

MOUNT VERNON CITY SCHOOL DISTRICT

DISTRICT PLAN OF SERVICE FOR SPECIAL EDUCATION



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

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MISSION STATEMENT

The Mount Vernon Special Education Department is committed to providing intensive academic instruction and supports to students with disabilities within the Least Restrictive Environment (LRE), as appropriate. Our goal is to return students with disabilities to the general education setting with their non-disabled peers.

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SECTION 1

INTRODUCTION

SPECIAL EDUCATION PHILOSOPHY & GOALS

The Mount Vernon City School District Board of Education subscribes to the concept that all students must be provided with effective instruction, opportunities for academic achievement, and equal access to the New York State Next Generation Learning Standards. Recognizing its responsibilities towards students with disabilities, the Board of Education has adopted the following statement of philosophy of special education which is the cornerstone of its programs.

- Students will be educated within their local schools whenever possible.
- The District is committed to the concept of the least restrictive environment which allows for maximum contact and participation with non-disabled peers.
- Special education services, provided within or outside of District, will be limited to those necessary to address the nature and need of the student's disability.
- The goal of special education in the Mount Vernon City School District is to provide each student with individualized instruction consistent with an Individualized Education Program (IEP) leading towards college and career readiness.
- This District recognizes that all persons are entitled to be treated with dignity and respect. Consistent with the Dignity for All Students Act (DASA) persons with disabilities will be supported by all staff accordingly.
- This District is committed to helping the Mount Vernon school community develop positive attitudes, respect, and understanding towards individuals with disabilities in order to promote independence of functioning to the greatest extent possible.
- The District is committed to promoting ongoing parental support and involvement in the education of each student with a disability, and sees consistent communication with parents as essential to the learning process.

POLICY STATEMENT

The Mount Vernon City School District is committed to the development and implementation of an appropriate education for students with disabilities who reside in the District in accordance with the following administrative practices and procedures:

- to provide a free appropriate education in the least restrictive environment for resident children between the ages of three (3) and twenty-one (21) or until a high school diploma, in accordance with Section 100.5 of the Regulations of the Commissioner of Education, has been achieved by the student, whichever shall occur first;
- to ensure that each preschool student with a disability residing in the District has the opportunity to participate in preschool programs, including timely evaluation and placement;
- to provide instruction for all students with disabilities in the least restrictive environment consistent with need; removal from the general education environment occurs only when the nature or severity of the disability is such that education in general education classes with the use of supplementary aids and services cannot be achieved satisfactorily;
- to appoint and train appropriately qualified personnel including the members and chairpersons of the Committee on Special Education (CSE) and Committee on Preschool Special Education (CPSE), to carry out the functions required by law and regulations related to the education of students with disabilities;
- to ensure that a discipline code for student behavior is in place which shall govern the conduct of all persons on school premises and assist in the maintenance of public order on school property while protecting the rights of students with disabilities in compliance with Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Improvement Act (IDEIA) and Part 201 of the Regulations of the Commissioner of Education;
- to ensure the confidentiality of personally identifiable data, information or records pertaining to a student with a disability, and to ensure the rights of students with disabilities to privacy and the rights of their parents to review and correct educational records during the course of evaluation and placement, and while they are receiving special education services in the District. Such personally identifiable information will not be disclosed without parental permission except as provided in applicable Regulations;
- to provide appropriate accommodations and modifications to ensure equal access to the general education curriculum;

- to ensure provision of individual testing accommodations, specific to the student's disability and needs, to be used consistently by the student in the recommended educational program, and in the administration of District-wide assessments of student achievement and, in accordance with policies established by the New York State Education Department for state assessments of student achievement;
- to ensure that students who reside in the District have received the protection of all other applicable State and Federal laws and regulations;
- to ensure that adequate and appropriate space is made available to meet the needs of preschool and school-age students with disabilities in accordance with Section 3602 of the Education Law;
- to ensure that students with disabilities have the opportunity to participate in school District programs to the maximum extent appropriate, including co-curricular programs and activities, which are available to all students enrolled in the public schools of the District;
- to ensure that parents have received and understood the request for consent for evaluation of a preschool student;
- to ensure that all instructional materials to be used in the schools of the District are available in a usable alternative format for each student with a disability in accordance with the student's educational needs and course selections at the same time that such materials are available to non-disabled students;
- to ensure that universal design principles are used in developing and administering any District-developed programs, including assessments, in order to promote environments that are accessible to people with and without disabilities;
- to ensure that each general education teacher, special education teacher, related service provider, and other school personnel that are charged with the implementation of a student's IEP, are provided a paper or electronic copy, including amendments to the IEP, prior to its implementation;
- to ensure that measurable steps are taken to recruit, hire, train and retain effective personnel to provide special education programs and services;
- to ensure that prior to referral to special education, a multi-tiered school-wide approach will be implemented, which includes a Response to Intervention process, in order to promote accelerated growth in academic skills and behavior to address a student's identified areas of need;
- to ensure effective child find procedures to locate and identify all students with disabilities who reside in the School District or attend private school in the School District who are in need of special education programs and services;

- to ensure the selection and board appointment of an impartial hearing officer when needed consistent with applicable Regulations;
- to ensure that students who have been placed by their parents or legal guardians in parochial or private schools have received the protection of applicable State and Federal laws and regulations.

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IMPLEMENTATION OF SCHOOL-WIDE APPROACHES AND PRE-REFERRAL INTERVENTIONS

In accordance with the IDEA and Part 200 of the Regulations of the Commissioner of Education, the District has developed a plan to establish pre-referral interventions to assist a student's education process before consideration of referral to the Committee on Special Education (CSE). In keeping with this policy, it is the responsibility of the school's principal and building level Instructional Support Team (IST) to investigate all possible avenues of general education support services that would enable the student to achieve the learning standards. Such services may include, but are not limited to, Academic Intervention Services (AIS). All school-wide approaches to provide remediation activities for students who are at risk of not meeting state standards or meeting graduation requirements will be considered prior to making referrals to the CSE. These approaches may also include, but are not limited to, extra teacher or teacher assistant support, reading specialist support, and counseling support. These school-wide approaches shall serve as some of the pre-referral interventions prior to consideration of special education programs through the Committee on Special Education.

The referral form to the CSE used by district staff will describe, in writing, intervention services, programs, and approaches used to remediate the student's performance prior to services, or instructional methodologies, including any supplementary aids or support services provided, or the reasons why no such attempts were made. The principal and/or building level team (IST) shall maintain a record of pre-referral interventions implemented for each student. Each referral shall be reviewed to determine its appropriateness and whether pre-referral interventions have been adequately utilized, and if further interventions are deemed necessary.

Within ten (10) days of receipt of referral to the CSE, the building administrator or designee may request a meeting with the parent or person in parental relationship to the student, the student, and the referring person, if a staff member, to determine whether the student would benefit from additional general education support services as an alternative to special education. These services may include, but are not limited to, Speech and Language Improvement Services, Educationally Related Support Services, Academic Intervention Services, and any other services designed to address the learning needs of the student and maintain the student's placement in general education. At this meeting, if there is a written agreement that with the provision of additional general education support services the referral is unwarranted, the referral shall be deemed withdrawn and the building level administrator or designee shall provide a copy of this agreement to the Chairperson of the CSE, the referring person, the parent or person in parental relationship, and the student if appropriate. The copy of the agreement will be in the native language of the parent and will name the additional general education support services that will be provided as well as the length of time of each service. This agreement will be placed in the student's cumulative educational record file. If there is no written agreement reached at this meeting, the required timelines of the CSE will be maintained.

These pre-referral interventions will not be utilized as a barrier to prevent appropriate referrals for special education services, but shall be used to assess the ability of the student to benefit from general education services.

