* means any picture, image, graphic image file, or other visual depiction that (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; (b) depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and (c) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

### II. Blocking and Filtering Measures

- The Superintendent or his or her designee shall secure information about, and ensure the purchase or provision of, a technology protection measure that blocks access from all district computers to visual depictions on the Internet and World Wide Web that are obscene, child pornography or harmful to minors.
- The district's computer network coordinator shall be responsible for ensuring the installation and proper use of any Internet blocking and filtering technology protection measure obtained by the district.
- The computer network coordinator or his or her designee may disable or relax the district's Internet blocking and filtering technology measure only for adult staff members conducting research related to the discharge of their official responsibilities.
- The Technology Team shall monitor the online activities of adult staff members for whom the blocking and filtering technology measure has been disabled or relaxed to ensure there is not access to visual depictions that are obscene or child pornography.

### III. Monitoring of Online Activities

- The district's computer network coordinator shall be responsible for monitoring to ensure that the online activities of staff and students are consistent with the district's

Internet Safety Policy and this regulation. He or she may inspect, copy, review, and store at any time, and without prior notice, any and all usage of the district's computer network for accessing the Internet and World Wide Web and direct electronic communications, as well as any and all information transmitted or received during such use. All users of the district's computer network shall have no expectation of privacy regarding any such materials.

- Except as otherwise authorized under the district's Computer Network or Acceptable Use Policy, students may use the district's computer network to access the Internet and World Wide Web only during supervised class time, study periods or at the school library, and exclusively for research related to their course work.
- Staff supervising students using district computers shall help to monitor student online activities to ensure students access the Internet and World Wide Web, and/or participate in authorized forms of direct electronic communications in accordance with the district's Internet Safety Policy and this regulation.
- The district's computer network coordinator shall monitor student online activities to ensure students are not engaging in hacking (gaining or attempting to gain unauthorized access to other computers or systems), and other unlawful activities.

#### IV. Training

- The district's computer network coordinator shall provide training to staff and students on the requirements of the Internet Safety Policy and this regulation at the beginning of each school year.
- The training of staff and students shall highlight the various activities prohibited by the Internet Safety Policy, and the responsibility of staff to monitor student online activities to ensure compliance therewith.
- Students shall be directed to consult with their classroom teacher if they are unsure whether their contemplated activities when accessing the Internet or Worldwide Web are directly related to their course work.
- Staff and students will be advised to not disclose, use and disseminate personal information about students when accessing the Internet or engaging in authorized forms of direct electronic communications.
- Staff and students will also be informed of the range of possible consequences attendant to a violation of the Internet Safety Policy and this regulation.

#### V. Reporting of Violations

- Violations of the Internet Safety Policy and this regulation by students and staff shall be reported to the Building Principal.



- The Principal shall take appropriate corrective action in accordance with authorized disciplinary procedures.
- Penalties may include, but are not limited to, the revocation of computer access privileges, as well as school suspension in the case of students and disciplinary charges in the case of teachers.

Adoption date: July 7, 2009

## FIELD TRIPS AND EXCURSIONS

The Board of Education recognizes the desirability of providing off-campus experiences which will enhance the educational program of the school system. The Superintendent of Schools will determine the frequency and content of class field trips. Each student must secure the permission of his/her parent or guardian before participating in such activity.

In order to make necessary transportation arrangements, all requests for day field trips must be submitted to the appropriate Building Principal at least thirty days prior to the trip date. All requests for multiple day field trips must be submitted at least ninety days prior to the trip date. Factors relevant in consideration of approval of such field trips may include the relationship to the curriculum, the distance of the trip, availability of transportation, the cost involved, weather conditions, and full utilization of transportation.

The district is entitled to establish rules and regulations surrounding such trips and reserves the right to determine individual student eligibility for field trips based on criteria involving academic standing, attendance, disciplinary record, and classroom behavior. The district also has the right to ensure that all field trips are well planned, well attended, adequately financed, properly coordinated, well supervised, and serve an educationally sound purpose deemed appropriate for the students involved in the field trip.

In order to ensure that the criteria of this policy are met, the Superintendent is directed to establish regulations to include conditions and safeguards which must be satisfied in connection with every field trip for district students.

### Transportation

When the district provides transportation to students on a school-sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district unless:

1. the parent or legal guardian of a student participating in such event has provided the district with a written notice authorizing an alternative form of return transportation for the student; or
2. intervening circumstances make such transportation impractical.

Where intervening circumstances have made transportation back to the point of departure or to the appropriate school in the district impractical, a representative of the district shall remain with the student until such student's parent or legal guardian has been contacted and the student has been delivered to his/her parent or legal guardian.

Ref: Education Law §§1604; 1709; 1804; 1903; 2503; 2554; 2590-e

Adoption date: July 7, 2009



# HAMPTON BAYS

## Union Free School District

Administrative Offices: 86 Argonne Road East, Hampton Bays, NY 11946 • Tel: (631) 723-2100 • Fax: (631) 723-2109

### FIELD TRIP REQUEST

Club/Grade/Class: \_\_\_\_\_ Lead Staff: \_\_\_\_\_

Date of trip: \_\_\_\_\_ Educational purpose: \_\_\_\_\_

Departure from School (time): \_\_\_\_\_ Return to School (time): \_\_\_\_\_

Destination: \_\_\_\_\_ Phone number: \_\_\_\_\_

Address: \_\_\_\_\_

Lead Staff "Day of" Phone: \_\_\_\_\_ Number of Students: \_\_\_\_\_ Chaperones: \_\_\_\_\_

Transportation Needed? YES NO Special Accommodations, if applicable: \_\_\_\_\_

Coach company, if applicable: \_\_\_\_\_ Phone: \_\_\_\_\_

Is this a repeat of a previous field trip?: \_\_\_\_\_

Cost per participant: \_\_\_\_\_ How is the cost to be covered?: \_\_\_\_\_

Name and cell phone number of **all** chaperones (use other side if necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of request: \_\_\_\_\_ Teacher/Advisor Signature: \_\_\_\_\_