Response to Intervention

In accordance with Part 100.2 (ii), the district's process to determine if a student responds to scientific, research-based instruction shall include the following minimum requirements:

- appropriate instruction delivered to all students in the general education class by qualified personnel;
 - appropriate instruction in reading shall mean scientific research-based reading programs that include explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension strategies;
- screenings applied to all students in the class to identify those students who are not making academic progress at expected rates;
- instruction matched to student need with increasingly intensive levels of targeted intervention and instruction for students 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 student achievement which should include curriculum measures to determine if interventions are resulting in student progress toward age or grade level standards;
- the application of information about the student's response to intervention to make educational decisions about changes in goals instruction and/or services and the decision to make a referral for special education programs and/or services; and
- written notification to the parents when the student requires an intervention beyond that provided to all students in the general education classroom that provides information about:
 - the amount and nature of student performance data that will be collected and the general education services that will be provided pursuant to paragraph (2) of this subdivision;
 - strategies for increasing the student's rate of learning;
 - the parents' right to request an evaluation for special education programs and/or services.

- the school district shall select and define the specific structure and components of the response to intervention program, including, but not limited to, the criteria for determining the levels of intervention to be provided to students, the types of interventions, the amount and nature of student performance data to be collected and the manner and frequency for progress monitoring;
- the school district shall take appropriate steps to ensure that staff has the knowledge and skills necessary to implement a response to intervention program and that such program is implemented consistent with paragraph (2) of this subdivision.

In each of the elementary schools, the Instructional Support Team (IST) convenes to identify the interventions that are appropriate. The IST makes decisions regarding the appropriateness of the interventions used and recommends changes in the student's instructional program based on the analysis of the data. Students are referred back to the IST who then determine whether students are making progress and when or if a referral to the CSE appropriate.

DEFINITIONS

The term “*all students*” applies to every student listed on the registry of the District. The following statutory and regulatory definitions are controlling: The term student with a disability means a person with a disability, who has not attained the age of 21 prior to September 1st, and who has not attained a regular High School Diploma, and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of intellectual, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the Department of Education. Such term does not include a student whose educational needs are due primarily to unfamiliarity with the English language, environmental, cultural or economic factors. In making a determination as to eligibility, a student shall not be determined to be a student with a disability if the determinant factor is lack of appropriate instruction in reading or math or limited English proficiency.

The term student with a disability includes the following classifications:

- a. *Autism* means a developmental disability significantly affecting verbal and non-verbal communication and social interaction, generally evident before age 3, which adversely affects a student’s educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term does not apply if a student’s educational performance is adversely affected primarily by an emotional disturbance as defined in paragraph d. A student who manifests the characteristics of autism after age 3 could be diagnosed as having autism if the criteria in this paragraph are otherwise satisfied.
- b. *Deafness* means a hearing impairment that is so severe that the student is impaired in processing linguistic information through hearing, with or without amplification that adversely affects a student’s educational performance.
- c. *Deaf-blindness* means concomitant hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for students with deafness or students with blindness.
- d. *Emotional disturbance* means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a student’s educational performance:
 - i. an inability to learn that cannot be explained by intellectual sensory, or health factors;
 - ii. an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
 - iii. inappropriate types of behavior or feelings under normal circumstances;

iv. a general pervasive mood of unhappiness or depression; or

v. a tendency to develop physical symptoms or fears associated with personal or school problems.

The term “emotional disturbance” includes schizophrenia. The term does not apply to students who are socially maladjusted, unless it is determined that they have an emotional disturbance.

e. *Hearing impairment* means impairment in hearing, whether permanent or fluctuating, which adversely affects the child’s educational performance but that is not included under the definition of deafness in this section.

f. *Learning Disability* means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which manifests itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations. This term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include learning problems that are primarily the result of visual, hearing or motor disabilities, of an intellectual disability, of emotional disturbance, or of environmental, cultural or economic disadvantage. The term includes students who do not demonstrate sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified in this paragraph when assessed using a process based on the student’s response to scientific, research-based intervention or who exhibit a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development.

g. *Intellectual Disability* means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student’s educational performance.

h. *Multiple disabilities* means concomitant impairments (such as intellectual disability-blindness, intellectual disability-orthopedic impairment, etc.), the combination of which cause such severe educational needs that they cannot be accommodated in a special education program solely for one of the impairments. The term does not include deaf-blindness.

i. *Orthopedic impairment* means a severe orthopedic impairment that adversely affects a student’s educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member, etc.), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis, etc.), and impairments from other causes (e.g., cerebral palsy, amputation, and fractures or burns which cause contractures).

j. *Other health-impairment* means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with

respect to the educational environment, that is due to chronic or acute health problems, including but not limited to a heart condition, tuberculosis, rheumatic fever, nephritis, asthma, sickle cell anemia, hemophilia, epilepsy, lead poisoning, leukemia, diabetes, attention deficit disorder or attention deficit hyperactivity disorder or Tourette syndrome, which adversely affects a student's educational performance.

k. *Speech or language impairment* means a communication disorder, such as stuttering, impaired articulation, a language impairment or a voice impairment that adversely affects a student's educational performance.

l. *Traumatic brain injury* means an acquired injury to the brain caused by an external physical force or by certain medical conditions such as stroke, encephalitis, aneurysm, anoxia or brain tumors with resulting impairments that adversely affect educational performance. The term includes open or closed head injuries from certain medical conditions resulting in mild, moderate or severe impairments in one or more areas, including cognition, language, memory, attention, reasoning, abstract thinking, judgment, problem solving, sensory, perceptual and motor abilities, psychosocial behavior, physical functions, information processing, and speech. The term does not include injuries that are congenital or caused by birth trauma.

m. *Visual impairment including blindness* means impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

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

1. exhibit a significant delay or disorder in one or more functional areas related to cognitive, language and communicative, adaptive, social-emotional or motor development which adversely affects the student's ability to learn. Such delay or disorder shall be documented by the results of the individual evaluation which includes, but is not limited to, information in all functional areas obtained from a structured observation of a student's performance and behavior, a parental interview and other individually administered assessment procedures, and, when reviewed in combination and compared to accepted milestones for child development, indicate:
 - a. a 12-month delay in one or more functional area(s)
 - b. a 33 percent delay in one functional area, or a 25 percent delay in each of two functional areas

- c. If appropriate standardized instruments are individually administered in the evaluation process, a score of 2.0 standard deviations below the mean in one functional area, or a score of 1.5 standard deviations below the mean in each of two functional areas; or
2. meet the criteria for Autism, Deafness, Deaf-Blindness, Hearing Impairment, Orthopedic Impairment, Other Health Impairment, Traumatic Brain Injury, or Visual Impairment.

The term “***special education***” means specially designed individualized or group instruction or special services or programs, as defined in subdivision 2 of section 4401 of the Education Law, and special transportation, provided at no cost to the parent, to meet the unique needs of students with disabilities.

- a. Such instruction includes but is not limited to that conducted in classrooms, homes, hospitals, institutions and in other settings.
- b. Such instruction includes specially designed instruction in physical education, including adapted physical education.

The term “***specially-designed instruction***” means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to address the unique needs that result from the student’s disability; and to ensure equal access to the general education curriculum, so that the student can meet the educational standards that apply to all students.

The term “Individualized Education Program”, or “***IEP***” means a written statement developed, reviewed and revised in accordance with Section 200.4 (d)(2) of the Regulations of the Commissioner of Education to be provided to meet the unique educational needs of a student with a disability. The IEP indicates the recommended special education programs and services which may include the following:

- Special classes, transitional support services, resource room, related services, direct or indirect consultant teacher services, integrated co-teaching services, assistive technology services, transition services and home instruction.
- Contracts with other Districts for special services or programs.
- Contracts for special services or programs provided by Boards of Cooperative Educational Services (BOCES).

- Contracts with a state or state-supported school in accordance with article eighty-five, eighty-seven or eighty-eight of New York State law.
- Contracts with private non-residential schools, which have been approved by the Commissioner and which are within the state.
- Contracts with private non-residential schools, which have been approved by the Commissioner and which are outside of the state.
- Contracts with private residential schools, which have been approved by the Commissioner and which are within the state.
- Contracts with private residential schools, which have been approved by the Commissioner and which are outside of the state.
- Contracts for residential or non-residential placements with a special act school District listed in chapter five hundred sixty-six of the laws of Nineteen hundred sixty-seven.
- Provision of educational services in a residential facility for the care and treatment of students with disabilities under the jurisdiction of a state agency other than the State Education Department.
- The term “Related services” means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes, but is not limited to, speech-language pathology, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling services, orientation and mobility services, medical services as defined in this section, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, and appropriate access to recreation, including therapeutic recreation, other appropriate support services and includes the early identification and assessment of disabling condition in students.
- The term does not include a medical device that is surgically implanted, the optimization of that device’s functioning, maintenance of that device or replacement of such device.

SPECIAL EDUCATION PROGRAMS AND SERVICES: OVERVIEW

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

School Calendar

Special education students follow the same school calendar as their general education peers.

School day means any day, including a partial day that students are in attendance at school for instructional purposes. These terms have the same meaning for all students including students with disabilities and students without disabilities except that, during the months of July and August, school day means every day except Saturday, Sunday and legal holidays. The term 'days' means calendar days unless otherwise indicated as school day or business day.

Business day means Monday through Friday, except for Federal and State holidays (unless holidays are specifically included in the designation of business day).

Least Restrictive Environment

The District provides a full continuum of services and placements, ranging from placement in general education classes with special education supports and services to residential settings. The District embraces the spirit of this requirement to ensure that children are not unnecessarily removed from the regular classroom or isolated from other children of their age.

The term 'Least Restrictive Environment (LRE)' means that a student has access to the general education curriculum and is removed from the general education setting by placement in special classes, separate schools or other removal from the regular educational environment **only** when the nature or severity of the disability is such that even with the use of special education supplementary aids and services, education cannot be satisfactorily achieved.

1. Placement shall be based on the student's IEP and determined at least annually.
2. Placement shall be as close as possible to the student's home, and unless the student's IEP requires some other arrangement, the student shall be educated in the school he or she would have attended if not disabled.

3. In selecting the least restrictive environment, consideration must be given to any potential harmful effect on the student or on the quality of services that he or she needs.
4. A student with a disability will not be removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum.

Procedures to Implement Least Restrictive Environment Requirements

1. The student will receive a comprehensive, nonbiased, individual evaluation in the student's home language or other mode of communication, unless it is clearly not feasible to do so. Dominant language means the language normally used by the student in the home or learning environment. Students will be assessed using both languages when the home language and language of instruction differ. If bilingually certified evaluators completing the assessments agree that the student is English proficient for academic purposes, the student shall be assessed in English. In making a determination of a student's eligibility for special education, the CSE shall ensure that academic deficiencies are not the result of lack of appropriate instruction in reading or math or limited English proficiency. The CSE will review evaluation information to determine whether additions or modifications will enable the student to participate, as appropriate, in the general curriculum.
2. Prior to placement in special education, the CSE will ensure that the resources of the general education program, including an intervention consistent with Response to Intervention, have been considered.
3. A student's educational program will be developed with the meaningful involvement of the student's parent or guardian and teacher and the student, when appropriate. The Committee will include persons knowledgeable about the student, the meaning of the evaluation data, and the continuum of placement options. The Individuals with Disabilities Education Improvement Act (IDEIA) requires that at least one of the student's regular education teachers participate in the CSE review if the student is, or may be, participating in the regular education environment. In addition, the Committee must include a representative of the school District who is qualified to provide or supervise the provision of special education services and who is knowledgeable about the general education curriculum and the availability of resources of the school District. A Committee participant who is knowledgeable about the evaluation data must be able to interpret the instructional implications of the evaluation results.

4. The Committee will prepare an IEP which includes statements of the student's present levels of educational performance, including how the student's disability affects involvement and progress in the general curriculum, or for preschool students, as appropriate, how the disability affects the child's participation in age appropriate activities.
5. The IEP will list measurable annual goals, including benchmarks or short-term objectives for preschool students, students in ungraded curricula and/or students eligible for the New York State Alternate Assessment (NYSAA). Annual goals must relate to meeting the student's needs that result from the disability to enable the student to be involved in and progress in the general curriculum and meeting each of the student's other educational needs that result from the disability.
6. The CSE or Committee on Preschool Special Education will first consider placement in general education with appropriate support. Alternative placements, such as special classes, special schools or other removal from the general education environment, will be considered only when the CSE/CPSE determines that a student's education in regular classes cannot be satisfactorily achieved even with the use of supplementary aids and services.
7. The IEP of the student will include an explanation of the extent to which the student will not participate with students who do not have disabilities.
8. The parent or guardian will be provided a Prior Written Notice (PWN), previously called notice of recommendation, from the CSE/CPSE, which describes the program and placement options considered for the student, a rationale for those options, and an explanation of why any options preferred by the parent were not selected.
9. The CSE/CPSE will indicate expected benefits to the student from the special education program selected in the areas of academic achievement, functional performance and learning characteristics, social development, physical development and management needs.
10. The CSE/CPSE will conduct an Annual Review of the student's needs for continuation or modification of the provision of special education programs and services. Such review shall consider the educational progress of the student and the student's ability to participate in general education programs.

The District is committed to placing students in the least restrictive environment consistent with their needs. The District provides the full continuum of services as described in 200.6 of the Commissioner's Regulations.

Similarity of Needs

Whenever students with disabilities are grouped together for purposes of special education, they are grouped by similarity of need. The CPSE and CSE identify educational needs in accordance with the following factors:

1. Academic Achievement, Functional Performance and Learning Characteristics –
The range of academic or educational achievement within the group shall be limited to ensure that instruction provides appropriate opportunities for each student to achieve the annual goals.
2. Social Development – The degree and quality of the student's relationships with peers and adults, feelings about self, and social adjustment of school and community environments.
3. Physical Development – The degree or quality of the student's motor and sensory development, health, vitality and physical skills or limitations which pertain to the learning process.
4. Management Needs – The nature of and degree to which environmental modifications and human or material resources are required to enable the student to benefit from instruction.

PROVISION OF APPROPRIATE SPECIAL EDUCATION SERVICES TO ENABLE PARTICIPATION AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM

All students with disabilities who reside in the School District will be provided with an appropriate Individualized Education Program (IEP) that meets the student's educational needs as determined and recommended by the CSE (CSE) and arranged for by the Board of Education. This IEP shall be designed to enable involvement and foster progress in the general education curriculum to the extent appropriate to the needs of the student. In developing the IEP, the CSE will consider the present levels of performance, the student's strengths, needs, and the concerns of the parents. The student's academic levels, social development, physical development, and management needs will be the basis for written annual measurable goals.

In keeping with this policy, the CSE will consider general education at each initial, program or Annual Review for the student as well as the appropriate supports or related services needed for the student to make academic progress within the general education environment. Progress or educational benefit shall be indicated by successful academic progress, defined as improvement in skills, achievement on State, local assessments, standardized examinations and Student Learning Objectives (SLOs) leading towards proficiency in grade-appropriate core curricula, increased independence in activities of daily living, and attainment of career or college-readiness skills. Consideration will be given to social areas, including relationships with peers and adults, feelings about self, and the adjustment to school and community environments. Physical development areas include motor or sensory areas, health, vitality and physical skills. Progress in management needs includes improved independence in areas that require environmental modifications or human resources.

The District will ensure access to a diploma for students with disabilities through its establishment of heterogeneous general education classes, integrated co-teaching classes and special education classes that provide equivalent instruction. Appropriate academic intervention services shall also be considered and determined by the building principal to assist students with disabilities in making progress toward achievement in the Common Core Curriculum and New York State Standards. These services shall be in addition to the special education services deemed appropriate by the CSE. No student, by virtue of identification as a student with a disability, shall be precluded from receiving equivalent instruction. When appropriate the CSE may recommend that a student pursue an adapted program leading toward a Career Development and Occupational Studies (CDOS) Certificate or, for students recommended to take the New York State Alternative Assessment instead of other required State assessments, a Skills and Achievement Commencement (SACC) Credential.

The District will also ensure equal access for students with disabilities to co-curricular activities, including clubs, sports, or evening activities and will provide, as recommended by the CSE, appropriate services to enable this participation. Students who are receiving education in Out-of-District placements as recommended by the CSE shall also have an

equal opportunity to participate in these activities, as deemed appropriate to meet their individualized needs.