<p><b>1. <u>Principal's Action</u></b></p> <p>____ Approved        ____ Disapproved        ____ Approved with conditions</p> <p>Signature: _____        Date: _____</p>	<p><b>2. <u>Superintendent's Action</u></b></p> <p>____ Approved        ____ Disapproved        ____ Approved with conditions</p> <p>Signature: _____        Date: _____</p>	<p><b>3. <u>Transportation Office</u></b></p> <p><i>The Transportation Office will schedule transportation and return the form when complete with an email to Principal, Secretary, and Lead Staff with trip details.</i></p> <p>Cost per bus: _____        *May be needed for planning if students pay part of transportation cost in their fee.</p> <p>Signature: _____        Date: _____</p>
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If an overnight trip, Board of Education approval date: \_\_\_\_\_

**One day trip requests must be received by the Superintendent at least 30 days prior to the date of the trip.**  
**Multi-day trip requests must be received by the Superintendent at least 90 days prior to the date of the trip.**  
**Trips scheduled to take place between May 1 and June 30 must be submitted by March 1.**

**Hampton Bays Union Free School District**  
**Field Trip Permission Form**

**Date:** \_\_\_\_\_

\_\_\_\_\_ has my permission to go with \_\_\_\_\_.  
(student) (teacher/grade/organization)

on a field trip to \_\_\_\_\_ on \_\_\_\_\_.  
(destination) (date)

We leave from \_\_\_\_\_ at \_\_\_\_\_ and return at approximately \_\_\_\_\_.  
(school) (time) (time)

I understand that this privilege is subject to all code of conduct, eligibility, parking privilege, attendance policy and field trip policy requirements, copies of which I have received, read, and understand. Any abuse of these polices may result in a denial/revocation of permission. Furthermore, I understand that if my child has permission for this field trip revoked due to abuse of any Hampton Bays School District policies he/she will NOT be entitled to a refund. I authorize the chaperones on this field trip to use their best judgment in obtaining any medical assistant or hospitalization for my son/daughter in case of illness or accident.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
\*Main Office Signature

\_\_\_\_\_  
Administrative Signature

\*NOTE: Any student with outstanding book fines may have their request for permission denied.

I, hereby understand and agree by all of the rules and regulations set forth in this field trip permission form and the Hampton Bays School District Field Trip policy and District Code of Conduct.

\_\_\_\_\_  
Student Signature

**Formulario de Autorización de Viaje**

**Fecha:** \_\_\_\_\_

\_\_\_\_\_ tiene mi permiso para ir con \_\_\_\_\_ en la salida a \_\_\_\_\_.  
(Nombre del niño) (Grado/profesor/organizacion)

\_\_\_\_\_ en \_\_\_\_\_ . Partimos de \_\_\_\_\_.  
(destino) (el/los dia(s)) (escuela)

a la \_\_\_\_\_ y volvemos a la \_\_\_\_\_. Yo entiendo y estoy de acuerdo y me atengo a la politica del Distrito Escolar de Hampton Bays, una copia que he recibido leído y entendido. Yo ademas autorizo los acompañantes en esta salida para usar el mayor criterio en obtener alguna asistencia medica/hospitalizacion para mi hijo/a en caso de alguna enfermedad o accidente.

\_\_\_\_\_  
Firma del Padre/Guardian

\_\_\_\_\_  
\*Firma Oficina Principal

\_\_\_\_\_  
Firma Administrativa

\*NOTA: Cualquier estudiante con multas de libros pendientes puede tener su solicitud de permiso negado.

Por este medio yo, entiendo y acepto todas las normas y reglamentos establecidos en este formulario de autorización de viaje, la Política de Viaje del Distrito de Hampton Bays y el Código de Conducta Escolar.

\_\_\_\_\_  
Firma del Estudiante

4531.E2

### FIELD TRIP POLICY

The Hampton Bays Board of Education believes that students can benefit from field trip experiences if trips are well planned, well attended, adequately financed, properly coordinated, well supervised, and serve an educationally sound purpose deemed appropriate for the students involved in the field trip.

Since all field trips are a privilege, the school district is entitled to establish rules and regulations surrounding such trips and reserves the right to determine individual student eligibility for field trips based upon criteria involving academic standing, attendance, disciplinary record, and classroom behavior. In order to insure that each of the aforesaid criteria are met, the following conditions and safeguards must be satisfied in connection with each and every field trip for students in the Hampton Bays School District:

1. The building principal and the superintendent of schools must be notified of all proposed field trips before they are discussed with students and/or parents. No such discussions shall take place without prior consent from the building principal and the superintendent of schools.
2. All students must turn in parent permission slips before being allowed to participate in any field trips.
3. Formal field trip request in the form annexed to this policy must be submitted to, and approved by, the building principal and the superintendent of schools. A properly completed request must be filed at least 30 days prior to the scheduled date for a one-day field trip and at least 90 days prior to the scheduled departure date for a multiple day field trip. The building principal and the superintendent of schools shall act on the request within 14 days after receipt for a one-day trip and within 30 days after receipt for a multiple day trip. In the event the receiving agencies will not schedule a field trip to accommodate the above time line, the building principal and superintendent of schools will be notified as soon as possible and, in such event, the Superintendent of Schools shall be empowered to alter these time frames.
4. All students and chaperones participating in a multiple day field trip must attend a common orientation meeting before they are eligible to go on the field trip. The orientation meeting shall take place at least two weeks before the departure date and be supervised by the building principal. Parents and/or guardians of students eligible for a multiple day field trip shall be encouraged to attend the orientation meeting. All multiple day field trip participants shall receive a copy of this field trip policy and shall deliver to the school district a properly signed permission slip and pledge of cooperation before commencement of the field trip. The pledge of cooperation shall be in the form annexed to this policy.
5. All students planning to go on any field trip must contact the teacher of each class that will be missed in order to insure that all class assignments are completed prior to the day of the field trip unless other mutually acceptable arrangements are made between teacher and student. The teacher in charge of the field trip shall insure that the provisions of this paragraph have been met.
6. There must be an adequate number of students eligible for each field trip to insure that it will be educationally worthwhile and cost effective. The discretion of the superintendent of schools shall be final in this regard.
7. There shall be a minimum of three chaperones on each field trip. At the Junior-Senior High School level, or coeducational field trips, there shall be at least one chaperone of each sex, unless other arrangements receive prior approval of the Superintendent of Schools. At least half of the chaperones shall be members of the school professional staff and there shall be one chaperone to every 10-15 junior-senior high school students.
8. At the elementary level, arrangements for professional staff/volunteer and adult/student ratios must be receive prior approval of the Superintendent of Schools. Overnight co-educational field trips require at least one chaperone of each gender.
9. Field trips requested for dates within 10 days of quarterly examinations and within 30 days of final examinations shall be approved only in exceptional situations.
10. The cost of all field trips shall be equitably divided between all students involved in the field trip. If any student is unable to afford all or part of the cost involved in the trip, a waiver of expense may be approved by the superintendent of schools and the individual student expense shall be paid by the district. These waivers are intended to insure that no student is denied the opportunity to participate in a field trip solely on account of financial difficulty but any such waiver shall only be issued in legitimate cases of need. In the case of field trips involving fund raising by the students, waivers shall not be issued unless the student requesting the waiver displayed a good faith effort in the fund raising project. The discretion of the superintendent of schools shall be final in this regard. Required chaperone expense will be paid by District.
11. The field trip policy recited herein shall only apply to pre-approved trips arranged in accordance with this policy. Any other trips involving students, teachers, chaperones, and/or parents which have been arranged independently as individuals of the community and have not received the approvals recited herein do not come under the authority of this policy and are not sponsored by the school district. Accordingly, the district assumes no responsibility or liability in connection with any such trips. Any such activities involving teachers or students shall not impinge upon the school calendar and no school district property or money shall be encumbered in connection with any such trips.
12. The following guidelines for student behavior shall apply during all field trips:
  - a. All field trips are an extension of the school program. Students will be held accountable for their behavior and, in addition to the rules set forth herein, may be subjected to those disciplinary procedures which would apply if their actions took place on school grounds.
  - b. No student shall be given permission to leave a chaperoned group. All students shall follow the planned itinerary and remain at all times within the group they have been assigned.
  - c. On multiple day trips, each student shall be provided with an itinerary and additional information containing the name, address, and telephone number of each accommodation for field trip participants. There shall be no coeducational sleeping areas and students shall not be allowed to visit areas assigned to students of the opposite sex after the activities of the day have been completed.
  - d. Purchase, sale, use, possession, or distribution of any alcoholic beverage or illegal substance shall result in the immediate return to the district of any student. Any other violation of field trip policy, if deemed serious enough by a chaperone, shall also result in a return to the district. Any student or chaperone sent home for disciplinary reasons shall reimburse the school district for any expense in connection with the return.
  - e. Participation in a field trip shall indicate consent for a property search if any chaperone has reasonable grounds to suspect illicit activities by any field trip participant. Chaperones shall have the right to inspect students' possessions or accommodations at any time during the field trip but personal searches shall only be conducted by proper authorities.
13. Policy for excluding students from field trips: The principal has the right to exclude a student from a field trip if the student has one of the following, up to and including the day of the trip:
  - a. More than one suspension from school.(either in-school or out-of-school suspension).
  - b. More than three disciplinary referrals to the assistant principal for the school year.
  - c. Documented behavior that indicates that a student would be difficult to supervise during a trip outside of the school building. This can include poor conduct or failing grades in two or more subjects on a report card.
  - d. Two or more recorded incidents of bus conduct violations.

**FIELD TRIPS AND EXCURSIONS REGULATION**

The following regulations govern the approval, planning, and execution of field trips taken by district students.

1. The Building Principal and the Superintendent of Schools must be notified of all proposed field trips before they are discussed with students and/or parents. No such discussions shall take place without prior consent from the Building Principal and the Superintendent.
2. Students must turn in parent permission slips before being allowed to participate in a field trip.
3. A formal field trip request form (Exhibit 4531-E.1) must be submitted to, and approved by, the Building Principal and the Superintendent. A properly completed request must be filed at least 30 days prior to the scheduled departure date for one-day field trip and at least 90 days prior to the scheduled departure date for a multiple day field trip. For any trip that is scheduled to take place on or after May 1, the properly completed request must be filed by at least March 1 of the same school year. The Building Principal and the Superintendent shall act on the request within 14 days after receipt for a one-day trip and within 30 days after receipt for a multiple day trip. In the event the receiving agencies will not schedule a field trip to accommodate the above timeline, the Building Principal and Superintendent will be notified as soon as possible and, in such event, the Superintendent shall be empowered to alter these timelines.
4. All students and chaperones participating in a multiple day field trip must attend a common orientation meeting before they are eligible to go on the field trip. The orientation meeting shall take place at least two weeks before the departure date and be supervised by the Building Principal. Parents and/or guardians of students eligible for a multiple day field trip shall be encouraged to attend the orientation meeting. All multiple day field trip participants shall receive a copy of the field trip policy and regulation, and shall deliver to the school district a properly signed permission slip and pledge of cooperation (Exhibit 4531-E.2) before commencement of the field trip.
5. Students planning to go on a field trip must contact the teacher of each class that will be missed in order to insure that all class assignments are completed prior to the day of the field trip unless other mutually acceptable arrangements are made between teacher and student. The teacher in charge of the field trip shall insure that the provisions of this paragraph have been met.
6. There must be an adequate number of students eligible for each field trip to insure that it will be educationally worthwhile and cost effective. The discretion of the Superintendent shall be final in this regard.
7. There shall be a minimum of three chaperones on each field trip. At the Junior-Senior High School level, or coeducational field trips, there shall be at least one chaperone of each sex, unless other arrangements receive prior approval of the Superintendent of Schools. At least half of the chaperones shall be members of the school professional staff and there shall be one chaperone to every 10 – 15 junior-senior high school students.
8. At the elementary level, arrangements for professional staff/volunteer and adult/student ratios must receive prior approval of the Superintendent of Schools. Overnight coeducational field trips require at least one chaperone of each sex.