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COMMITTEE ON SPECIAL EDUCATION (CSE) AND COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)

Appointment and Training

To implement its commitment to the education of students with disabilities, the Board of Education annually appoints a Committee on Special Education (CSE), Subcommittees on Special Education, and a Committee on Preschool Special Education (CPSE). The Committees are appointed in accordance with the provisions of New York Education Law, Sections 4402 and 4410 and Section 200.3 of the Regulations of the Commissioner of Education. Section 4410 of the Education Law, which established the Committee on Preschool Special Education, was signed into law on July 5, 1989, and the CPSE was established for the first time during the 1989/90 school year. It is the responsibility of the CSE and CPSE to:

1. evaluate and identify students with disabilities and recommend special education programs, supports, and services to the Board of Education;
2. assure that appropriate due process safeguards, including Prior Written Notice (PWN), are provided for each student;
3. maintain an annually revised register of all students with disabilities who reside in the District and who are eligible to attend preschool or public school during the coming school year;
4. establish a network for communication and sharing of resources with other educational and community service agencies;
5. report to the Board of Education on the adequacy and status of programs, services and facilities made available to school-age students with disabilities by the school District, and, for preschool students, by public and private agencies within the County of Westchester;
6. report to the State Education Department on the number of preschool students, if any, within the District not receiving appropriate preschool services and the reasons for any such lack of service.

Responsibilities

The Committees are responsible for ensuring that all necessary procedures for Child Find, including the assessment, identification, classification, placement and Annual Review of the status and progress of every student with a disability are carried out in accordance with federal and state law and regulation. Subcommittees are authorized to perform the functions of the CSE except when a student is being considered for an initial placement or change to a more restrictive environment in one of the following types of placements:

1. a special class;
2. a special class program resulting in removal from the general education classroom for more than 20% of the school day;
3. a special class outside of the student's school of attendance; or
4. a public school outside the student's District, BOCES program, or approved private school serving students with disabilities.

Upon a written request from a parent or a legal guardian of a student indicating he or she is not in agreement with the subcommittee recommendation, the subcommittee will immediately refer to the CSE for its review any recommendation of the subcommittee concerning the identification, evaluation, educational placement or provision of a free appropriate public education.

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

Training CSE/CPSE Members

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

1. arranging for attendance at District, regional, state meetings regarding CSE/CPSE issues;
2. conducting District-based training on a regular basis;
3. providing copies of written guidelines pertaining to District practices and procedures for referring and evaluating preschool and school-age students suspected of having a disability;
4. participating in CSE/CPSE training provided by the New York State Education Department;
5. disseminating all amendments to the Regulations of the Commissioner, and informational bulletins and pamphlets, including memorandum from SED, to all committee members;

6. inviting committee members to site visits of Out-of District special education placements to familiarize them with placement options available to resident special education students;
7. utilizing RSE-TASC as a training resource; and
8. other resources, including professional and legal organizations.

General Staff Development

The Board of Education is committed to hiring, training and retaining highly qualified and effective personnel responsible for carrying out all of the mandates of the Individuals with Disabilities Education Improvement Act of 2004 (“IDEIA”) and the Commissioner’s Regulations regarding students with disabilities. Accordingly, it is the Board’s policy to recruit, hire and train appropriately qualified special education personnel to provide special education programs and services, including members and chairpersons of the CSE and the Committee on Preschool Special Education.

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

- As part of an ongoing effort to assist special and general education teachers to effectively meet the needs of students with disabilities, staff development plays a critical role in preparing teachers to work with diverse learners. The District is committed to providing staff development in the form of special education department meetings, grade level meetings, content department meetings, in-service courses, the autism training course, mentoring, coaching, webinars, regional meetings, Superintendent’s Conference Day, and access to other opportunities for professional development

SECTION 2

**COMMITTEE ON PRESCHOOL
SPECIAL EDUCATION**

COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)
MEMBERSHIP

At its yearly organization meeting, the Board of Education appoints a Committee on Preschool Special Education in accordance with the provisions of Education Law §4410.3 to ensure timely evaluation of students. The membership of each committee shall include:

1. the parents of the preschool child;
2. not less than one general education teacher of the student whenever the student is, or may be, participating in the general education environment;
3. not less than one special education teacher or not less than one special education provider of the student;
4. the CPSE chairperson who is a representative of the District qualified to provide, or supervise the provision of specially-designed instruction to meet the unique needs of students with disabilities who is knowledgeable about the general education curriculum and about the availability of the resources of the local educational agency. An individual who meets these qualifications may also be the same individual appointed as the special education teacher, the special education provider of the student or the school psychologist;
5. the parent of a preschool or elementary school-age child with a disability who resides in the District or neighboring District, provided that such parent is not a required member if the parent(s) of the child request that the additional parent member not participate;
6. an individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the general or special education teacher or provider or District representative described above;
7. other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school District or the parents shall designate. The determination of knowledge or special expertise of such person shall be made by the party who invited the individual to be a member of the CPSE;
8. for a student in transition from Early Intervention programs and services, at the request of the parent, an appropriate professional from the Department of Health's Early Intervention Program;
9. an appropriately licensed or certified professional from the municipality.

ROLE AND RESPONSIBILITIES OF THE CPSE CHAIRPERSON

The CPSE Chairperson will

1. preside over the CPSE meeting;
2. carry out the functions of a CPSE chairperson including but not limited to:
 - a. notifying parents when a referral or request for referral has been received;
 - b. documenting attempts to obtain parental consent to an Initial Evaluation;
 - c. informing a parent who does not grant consent for an Initial Evaluation, that upon request, that parent will be given an opportunity to attend an informal conference to ask questions regarding the proposed evaluation;
 - d. providing a parent and a referring person a copy of an agreement to withdraw a referral;
 - e. determining the location of any meeting held to review or evaluate a preschool child; and
 - f. participating in a transition planning conference for a child transitioning from early intervention (EI) services to preschool special education and services to review the child's program options and establish a transition plan (or designating another individual to participate in this meeting).

CPSE MEMBER ATTENDANCE

1. Chairperson
2. Parents of the preschool child
3. General Education Teacher of the child (whenever the student is, or may be, participating in the general education environment).
4. Special Education Teacher or Related Service Provider (of the child)
5. Parent Member of a child with a disability enrolled in pre-school or elementary level program.
6. Representative of the school district
7. Individual Who Can Interpret Evaluation Results (may be selected from individuals listed above)
8. Representative from Early Intervention program (if requested by the parent)
9. Representative of the Municipality (County) of residence (not required for a quorum)

Excusal of Committee Member

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

1. the parents and the school District agree in writing to the excusal, and
2. the excused member submits to the parent and the rest of the CPSE, written input into the development of the student's IEP, and in particular written input with respect to the member's area of curriculum or related services, prior to the meeting.

A parent retains the right to request and/or agree to excuse a CPSE member if:

1. the parent and school district agree in writing that the member's attendance at a meeting is not necessary because the member's area of curriculum or related services is not being modified or discussed at the meeting.
2. Or the member is unable to attend because of an emergency or unavoidable scheduling conflict, and the school district submits the member's written input for review within a reasonable time prior to the meeting.

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

Consensus is the *preferred* decision-making process. Parents of the student being reviewed and other knowledgeable persons are encouraged to share information, outside evaluations and reports with the Committee. The CPSE Chairperson, in the absence of consensus from the committee, has the authority to make recommendation. Written notice of CPSE meetings is provided to parents at least five (5) days in advance of the meeting date. Five day notice may be waived with written consent of the parent. Meetings of the CPSE are held in the Administration Building as needed to review referrals throughout the school year and during the summer months.

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DEFINITION “PRESCHOOL STUDENT WITH A DISABILITY”

Preschool student with a disability is a preschool child as defined in section 4410(1)(i) of Education Law who is eligible to receive preschool programs and services, is not entitled to attend the public schools of the school district of residence pursuant to section 3202 of the Education Law and who, because of mental, physical, or emotional reasons, has been identified as having a disability and can receive appropriate educational opportunities from special programs and services approved by the department. Eligibility as a preschool student with a disability shall be based on the results of an individual evaluation which is provided in the student’s native language, not dependent on a single procedure, and administered by a multidisciplinary team in accordance with all other requirements as described in section 200.4 (b) (1) through (5).

CPSE PROCEDURES

Referral

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

1. the student's parent or person in parental relationship;
2. a professional staff member of the school District in which the student resides or the public or private school the student legally attends;
3. a professional staff member of a preschool program approved pursuant to Section 4410 of the Education Law;
4. a professional staff member of an approved program providing special instruction to students ages birth to three (3);
5. a licensed physician or judicial officer;
6. the Commissioner or designee of a public agency with responsibility for the welfare, care or education of children; or
7. a professional staff member of the Early Childhood Direction Center.

The referral can be made at any time during the school year. It should specify the extent to which the preschool student has received any services prior to referral. When the CPSE receives a referral, the chairperson will meet with the parent describing the evaluation procedures and request parental consent for the evaluation. A list of County approved evaluation sites will be provided to the parent. Translations will be provided as needed. In the event that parents do not consent to evaluation the Committee shall implement the District's practices for ensuring that the parents have received and understood the request for consent.

Evaluation and Recommendation

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

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

1. a physical examination:

2. an individual psychological examination, except when a school psychologist determines after an assessment that further evaluation is unnecessary;
3. an observation of the child in the child's learning environment including a general education setting or an environment appropriate for a child of that age to document performance and behavior in the areas of difficulty;
4. a social history; and
5. other appropriate assessments or evaluations as necessary to ascertain the physical, mental and emotional and behavioral factors that contribute to the suspected disabilities.

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

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

1. A written notice is sent to the parent at least five days prior to advising them of the meeting.
2. At least one additional attempt is made to notify the parents. This may mean additional written notice or a telephone call.

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

The CPSE submits a recommendation to the Board of Education and to the parent of the preschool student within thirty (30) school days of the date of the receipt of consent. If the Committee determines the student is ineligible for the special education, written notification will indicate the reasons for the finding. If the Committee determines that a

student has a disability, an IEP is prepared which specifies the nature of the disability, the student's current levels of functioning, including how the disability affects the student's participation in appropriate activities, measurable annual goals, including benchmarks or short-term objectives, and the type of special education program and/or services recommended. The CPSE will seek, in every case, to recommend placement in the least restrictive environment consistent with the needs of the student. If, for any reason, the recommendation of the Committee differs from the preference of the parent, the report shall include the reasons for the Committee's recommendations. The notice will also indicate that, in the event that the parent does not provide consent for placement, no further action will be taken by the CPSE until such consent is obtained.

Placement and Provision of Services

Upon receipt of the CPSE's recommendation, the Board of Education will arrange for the student to receive appropriate special programs and services. Services will not be provided without parental consent but if the parent disagrees with the recommendation of the Board and prefers an alternative program, he/she may request special education mediation or an impartial hearing review and may appeal the decision to the State Review Officer. Review of placement decisions will be conducted in accordance with the same rules of procedural due process applicable to the placement of school-aged students, except that the decision of the impartial hearing officer must be rendered within thirty days after the conclusion of the resolution period. Placement in an approved program will take place as soon as possible following Board approval. If the Board of Education disagrees with the Committee's recommendation, it may remand the recommendation to the Committee for further review.

Annual Review

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

Amendment to CPSE Meeting After the Annual Review

After an IEP has been developed at the Annual Review meeting, a parent and the School District may agree to develop a written document to amend the student's IEP under the following circumstances:

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

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

The CPSE must be notified of any changes made to the IEP.

The parent must also receive, either:

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

Amendments made to an IEP without a meeting do not affect the requirement that the CPSE must review the IEP annually, or upon request.

Withdrawal of Referral

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

CONTINUUM OF SERVICES (CPSE)

Program Recommendations

The CPSE must consider the appropriateness of services to meet the student's needs in the least restrictive environment in the following order:

1. related services only;
2. special education itinerant services only;
3. related services in combination with special education itinerant services;
4. an integrated special education preschool program;
5. a half-day preschool program;
6. a full day preschool program.

If the CPSE determines that a student needs a single service, that service must be provided only as a related service or a special education itinerant service. The Committee shall first consider providing special education services in a setting where age-appropriate peers without disabilities are found.

Related Services

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

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

1. an approved or licensed pre-kindergarten;
2. a Head Start Program;
3. the worksite of the provider;
4. the student's home*;

5. a hospital;
6. a state facility;
7. a childcare location.

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

Special Education Itinerant Services

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

1. an approved or licensed pre-kindergarten;
2. a Head Start Program;
3. the work site of the provider;
4. the student's home*;
5. a hospital;
6. a state facility;
7. a childcare location.

*Related services will be provided in the home only if the Board of Education determines that documented medical or special needs indicate that the student should not be transported to another site.

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

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

1. *Direct Services:* Specialized individual or group instruction to a preschool student to help the student benefit from the early childhood program or setting.
2. *Indirect Services:* Consultation provided by a certified special education teacher to assist the student's teacher in adjusting the learning environment or modifying instructional methods to meet the individual needs of a preschool student with a disability who attends an early childhood program.

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

Special Class (Half or Full day)

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

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

Residential Special Education Programs and Services

Placements in residential programs must be approved by the Commissioner in accordance with 200.6 (I) of the Commissioner's Regulations.

SECTION 3

COMMITTEE ON SPECIAL EDUCATION

CSE MEMBERSHIP

Each year, the Director of Special Education assigns members to the CSE. When a CSE convenes, it is comprised of at least the following mandated members:

1. The parents or persons in parental relationship to the student;
2. Not less than one general education teacher of the student whenever the student is, or may be, participating in the general education environment;
3. Not less than one special education teacher or not less than one special education provider of the student;
4. A school psychologist;
5. The CSE chairperson who is a representative of the district qualified to provide, or supervise, the provision of specially-designed instruction to meet the unique needs of students with disabilities, and who is knowledgeable about the general education curriculum and about the availability of the resources of the school district. An individual who meets these qualifications may also be the same individual appointed as the special education teacher, the special education provider of the student, the school psychologist, the regular education teacher, or the person having knowledge or special expertise regarding the student when such member is determined by the school district to have the knowledge and expertise to fill the role of the CSE chairperson.
6. The school physician, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting;
7. An additional parent member of a student with a disability residing in the school district or a neighboring school district, if specifically requested in writing by the parent of the student or by a member of the school at least 72 hours prior to the meeting. The additional parent member may be the parent of a student who is currently receiving special education services, who has been declassified within a period not to exceed five years or who has graduated within a period not to exceed five years.
8. Other persons having knowledge or special expertise regarding the child, including related service personnel as appropriate, as the school district or the parents shall designate.
9. If appropriate, the student. (Students who will be 15 years of age when the proposed IEP will be implemented are invited by separate invitation to attend the CSE meeting. A student's interests and preferences are considered by the CSE at each meeting.)

SUBCOMMITTEE MEMBERSHIP

Subcommittees are utilized to review re-evaluations and during Annual Reviews. The Subcommittee consists of the following members:

1. The parent of the student;
2. Not less than one general education teacher of the student whenever the student is, or may be, participating in the general education environment;
3. Not less than one special education teacher, or where appropriate, not less than one special education provider (i.e., related service provider) of the student;
4. A representative of the district who is qualified to provide, administer or supervise special education and who is knowledgeable about the general education curriculum and who is knowledgeable about the availability of resources of the school district.
5. A school psychologist, whenever a new psychological evaluation is reviewed, or a change to a program option with a more intensive staff/student ratio, is considered.
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above;
7. Other persons having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the committee or the parent shall designate. The determination of knowledge or special expertise of that person shall be made by the party who invited the individual to be a member of the Sub CSE.
8. The student, if appropriate. (Students who will be 15 years of age when the proposed IEP will be implemented are invited by separate invitation to attend the CSE meeting. A student's interests and preferences are considered by the CSE at each meeting.)

Excusal of a Committee Member

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

1. the member is unable to attend because of an emergency or unavoidable scheduling conflict

and

2. the school district submits the written input for parental review and consideration within a reasonable time prior to the meeting and prior to obtaining written parental consent for the excusal.

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

Written notice of meetings is provided to the parents at least five days in advance of the meeting date. Meetings of the CSE are held in the Administration Building and subcommittees are held in the school buildings as needed throughout the year.