9. Field trips requested for dates within 10 days of quarterly examination and within 30 days of final examinations shall be approved only in exceptional situations.
10. In general, the cost of all curriculum-related field trips shall be borne by the district. The cost of all non-curriculum related field trips shall be equitably divided between all students involved in the field trip. If any student is unable to afford all or part of the cost involved in the trip, a waiver of expense may be approved by the Superintendent and the individual student expense shall be paid by the district. These waivers are intended to insure that no student is denied the opportunity to participate in a field trip solely on account of financial difficulty but any such waiver shall only be issued in legitimate cases of need. In the case of field trips involving fund raising by the students, waivers shall not be issued unless the student requesting the waiver displayed a good faith effort in the fund raising project. The discretion of the Superintendent shall be final in this regard. Required chaperone expense will be paid by district.
11. These regulations shall only apply to pre-approved trips arranged in accordance with this regulation. Any other trips involving students, teachers, chaperones, and/or parents which have been arranged independently as individuals of the community and have not received the approvals recited herein do not come under the authority of this regulation and are not sponsored by the school district. Accordingly, the district assumes no responsibility or liability in connection with any such trips. Any such activities involving teachers or students shall not impinge upon the school calendar and no school district property or money shall be encumbered in connection with any such trips.
12. The following guidelines for student behavior shall apply during all field trips:
  - a. All field trips are an extension of the school program. Students will be held accountable for their behavior and, in addition to the rules set forth herein, may be subjected to those disciplinary procedures which would apply if their actions took place on school grounds.
  - b. No student shall be given permission to leave a chaperoned group. All students shall follow the planned itinerary and remain at all times within the group they have been assigned.
  - c. On multiple day trips, each student shall be provided with an itinerary and additional information containing the name, address, and telephone number of each accommodation for field trip participants. There shall be no coeducational sleeping areas and students shall not be allowed to visit areas assigned to students of the opposite sex after the activities of the day have been completed.
  - d. Purchase, sale, use, possession, or distribution of any alcoholic beverage or illegal substance shall result in the immediate return to the district of any student. Any other violation of this regulation, if deemed serious enough by a chaperone, shall also result in a return to the district. Any student or chaperone sent home for disciplinary reasons shall reimburse the school district for any expense in connection with the return.
  - e. Participation in a field trip shall indicate consent for a property search if any chaperone has reasonable grounds to suspect illicit activities by any field trip participant. Chaperones shall have the right to inspect students' possessions or accommodations at any time during the field trip but personal searches shall only be conducted by proper authorities.

Adoption Date: July 7, 2009  
Update 1, Adoption Date: July 7, 2015

## SCHOOL VOLUNTEERS

The Board of Education recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist district employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the district.

Volunteers may be involved in many facets of school operations, from mentor/tutor relationships to clerical tasks. Volunteers shall not be used to provide transportation for school-sponsored activities.

No volunteer shall be permitted to have unsupervised direct contact with students.

School personnel who are responsible for tasks or projects that involve the use of volunteers shall identify appropriate tasks and time schedules for such volunteer activities, as well as make provisions for adequate supervision and evaluation.

Persons wishing to volunteer must contact the Superintendent or Building Principal or other individual designated by the Superintendent or Building Principal and must complete a volunteer application form. The application form shall require the volunteer applicant to disclose any criminal convictions. The application form shall also require the applicant to identify two non-family member personal references. The Superintendent or Building Principal shall be responsible for ensuring that both references are contacted before the volunteer begins rendering volunteer services to verify that the individual is of good moral character.

The district shall retain a complete record of all information obtained through the application process for the same period of time it retains information regarding district employees.

All volunteers are required to act in accordance with district policies, regulations and school rules. Any staff member who supervises volunteers may ask any volunteer who violates district policies, regulations or school rules to leave school grounds.

Each Building Principal shall be responsible for maintaining a current and complete list of all active volunteers and their assignments.

Adoption date: July 7, 2009



## GUIDANCE PROGRAMS

Guidance programs for district students K-6 shall include the following:

1. preparing students to participate effectively in their current and future educational programs;
2. helping students with attendance, academic, behavioral or adjustment problems;
3. educating students to avoid sexual abuse and other forms of child abuse; and
4. encouraging parental involvement in their children's education.

Programs for district students in grades 7-12 shall include the following:

1. an annual review of each student's educational progress and career plans;
2. advisory services for curriculum options, educational and career plans, attendance, academic, behavioral and adjustment problems;
3. counseling services for curriculum options, educational and career plans, attendance, academic, behavioral and adjustment problems;
4. career instruction at each grade level, 7-12; and
5. encouragement of parental involvement.

Ref: 8 NYCRR §100.2(j)

Adoption date: July 7, 2009

## GRADING SYSTEMS

Grading is considered a positive tool to indicate achievement and development in each class or subject in which a student is enrolled. The Board of Education recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades, with review by the building principals.

The district shall use a uniform grading system. Classroom teachers shall evaluate students and assign grades according to the established system.

Grading shall be based upon student improvement, achievement, and participation in classroom discussions and activities. Grades shall represent the ability, work product, and comprehension of subject matter which was demonstrated by the student during the course of instruction.

Parents/guardians shall be informed of all grades at a minimum interval of ten (10) weeks regarding their child's progress. They shall also be informed of substantial changes in student performance or attendance.

Grading shall not be used for disciplinary purposes, i.e., reducing grade for an unexcused absence, although a lower grade can be given for failure to complete assigned work or for lack of class participation.

All students are expected to complete the assigned class work and homework as directed. Students are also expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to absence, the student is expected to make up the work, pursuant to the Attendance Policy. The student and/or the student's parent(s) or guardian(s) should discuss with the student's teacher an appropriate means of making up the missed work. With the possible exception of absences intended by the student as a means of gaining an unfair academic advantage (e.g., to secure more time to study for a test), every effort will be made to provide students with the opportunity and assistance to make up all work missed as a result of absence from class.