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ROLE AND RESPONSIBILITIES OF THE CSE CHAIRPERSON

The CSE Chairperson will

1. preside over the CSE meeting;
 2. carry out the functions of a CSE chairperson, including but not limited to:
 - a. designating for each student a professional employee of the school district with knowledge of the student's disability and education program to inform each teacher, assistant and support staff person of his or her responsibility to implement the recommendations on a student's IEP;
 - b. carrying out responsibilities related to referrals and requests for referrals such as:
 - I. forwarding a copy of a referral to the building administrator within five days of its receipt.
 - II. notifying parent when a referral or request for referral has been received using standardized but individualized Prior Written Notice (PWN) documentation.
- Prior Written Notice means a written statement developed in accordance with Section 200.5(a) of the Regulations of the Commissioner of Education that is provided to the parents of a student with a disability a reasonable time before the School District proposes to or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.
- c. documenting attempts to obtain parental consent to an Initial Evaluation;
 - d. informing a parents who does not grant consent for an Initial Evaluation, that upon request, the parent will be given an opportunity to attend an informal conference to ask questions regarding the proposed evaluation;
 - e. providing a parent and a referring person a copy of an agreement to withdraw a referral.

DEFINITION “STUDENT WITH A DISABILITY”

Student with a disability means a student with a disability as defined in section 4401(1) of the Education Law, who has not attained the age of 21 prior to September 1st and who is entitled to attend public schools pursuant to section 3202 of the Education Law and who, because of mental, physical or emotional reasons, has been identified as having a disability and who requires special services and programs approved by the department.

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PROCEDURES OF THE CSE

Referral

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

A student suspected of having a disability shall be referred in writing to the Chairperson of the CSE or to the building administrator of the school which the student attends or is eligible to attend for an individual evaluation and determination of eligibility for special education programs or services. The school district must initiate actions upon receipt of the referral and promptly provide Procedural Safeguards and Prior Written Notice (PWN) requesting parental consent to evaluate the student to determine if the student needs special education services and programs. If a student is suspected of having a learning disability, the CSE will make this determination after assessing whether the student has made adequate progress after an appropriate period of time when instruction is provided through a Response to Intervention (RtI) plan that utilizes systematically applied strategies and targeted instruction.

A referral for an Initial Evaluation may be made by:

1. a student's parent including an individual who is in a parental relationship;
2. a designee of the school district in which the student resides, specifically, Public School Building Principal, CSE Chairperson, CPSE Chairperson, Director of Special and Alternative Education, Director of Pupil Services;
3. the commissioner; and/or
4. a designee of an education program affiliated with a child care institution with CSE responsibility.

A written request that the school district or agency refer the student for an Initial Evaluation may be made by:

1. a professional staff member of the school district in which the student resides, or the public or private school the student legally attends;
2. a licensed physician;
3. a judicial officer;

4. a professional staff member of a public agency with responsibility for welfare, health or education of children; or

5. a student who is 18 years of age or older, or an emancipated minor, who is eligible to attend the public schools of the district.

All new entrants to the district are screened at the time of enrollment and such screening, if it indicates a possible disability, may lead to a CSE referral.

Except for written requests for referrals submitted by the student or judicial officers, the referral must state the reasons for the referral and include any test results, records or reports upon which the referral is based. It must also describe written efforts made by school and parent to resolve the difficulties leading to referral or to meet the needs of the student in the general classroom setting including intervention services, programs or instructional methodologies used to remediate the student's performance prior to the referral. Documentation must be provided delineating instruction in a multi-tiered problem-solving intervention approach that utilizes systematically applied strategies and targeted instruction through a Response to Intervention (RTI) plan and Progress Monitoring Data. The referral must also describe the extent of parental contact and involvement prior to the referral. If a referral is received by the building administrator, it must be forwarded to the CSE Chairperson immediately. If a referral is received by the CSE chairperson, a copy will be forwarded to the building administrator within five school days of its receipt.

Within 10 school days of receiving a written **request** for referral/or an initial evaluation, the school district will notify the parent that a request for a referral to the CSE for an evaluation has been received and will:

(a) request parent consent to initiate the evaluation; or

(b) provide the parent with a copy of such request for referral; and

(1) inform the parent of his or her right to refer the student for an initial evaluation for special education programs and/or services; and

(2) offer the parent the opportunity to meet to discuss the request for referral and, as appropriate, the availability of appropriate general education support services for the student, with the building administrator or other designee of the school district authorized to make a referral, and the individual making the request for referral, if a professional staff member of the school district. Upon request of the parent or school district, any other person making a request for referral shall have the opportunity to attend such meeting.

A professional staff member of the school district who made a request for referral that results in a parent referral for special education must attend any meeting requested by a

building administrator to determine whether the student would benefit from additional general education support services as an alternative to special education.

Withdrawal of Referral

At the meeting with parent and/or student and the individual who made or encouraged the referral, the building administrator will discuss educational services presently being offered to determine whether the student would benefit from additional general education support services, as an alternate to special education, including the provision of an RTI Plan of tiered intervention with Progress Monitoring, reasonable accommodations within general education, Educationally Related Support Services, Speech Improvement Services, Counseling Support, Behavior Intervention Planning, Guidance Intervention, additional attempts at remediation using research-based interventions, short-term skills training, ESL, and/or Bilingual Services, or any other services designed to address the learning needs of the student and maintain his or her placement in general education.

If at a meeting, the parent and the building administrator agree that, with the provision of additional general education support services, the referral is unwarranted, the referral shall be deemed withdrawn, and the building administrator will prepare a written agreement. All such agreements about withdrawal of a CSE referral will specify the general education support services and instructional strategies to be used and progress monitoring data to be collected to resolve the identified area(s) of difficulty of the student and will provide the opportunity for a follow up conference within an agreed period of time to review the student's progress. The building administrator will provide the chairperson of the CSE, the person who made the referral, if a professional staff member of the district, the parent and the student, if appropriate, with copies of the agreement. A copy of the agreement becomes a part of the student's cumulative educational record. A copy of the agreement must but in the home language of the parent whenever feasible. This meeting and any resultant efforts to address the student's needs shall not delay the request for parental consent for evaluation.

If the referral to the CSE is not withdrawn by agreement, and the parent does not consent to the Initial Evaluation within thirty (30) days of the date of receipt of referral, the CSE chairperson shall notify the board of education that the School District may appoint an impartial hearing officer to review the referral and determine whether or not the School District may evaluate the student without the consent of the parent. Before initiating such due process review, the Chairperson will make and document at least three attempts to obtain parental consent, including but not limited to, telephone calls made or attempted and the results of those calls and correspondence sent to the parents and any responses received by the Chairperson or other representatives of the committee.

Evaluation and Recommendation

Upon receipt of a referral for evaluation for a resident student enrolled in a school other than the City School District of Mount Vernon, the district shall require that the parent register the child in the public school. The parent will be advised in writing that

registration does not require enrollment in the public school but allows the district to verify residency, and health/immunization status.

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

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

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

The district will ensure that a group that includes the committee on special education, and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments, local or State assessments, classroom-based observations, and observations by teachers and related services providers. The group may conduct its review without a meeting. On the basis of that review, and with input from the student's parents, this group shall identify what additional data, if any, are needed. The district will ensure that:

1. Evaluation materials used to assess a student:

- (a) are provided and administered in the student's home language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally;
- (b) are used for purposes for which the assessments or measures are valid and reliable;
- (c) are administered by trained personnel in accordance with the instruction provided by those who developed such assessments; and
- (d) are selected and administered so as not to be discriminatory on a racial or cultural basis;

2. Evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a general intelligence quotient;

3. Assessments are selected and administered to ensure that, when an assessment is administered to a student with impaired sensory, manual or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level or whatever other factors the assessment purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills, except where those skills are factors which the test purports to measure;

4. Materials and procedures used to assess a student with limited English proficiency are selected and administered to ensure that they measure the extent to which the student has a disability or needs special education, rather than measure the student's English language skills;

5. No single measure or assessment is used as the sole criterion for determining whether a student is a student with a disability or for determining an appropriate educational program for a student;

6. The evaluation is made by a multidisciplinary team or group of persons, including at least one teacher or specialist with certification or knowledge in the area of the suspected disability;

7. The evaluation is sufficiently comprehensive to identify all of the student's special education needs, whether or not commonly linked to the disability category in which the student has been identified;

8. Technically sound instruments are used that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors;

9. Assessment tools and strategies are used that provide relevant information that directly assists persons in determining the educational needs of the student;

10. The student is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, vocational skills, communicative status and motor abilities;

11. Students age twelve (12) and those referred to special education for the first time who are age twelve (12) and over, shall receive an assessment that includes a review of school records and total assessments, and parent and student interview to determine vocational skills, aptitude and interests;

12. Prior to the meeting, the results of the evaluation are made available to parents or persons in parental relationships in their home language or mode of communication, unless it is not feasible to do so;

13. Assessments of students with disabilities who transfer from one school district to another school district in the same academic year are coordinated with such student's prior and subsequent schools, as necessary, and as expeditiously as possible to ensure prompt completion of full evaluations;

14. No student shall be required to obtain a prescription for a drug or other substance.

The CSE will arrange for specialized evaluations where necessary, using appropriate resources outside of the district. These assessments may include, but are not limited to, bilingual evaluations, psychiatric and neurological examinations, audiological evaluations, visual evaluations, vocational evaluations and assistive technology assessments. Specialized evaluations are not limited to the Initial Evaluation process; they may be indicated at any time.

The CSE shall maintain a list of appropriate resources and certified professionals for this purpose.

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

1. A Prior Written Notice (PWN) will be sent to parents at least five days prior advising them of the meeting. The parent may elect to receive the notice of the meetings by a verified electronic mail (e-mail) communication if the school district makes such option available.

2. In the event the parent cannot be reached, the student's school will be contacted in an effort to enlist the School's assistance in reaching the parent via a note sent home with the student.

3. Attempts by the Chairperson to contact the parent will be documented on the IEP.

4. For a subcommittee meeting, the special education or primary related service provider will make and document attempts to contact the parent.
5. When conducting a meeting of the CSE, the parent and the school district may agree to use alternative means of meeting participation, such as conference telephone calls or other electronic means as available.
6. In the event that a parent or school administrator requests an expedited meeting, the parent is asked to give consent to proceed without receiving written notice of the meeting 5 days in advance.

Eligibility Determination

The CSE will consider evaluation information including evaluations provided by the parent. The CSE will ensure that the appropriateness of reading and math instruction and all general education resources including educationally related support services and academic intervention services have been considered prior to determining that the student meets eligibility criteria to be classified as a student with an educational disability. In interpreting evaluation data for the purpose of determining if a student is a student with a disability, and determining the educational needs of the student, the CSE will draw upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, as well as information about the student's physical condition, social or cultural background, and adaptive behavior; and ensure that information obtained from all these sources is documented and carefully considered. The School District will provide a copy of the evaluation report and the documentation of eligibility to the student's parent.

In making a determination of eligibility for special education and related services, the CSE shall first determine whether academic delays are attributable to: lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies or limited English proficiency.

In determining whether a student has a learning disability, the district will use a process that determines if the student responds to scientific, research-based intervention as part of the evaluation procedures. A student with a disability remains eligible to receive special education services even if the student is advancing from grade to grade.

The CSE will ensure that parents receive and understand all evaluation reports and documentation of eligibility in their home language, including the results of evaluations when the student is determined no longer to be eligible for special education. Whenever feasible this should occur before any meeting to discuss the identification, evaluation or educational placement of the student or the provision of a free appropriate public education to the student. The results of the evaluation will be provided to the parent at no cost, and in their home language or other mode of communication whenever feasible.

Notice of Recommendation

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

The IEP recommendation shall include the following:

1. Present levels of performance. The IEP shall report the present levels of academic achievement and functional performance and indicate the individual needs of the student including how the student's disability affects involvement and progress in the general education curriculum;
2. The classification of the disability;
3. Measurable annual goals.
 - a. The IEP shall list measurable annual goals, including academic and functional goals, consistent with the student's needs and abilities. The measurable annual goals must relate to:
 - i. meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general education curriculum; and
 - ii. meeting each of the student's other educational needs that result from the student's disability.
 - b. Each annual goal shall include the evaluative criteria, evaluation procedures and schedules to be used to measure progress toward meeting the annual goal during the period beginning with placement and ending with the next scheduled review by the committee.
 - c. The IEP shall identify when periodic reports on the progress the student is making toward the annual goals (such as through the use of quarterly or other periodic reports that are concurrent with the issuance of report cards) will be provided to the student's parents.
 - d. Short-term instructional objectives and benchmarks. For students who are eligible to take the New York State Alternate Assessment (NYSAA) the IEP shall include a description of the short-term instructional objectives and/or benchmarks that are the measurable intermediate steps between the student's present level of performance and the measurable annual goal.
4. Special education program and services.
 - a. The IEP shall indicate the recommended special education program and services and the supplementary aids and services that will be provided for the student:
 - i. to advance appropriately toward attaining the annual goals;

- ii. to be involved and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and
- iii. to be educated and participate with other students with disabilities and nondisabled students in the activities described in this section.

- b. The recommended program and services shall, to the extent practicable, be based on peer-reviewed research, and as appropriate indicate:
 - i. the regular education classes in which the student will receive consultant teacher services;
 - ii. the class size, if appropriate;
 - iii. the supplementary aids and services and program modifications to be provided to the student or on behalf of the student;
 - iv. a statement of supports for school personnel on behalf of the student;
 - v. the extent to which the student's parents will receive parent counseling and training when appropriate;
 - vi. any assistive technology devices or services needed for the student to benefit from education, including the use of such devices in the student's home or in other settings;
 - vii. the anticipated frequency, duration and location for each of the recommended programs and services, including the supplementary aids and services and program modifications to be provided to or on behalf of the student;
 - viii. the projected date for initiation of the recommended special education program and services.

5. A statement of any individual testing accommodations to be used consistently by the student in the recommended educational program and in the administration of district-wide assessments of student achievement and in State assessments of student achievement that are necessary to measure the academic achievement and functional performance of the student.

6. If the student will participate in an alternate assessment on a particular State or district-wide assessment of student achievement, the IEP shall provide a statement of why the student cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the student.

7. Participation in regular class. The IEP shall provide:

- a. an explanation of the extent, if any, to which the student will not participate with nondisabled students in the general education program; or

b. if a student is not participating in a regular physical education program, the extent to which the student will participate in specially-designed instruction in physical education, including adapted physical education.

Transition Services

8. Transition services. Beginning not later than the first IEP to be in effect when the student is age 15 (and at a younger age, if determined appropriate), and updated annually, the IEP shall, under the applicable components of the student's IEP, include:

a. under the student's present levels of performance, a statement of the student's needs, taking into account the student's strengths, preferences and interests, as they relate to transition from school to post-school activities;

b. appropriate measurable postsecondary goals based upon age appropriate transition assessments relating to training, education, employment and, where appropriate, independent living skills;

c. a statement of the transition service needs of the student that focuses on the student's courses of study, such as participation in advanced-placement courses or a vocational education program;

d. needed activities to facilitate the student's movement from school to post-school activities, including instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, acquisition of daily living skills and functional vocational evaluation; and

e. a statement of the responsibilities of the school district and, when applicable, participating agencies for the provision of such services and activities that promote movement from school to post-school opportunities, or both, before the student leaves the school setting.

9. For students eligible for a 12-month service and/or program, the IEP shall indicate the identity of the provider of services during the months of July and August, and, for students determined to require a structured learning environment of 12 months' duration to prevent substantial regression, a statement of the reasons for such recommendation.

10. The projected date of the review of the student's need for such services.

11. The recommended placement.

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

Consideration of Special Factors

The CSE shall:

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

If the committee determines that the student is ineligible for special education, parents will be provided with Prior Written Notice (PWN) which includes notice of the recommendation. The parent will have received procedural safeguards, a copy of the evaluation reports and the documentation of determination for ineligibility. The committee will provide these recommendations to the Board of Education. If the student has been receiving special education services, but it is determined by the CSE that the student no longer requires such services, the committee will provide Prior Written Notice (PWN) to parents which includes

1. the rationale for declassification;
2. the declassification support services if any, to be provided to the student, and/or the student's teachers; and

3. the projected date of initiation of the services, the frequency of provision of the services, provided that these services shall not continue for more than one year after the student is declassified.