Grades are expected to be submitted in a timely fashion to be reported to parents. Submission of grades will be open until a date set by the Building Principal, at which point the grading system will be closed and locked. Any submissions after that date must be accompanied by a written request. Grading systems will only be unlocked for enough time to allow the modification. Any extension to the date the system will be locked must be approved by the Building Principal. Once a grade is assigned to a student by a teacher, the grade may only be changed by the building administrator who should consult with the teacher about the reason for such change. Should an administrator enforce a grade change, he/she shall notify the Superintendent of Schools. All grade changes require supporting documentation, to be maintained in the system and in the student's record, including the name and title of the person making the request, the date of the request, and the specific reason(s) for the change.

The district's student management system will serve as a historic and official representation of the grades and credits earned. Grade changes and documentation will be filed in the student's permanent record folder.

All re-opening of the grading system and grade changes will be documented in the Principal's office and reviewed annually by the Superintendent or designee to ensure the process is being followed and that there is no unusual or inappropriate activity.

There will be a limited number of personnel other than teachers who have access or permissions to enter grades in the system and that shall include the teacher of record. Grade changes in the system shall be done by the Principal or singular designee.

The Assistant Superintendent for Curriculum and Instruction will develop regulations and procedures for adding users, establishing user's access rights (include if applicable: override abilities); deactivating or modifying user accounts, granting user permissions, and monitoring user access to and activity within the system. Access and permission will be reviewed annually to ensure that users have the correct permissions to perform the tasks required of them. Access and permissions will be compatible with roles or job duties. The access and permissions of people no longer employed by the district, or no longer in positions requiring access and permissions, will be removed, modified or deactivated immediately.

Cross-ref: Attendance Policy

Ref: Education Law §§3202; 3205 et seq.  
*Matter of Nathaniel D.*, 32 EDR 67 (1992)  
*Matter of Hegarty*, 31 EDR 232 (1992)  
*Matter of Shepard*, 31 EDR 315 (1992)  
*Matter of Handicapped Child*, 32 EDR 83 (1992)  
*Matter of Ackert*, 30 EDR 31 (1990)  
*Matter of Augustine*, 30 EDR 13 (1990)  
*Matter of Boylan*, 24 EDR 421 (1985)  
*Matter of Burns*, 29 EDR 103 (1989)  
*Matter of Chipman*, 10 EDR 224 (1971)  
*Matter of Dickershaid*, 26 EDR 112 (1986)  
*Matter of Fitchett-Delk*, 25 EDR 178 (1985)  
*Matter of Gibbons*, 22 EDR 134 (1982)  
*Matter of LaViolette*, 24 EDR 37 (1984)  
*Matter of MacWhinnie*, 20 EDR 145 (1980)  
*Matter of McClurkin*, 28 EDR 136 (1988)  
*Matter of Reid*, 65 Misc 2d 718 (1971)  
*Matter of Rivers*, 27 EDR 73 (1987)  
*Matter of Shamon*, 22 EDR 428 (1983)

Original Adoption:	October 15, 2009
Update 1, 1 <sup>st</sup> Reading:	June 14, 2016
Update 1, 2 <sup>nd</sup> Reading:	July 5, 2016
Update 1, Adoption Date:	July 5, 2016

## HAMPTON BAYS GRADING REGULATION

Hampton Bays School District recognizes that a grading policy must be multi-faceted. Many criteria must be evaluated in order to effectively assess student growth and achievements.

1. **Each quarter grade should be based on components such as:** tests, quizzes, homework, projects, class participation and/or other criteria specific to individual subjects (i.e., science labs.
  - A. Individual teachers will establish criteria and component percentage.
  - B. Each teacher must provide students with a copy of their grading policy the first week of class. Parents will receive a copy of the grading policy by open house.
  - C. All teachers must include a participation component in their grading policy. This should not exceed 15% of the quarter grade.
  - D. Participation grades **may** be based on class attendance, preparedness, class participation, behavior and attitude, and other factors determined at the beginning of the course.
  - E. Students unable to attend class due to an excused absence will be given credit for participation if, upon return, they make up the missed work for each day/class period.
  - F. It is the student's responsibility to identify any work that was missed. All work must be made up within a specified time period set by the teacher.
  - G. A student's grade should be based on a minimum of 10 assignments/grades each quarter.
  - H. Teachers will put at least one comment for each quarter grade given to a student.
  - I. Information can be reported in a variety of ways. In addition to formal report card grades or progress reports, feedback about student performance should include parent conferences, telephone contacts, standardized test score results, etc. Should a student's performance decline dramatically over a two-week period (generally meant to be a decline of 10 points or more in the student's average), it is expected that the teacher will make every effort to contact a parent/guardian as soon as possible.
  - J. Teachers will maintain up-to-date hard copy and/or computer generated grade books.
  - K. Extra credit is an option teachers may employ for students who have already fulfilled all course requirements but are still willing to do extra work to improve their grade. Quarter grades **cannot** exceed 100.
  
2. **Calculation of Final Course Average:**
  - A. **Full-Year Course (High School)**
    1. Each quarter will count as 20% of the final grade.
    2. Final Exams/Regents taken in June will count as 20% of the final grade.
    3. The second quarter grade will be calculated as follows:  
(2<sup>nd</sup> quarter average x .75) + (mid-term grade x .25).
    4. Final grades will be recalculated when a student retakes a Regents Exam and scores higher for up to one year from when the test was originally taken.
    5. A minimum final grade of 65 is required to receive course credit.

**B. Half-Year Course (High School)**

1. Each quarter will be counted twice and the final exam will be counted once.
2. A minimum final grade of 65 is required to receive course credit.

**C. Full-Year Course (Middle School)**

1. Each quarter will count as 25% of the final grade for full-year courses in 5<sup>th</sup> and 6<sup>th</sup> grade
2. Each quarter will count as 25% of the final grade for full-year courses in 7<sup>th</sup> and 8<sup>th</sup> grade where a final exam is not given.
3. Each quarter will count as 20% of the final grade for full-year courses in 7<sup>th</sup> and 8<sup>th</sup> grade where a final exam is given.
4. A minimum final grade of 65 is required to pass.

**D. Half-Year Course (Middle School)**

1. The average of each quarter and final exam will constitute the final grade.

3. **Grading Scale**

- A. Based on numeric from 1-100
- B. An **I** will be given for Incomplete grades due to extended legal absences
- C. **S** for Satisfactory (for non-credit bearing courses)
- D. **U** for Unsatisfactory (for non-credit bearing courses)
- E. **NCA** for course when attendance prohibits awarding of credit (will not be a part of quarter average but will be listed on student's transcript)

If the necessary work has not been successfully completed within two weeks of the end of a quarter, an incomplete will be changed to a numeric grade averaging in a zero for each assignment not completed.

4. **Minimum Quarter/Final Grade(s)**

- A. Full-Year Course - No lower than 50 for 1<sup>st</sup> two quarters (with comment saying actual grade is lower).
- B. Half-Year Course - No lower than 50 for 1<sup>st</sup> quarter (with comment saying actual grade is lower).
- C. The grade of 50, not the actual grade earned, will be used in calculating a student's final average for the course.

5. **Dropping Courses**

- A. **Half-Year Course** - Students will have the opportunity to drop a course after the 3-week mark, without consequences, under the following circumstances:
  1. Due to a scheduling error or misplacement; or
  2. A change initiated by a teacher or administrator with cause.
- B. **Full-Year Course** - Students will have the opportunity to drop a course after 3 weeks, without consequences, under the following circumstances:

1. They attempted an Honors or AP course and found it too challenging;
2. Due to a scheduling error or misplacement; or
3. A change initiated by a teacher or administrator.

NOTE: Course drops are subject to administrative approval. After 3 weeks, a grade of (WP) withdraw pass or (WF) withdraw fail will be applied based on the current course average.

6. **Promotion**

- A. High school students are promoted in September by credits, not grade or age. To be assigned to a grade level in September, a student has to have accumulated the following number of credits:
1. 9<sup>th</sup> less than 5 credits
  2. 10<sup>th</sup> 5 credits to less than 10 credits
  3. 11<sup>th</sup> 10 credits to less than 16.5 credits
  4. 12<sup>th</sup> 16.5 credits or more

A student beginning a year in a grade will remain in that grade for the entire year regardless of credits earned mid-year.

7. **Middle School Retention Process**

- A. Students in danger of failing two or more courses for the year must be identified by their guidance counselor after the second marking period grades are finalized.
- B. School counselors will notify the school psychologist who will organize an IST meeting. All necessary parties will be included (grade administrator, school psychologist, counselor, teacher, parent, and student).
- C. An intervention plan will be designed by the school psychologist which will be signed by the student and parent, a copy of which will be given to administration.
- D. Counselors will meet with the classroom teacher periodically to monitor the plan's implementation.
- E. Retention will be a collaborative decision based on input from all members of the IST at the conclusion of the school year.
- F. Summer school will be recommended for all failing classes.

8. **Honor Roll and Class Rank**

**A. Honor Roll**

1. All graded courses will be included in Report Card and Honor Roll calculations
2. Honor Roll designation for grade point averages of 88-91.99
3. High Honor Roll designation for grade point averages of 92-95.99
4. Presidential Honor Roll designation for grade point averages of 96-100
5. Students must have no outstanding incompletes, failures, or credit denials.

**B. Class Rank (weighted average)**

1. Class rank will be determined by the listed course weights.
  - a. For the Class of 2012, Class of 2013, and Class of 2014:

- Non-Regents courses have a weight of 1.00
  - Regents courses have a weight of 1.05
  - Honors, Accelerated and AP Courses have a weight of 1.10
  - All courses except Physical Education, Band and Chorus will be included in weighted average
- b. Beginning with the Class of 2015:
- Non-Regents courses have a weight of 1.00
  - Regents courses have a weight of 1.00
  - Honors and Accelerated courses have a weight of 1.05
  - AP Courses and college-credit courses have a weight of 1.10
  - All courses except Physical Education, Band and Chorus will be included in weighted average
- c. Beginning with the Class of 2021:
- Non-Regents courses have a weight of 1.00
  - Regents and accelerated courses have a weight of 1.00
  - Honors courses have a weight of 1.05
  - AP Courses and college-credit courses have a weight of 1.10
  - All courses except Physical Education, Band and Chorus will be included in weighted average
9. Admission to Honors, Accelerated, ACE and AP classes, as well as the criteria for remaining in those courses, are specified in the curriculum guide.
10. Extenuating circumstances regarding ANY component of the grading policy will be brought to the appropriate administrator for review.

Original Adoption Date: October 15, 2009  
Update 1, Adoption Date: August 16, 2011  
Update 2, First Reading: June 14, 2016  
Update 2, Second Reading: July 5, 2016  
Update 2, Adoption Date: July 5, 2016

## **HOMEWORK**

The Board of Education recognizes that homework is an integral part of a student's education in that it helps to reinforce classroom learning, as well as foster creativity, initiative and independence on the part of the student. Since homework is viewed as a positive scholastic endeavor, it is not to be used or associated with punishment for a student or group of students.

Therefore, teachers are encouraged to assign homework which is commensurate with individual student needs (age, grade level, ability) and is accordance with the district's goals.

In addition, parents should be informed of the procedures regarding homework at each school, with the development of t such procedures being the responsibility of the professional staff.

The Board directs the Superintendent and/or designee to develop guidelines for homework in the elementary and secondary schools, to be on file in the offices of the Building Principals.

Adoption date: July 7, 2009



## HOMEWORK REGULATION

In support of Board Policy 4730, Homework, the following administrative regulation has been established:

1. When assigning homework, teachers have the responsibility for providing specific instructions to the students concerning the completion of the assignment.
2. All students shall have an opportunity to have access to the books or materials necessary for the completion of an assignment.
3. Homework shall be reviewed, graded or commented on, and returned as soon as possible in order for the student to see the product of his/her labors.
4. Through their various contacts with parents throughout the year, teachers shall encourage parents to provide an atmosphere which is conducive to completing assignments.
5. At the elementary level, homework shall generally not exceed one hour on any given evening. At the secondary level, homework shall generally not exceed two hours in any given evening.

Adoption date: July 7, 2009

## CLASS RANKINGS

The district shall calculate the academic rank in class of the members of the graduating class based on grade point average. At the end of six semesters, an official rank in class shall be computed for all students who are planning to receive their diplomas the following year. Accelerated students shall be eligible for, and shall receive, all honors and awards including valedictorian and salutatorians which are available to members of the senior class.

This ranking is based on all credit-bearing subjects earning at least one-half credit. Band, Chorus and Physical Education are not used in the computation. Rankings shall be determined through the use of a weighted average. Courses will be rated accordingly:

Honors Level Courses	-	1.10
Regents Level Courses	-	1.05
Academic Level Courses	-	1.00
Essential Level Courses	-	0.95

Beginning September 1, 2011 with the Freshmen Class (Class of 2015), class ranking will be rated as follows:

Advanced Placement and college-credit bearing courses	-	1.10
Honors and Accelerated courses	-	1.05
Regents-level and non-Regents level courses	-	1.00

Beginning September 1, 2017 with the Freshman Class (Class of 2021), class ranking will be rated as follows:

AP Courses and college-credit courses	-	1.10
Honors courses have a weight of 1.05	-	1.05
Regents, Accelerated, and Non-Regents courses	-	1.00

All courses, except Physical Education, Band, and Chorus will be included in the weighted average.

Cross-ref: 4771, Early Graduation

Ref: 8 NYCRR §100.5  
*Appeal of Sperry*, 37 EDR 660 (1998)  
*Appeal of Chesbrough*, 32 EDR 647 (1993)  
*Matter of Roberts*, 15 EDR 269 (1976)

Adoption date: July 7, 2009  
 Update 1, Adoption Date: September 13, 2011  
 Update 2, First Reading: June 14, 2016  
 Update 2, Second Reading: July 5, 2016  
 Update 2, Adoption Date: July 5, 2016

## PROMOTION AND RETENTION OF STUDENTS

It is essential that each child experience both challenge and success from school activities. To this end, the district will make every effort to place each student in the most appropriate learning level for a successful educational experience.

District curriculum guides indicate goals for achievement by the “average” student at each grade level. However, academic growth, like physical growth, does not take place at the same pace or time for all individuals. Certain students may achieve mastery in a shorter period, while others need additional time. Early identification and intervention, promotion and retention are methods of meeting the needs of such children.

The following guidelines shall govern student progression:

### **Early Identification/Intervention**

Classroom teachers are expected to make every effort, consistent with the district’s implementation of response to intervention (RTI), to identify early those students at risk of failing. The Building Principal and the parents/guardian must be notified promptly if retention is anticipated, and a special support program shall be designed for each child identified as in danger of failing. Such support services may include, but are not limited to, individualized assistance before, during or after the school day; remedial classes; a change in instructional approach, and, where appropriate, referral to the Committee on Special Education for evaluation.

### **Promotion/Retention**

Elementary schools. At the elementary level, students who pass all subjects will be promoted. Students who do not make satisfactory progress in one or more basic subjects -- Reading, English, Mathematics, Spelling, Social Studies and Science -- shall have their cases considered on an individual basis and may be retained. Retention shall be limited to those situations where the best interest of the child is reasonably assured. Diligent effort shall be made to use all available resources to determine the child’s appropriate placement.

Middle schools. Students who pass all subjects but one shall have the failure evaluated and a determination made as to the reason for the failure. The student may be required to repeat the subject, but in typical cases shall be promoted with recommendation for either summer school or assignment to a lower academic ability group. The decision shall be arrived at by consensus from a case conference approach involving teacher, Principal and guidance counselor. Students who fail two subjects shall have their cases considered on an individual basis through a case conference approach described above. Students who fail more than two subjects shall fail for the year.

Senior High School. In general, promotion from one class to the next shall be contingent upon the passing of all required subjects and the accumulation of 4 or 5 units of credit at each level.

Academic standards. Building Principals shall be responsible for ensuring that written standards for student progress at each grade level are available to parents and others upon

request. Such academic standards are to be forwarded to the Superintendent of Schools each year.

Retention. A decision to retain shall be arrived at by consensus from a case conference approach involving the teacher, Building Principal, school psychologist, and parent/guardian. Factors to be considered include teacher recommendation; classroom achievement and attitude; standardized test scores; social and emotional development; results of the family conference; and, for identified students, recommendations by the Committee on Special Education. Standardized test scores will not be the sole or primary factor in the decision. If a consensus cannot be reached, a parent/guardian may appeal to the Superintendent of Schools on a form provided by the district for this purpose. The decision of the Superintendent shall be final.

No student will be retained without an appropriate educational plan defining what will occur that is instructionally different for the student. Once the educational plan has been implemented, the student will be monitored regularly. The educational plan will be revised until the student demonstrates acceptable performance.

Ref: Education Law §§1709; 2503(4); 3202  
8 NYCRR §100.4  
*Isqwith v. Levitt*, 285 App. Div. 833; 137 N.Y.S.2d 497 (1955)  
*Matter of Eckert*, 13 EDR 270 (1979)  
Op. Counsel, 1 EDR 775 (1952)

Adoption Date:	July 7, 2009
Update 1, First Reading:	July 8, 2014
Update 1, Second Reading:	August 12, 2014
Update 1, Adoption Date:	August 12, 2014

## **GRADUATION REQUIREMENTS**

The Board of Education will determine the graduation requirements of the district in accordance with the Regulations of the Commissioner of Education. The Superintendent of Schools shall develop regulations setting forth the diploma requirements. Such regulations shall be approved by the Board and shall be provided to students and parents each year once a student reaches the eighth grade.

The regulations shall, as permitted by the regulations of the Commissioner of Education and decided by the Board, extend the low-pass option for students wishing to obtain a local diploma.

Participation in the graduation exercises will be predicated on satisfactory completion of all graduation requirements.

Adoption date: July 7, 2009

## EARLY GRADUATION

The Board of Education, in certain instances, shall grant students who wish to graduate from high school in less time than the ordinary four-year sequence the permission to complete graduation requirements on an alternative schedule. To this end, all normal graduation requirements must be completed for early graduation.

In regard to individual student requests, the following factors may be considered: the student's grades, performance in school, his/her future plans, and benefits that would accrue to the student if the request for early graduation were to be approved. The Building Principal shall make the final decision on whether to grant permission after consultation with the individual student's counselor, the English department chairman, student and parent(s).

Once an application for early graduation has been officially approved, the student will be entitled to participate in the senior activities (senior trip, senior portraits, senior prom, etc.). However, if the student fails to meet the graduation requirements, his/her senior activities may be curtailed and may be reinstated the subsequent year, at the discretion of the school authorities.

A bona fide early graduate may, upon meeting all graduation requirements, qualify for any and all honors and awards relating to the graduating class, including Valedictorian and Salutatorian. Early graduates shall also be given an exact class rank in the graduating class.

Cross-ref: 4741, Class Rank

Ref: 8 NYCRR §100.5(a)(4)  
*Appeal of Sperry*, 37 EDR 660 (1998)  
*Appeal of Chesbrough*, 32 EDR 647 (1993)  
*Matter of Roberts*, 15 EDR 269 (1976)

Adoption date: July 7, 2009

## **DIPLOMA AND CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

The Board of Education is committed to supporting all students so they are college- and career-ready upon graduation. The Committee on Special Education (CSE), which includes parents/guardians, will work with students with disabilities to attain the appropriate diploma or credential based on their Individualized Education Plan (IEP).

### **Regents Diploma or Regents Diploma with Advanced Designation**

Students with disabilities are encouraged to work toward the completion of requirements for a Regents diploma or Regents diploma with an advanced designation, as established by New York State and the Board.

### **Local Diploma**

Students with disabilities may work toward completion of the requirements of a local diploma. The local diploma may be earned by meeting the standards set forth in state regulations.

### **Career Development and Occupational Studies Commencement Credential**

Students with disabilities, who are not students with severe disabilities under Commissioner's Regulations, may be issued a New York State Career Development and Occupational Studies Commencement Credential (CDOS), pursuant to the requirements of those regulations. The student may pursue a CDOS either in addition to or instead of a high school diploma. The district shall ensure that such students have been provided with appropriate opportunities to earn a high school diploma.

### **Skills and Achievement Commencement Credential**

A student who meets the state definition of a student with severe disabilities, who has taken the State assessment for students with severe disabilities, may be issued a skills and achievement commencement credential pursuant to the requirements of Commissioner's Regulations 8 NYCRR §100.6.

### **Continued Right to Educational Services**

If a student receiving a Career Development and Occupational Studies Commencement Credential or a Skills and Achievement Commencement Credential is less than twenty-one years of age, the credential shall be accompanied by a written assurance of the student's continued right to attend public school until the end of the school year in which the student reaches the age of twenty-one or until the student has earned a high school diploma, whichever is earlier.

Cross-ref: 4321, Programs for Students with Disabilities  
4770, Graduation Requirements

Ref: 8 NYCRR §§100.1; 100.5; 100.6; 100.9

First Reading: July 8, 2014  
Second Reading: August 12, 2014  
Adoption date: August 12, 2014

## TEACHING ABOUT CONTROVERSIAL ISSUES

The Board of Education recognizes their broad responsibility for providing for a course of study in the schools that is appropriate to the age and ability of the students in the district. The Board also recognizes that within the broad parameters of curriculum, a teacher must be free to engage the classroom discussion and debate in order to stimulate the exchange of ideas and critical thinking.

Controversial issues may arise that deal with matters about which there are varied levels of opposing views, biases emotions, and/or conflict. The Board wishes to ensure that controversial issues are presented in a manner that preserve the academic integrity of the district and reflects community values. Therefore, the Board establishes the following guidelines for teachers to follow when presenting controversial issues in the classroom:

1. In the classroom, matters of a controversial nature shall be handled as they arise in the normal course of instruction and not introduced for their own sake. Such issues shall be neither sought nor avoided.
2. When presenting various positions on a controversial issue, the teacher shall take care to balance major views and to assure that as many sides of the issues as possible are presented in a fair manner, with no position being espoused by the teacher as the only one acceptable.
3. When materials dealing with controversial topics are to be used, assigned or recommended, such materials must:
  - have educational value and be relevant to the curriculum;
  - be appropriate to the age and maturity level of the students; and
  - not adversely affect the attainment of the district's instructional goals or result in substantial disruption of the normal operation of the classroom.

Prior to presenting controversial materials to their students all teachers shall:

1. review carefully any and all material to be distributed to students with the understanding that they will be responsible and accountable for all materials distributed; and
2. notify the Building Principal in advance of the dissemination of any material likely to be considered controversial by staff, class or community. The Principal will review the materials pursuant to the guidelines above.

Ref: *Tinker v. Des Moines Independent Community School District*, 393 U.S. 260 (1988) (students have First Amendment rights)  
*Hazelwood v. Kuhlmeier*, 484 U.S. 260 (1988) (limitations on students First Amendment rights in an educational setting)  
*Board of Education v. Pico*, 457 U.S. 853 (1982) (balance discretion of the Board over educational affairs with student's constitutional rights)  
*Appeal of Malverne Union Free School District*, 29 Educ. Dep't. Rept. 363 (1990) (teachers First Amendment rights in an educational setting)  
*Appeal of O'Connor*, 29 Educ. Dep't. Rept. 48 (1989) (notification prior to dissemination of controversial materials)

Adoption date: July 7, 2009