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

The committee will provide Prior Written Notice (PWN) to parents which includes:

1. a recommendation including options considered and a rationale for rejecting those options not selected;
2. a list of the evaluations considered and the documentation of determination of eligibility;
3. a Procedural Safeguards Notice; and
4. a request for parental consent for initial placement (including, if appropriate, initial recommendation for twelve (12) month programs and services).

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

IEP Implementation, Distribution and Placement

Within sixty (60) school days of the receipt of consent to evaluate for a student not previously identified as having a disability, or within sixty (60) school days of the referral for review of the student with a disability, the Board of Education shall arrange for appropriate special programs and services. If the CSE recommends placement in an approved private school, the Board shall arrange for such programs and services within thirty (30) school days of the Board's receipt of the recommendation of the committee. If the Board of Education disagrees with the committee's recommendations, the Board may remand the recommendation to the committee for reconsideration. Notice of any such action will be provided to the parent. The Board may also establish a second committee to develop a new recommendation for the student. It may also remand the recommendation to the second committee for additional review, but must arrange for programs and services within the timelines for placement described above.

The CSE must ensure that:

1. each student with a disability has an IEP in effect at the beginning of each year;
2. each general education teacher, special education teacher, related service provider, and other service provider who is responsible for the implementation of a student's IEP is provided electronic access to the student's IEP prior to implementation and has been informed of his or her responsibility to implement the recommendation on the student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP

3. teaching assistants, under the direction of the special education teacher, and each other provider responsible for assisting in the implementation of a student's IEP, has the opportunity to review a copy of the student's IEP, prior to the implementation of the program, and has ongoing access to a copy of the IEP;

4. a copy of the IEP is provided to the student's parents at no cost to the student's parents.

The School District must provide special education and related services to a student with a disability in accordance with the student's IEP and make a good faith effort to assist the student to achieve the annual goals and, if appropriate, short term instructional objectives or benchmarks listed in the student's IEP.

Transfer Students

To facilitate the transition for a transfer student, the district will take steps, with parental consent, to obtain the student's records, including the IEP and the supporting documents and other records from the previous school district in which the student was enrolled, relating to the provision of special education services to the student. The following procedures are in effect:

1. Transfer Students Within New York State – In the case of a student with a disability who had an IEP that was in effect in New York State and who transfers from one school district and enrolls in the Mount Vernon City School District within the same academic year, the district shall develop an Interim Plan, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the district adopts the previously held IEP or develops, adopts and implements a new IEP;

2. Transfer Students From Outside New York State – In the case of a student with a disability who transfers school districts within the same academic year, who enrolls in the Mount Vernon City School District and who had an IEP that was in effect in another state, the district shall develop an Interim Plan, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district conducts an evaluation, if determined to be necessary by the school district, and develops a new IEP, if appropriate.

Annual Review, Re- Evaluation and Declassification

The IEP of each student with a disability shall be reviewed and, if appropriate, revised, periodically but not less than annually to determine if the annual goals for the student are being achieved. Reasonable measures are taken to ensure that the parent attends the annual review meeting. If a revision of the IEP is recommended, it must address:

1. any lack of expected progress toward the annual goals in the general education curriculum, if appropriate;

2. the results of the most recent evaluations of the student;
3. concerns of the parents for enhancing the education of their child;
4. strengths of the student;
5. other matters, including a student's need for test accommodations and/or modifications and the student's need for a particular device or service (including an intervention, accommodation or other program) in order for the student to receive a free appropriate public education;
6. the student's anticipated needs;
7. as appropriate, the results of the student's performance on any general, state or district-wide assessment program.

A CSE shall arrange for an appropriate re-evaluation of each student with a disability at least once every three years or if the school district determines that the educational or related service needs, including improved academic achievement and functional performance of the student warrant such re-evaluation. Re-evaluation will also be scheduled if the student's parent or teacher requests a re-evaluation, but not more frequently than once a year, unless the parent and the representative of the school district appointed to the CSE agree otherwise.

Prior to conducting any new assessments, the district will provide Prior Written Notice (PWN) and parental consent must be requested. The parent and the school district may agree in writing that a three-year re-evaluation is unnecessary.

The parent is sent Prior Written Notice (PWN) and consent is requested prior to conducting any new test or assessment as part of a re-evaluation, except the consent need not be obtained if the district took reasonable measures to obtain such consent and the student's parent failed to respond. Reasonable measures will include at least three written notices and one telephone call to the parent. If the parent refuses consent, the district may attempt to resolve the matter through a mediation agreement or an impartial hearing before conducting the new test or assessment. If the committee determines that no additional data is needed to determine whether the student continues to be a student with a disability, the CSE will notify the parent of that determination, and the reasons for it and the right of the parent to request an assessment to determine whether the student continues to be a student with a disability. The committee will also indicate that it is not required to conduct such an assessment unless requested by the student's parent.

If conducted, a comprehensive three-year re-evaluation is arranged by a multidisciplinary team or group of persons, including at least one teacher and other specialists with knowledge of the area of the student's disability. The re-evaluation shall be sufficient to determine the student's individual needs, educational progress and achievement; the student's ability to participate in instructional programs in regular education; and the

student's continuing eligibility for special education. The results of any re-evaluations will be addressed by the CSE in a meeting to review and, as appropriate, revise the student's IEP. The school or the CSE will provide a copy of the evaluation reports and the documentation of the determination of eligibility to the student's parent.

A variety of assessment tools and strategies will be used, including information provided by the parents. Existing evaluation data will be reviewed, including evaluations and information provided by the student's parents, current classroom-based assessments, local and state assessment, classroom based observations, and observations by teachers and related service providers.

Amendments to the IEP without a Meeting after an Annual Review Meeting

After an IEP has been developed at the annual review meeting, a parent and the school district may agree to make changes to a student's IEP without another meeting and instead may develop a written document to amend the student's IEP under the following circumstances:

1. the parent makes a request to the school district for an amendment to the IEP and the parent and the district agree in writing; or
2. the school district provides the parent with Prior Written Notice (PWN) of a proposed amendment of the IEP that:
 - a. is conveyed in language understandable to the parent, and
 - b. informs and allows the parent the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes.
3. the parent agrees to the amendment without a meeting in writing.

The parent must be provided PWN of the changes to the IEP. The CSE must be notified of any changes made to the IEP. The parent must also receive an amended IEP.

CONTINUUM OF SERVICES (CSE)

The District provides the full continuum of services consistent with Part 200.6 of the Commissioner's Regulations. Local Program descriptions, including entry and exit criteria, are included in Section 10 of this plan.

Transitional Support Services

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

Consultant Teacher Services

Consultant teacher is a service that provides direct and/or indirect services to students with disabilities who attend regular education classes, including career and technical education classes, and/or to such students' general education teachers. Such services shall be recommended by the CSE to meet specific needs of such students and the student's IEP shall indicate the general education class or classes in which the student will receive consultant teacher services. Consultant teacher services shall be provided in accordance with the following provisions:

The total number of students with disabilities assigned to a consultant teacher shall not exceed 20.

Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week.

The CSE may recommend a combination of resource room and consultant teacher services which, when combined, are not less than three hours each week.

Related Services

Related services shall be recommended by the CSE to meet specific needs of a student with a disability as set forth in the IEP. The frequency, duration and location of each such service shall be in the IEP, based on the individual student's need for the service.

Speech/language services will be provided based on the student's need for the service. Total caseload for teachers will not exceed sixty-five (65).

When a related service is provided to a number of students at the same time, the number of students in the group shall not exceed five students per teacher.

A student with a disability may be provided with more than one such service in accordance with the need of the student.

Related services may be provided in conjunction with a regular education program or with other special education programs and services.

Related services means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech therapy, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, orientation and mobility services, medical services as defined by regulation, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation and other appropriate and supportive services. Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning, maintenance of that device, or the replacement of that device.

Resource Room

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

1. The instructional group in each resource room period does not exceed five (5) students, who are grouped according to their similarity of need.
2. Students shall spend a minimum of three (3) hours per week in the Resource Room, except that a CSE may recommend that for a student with a disability who also needs Consultant Teacher Services in addition to Resource Room Services, may receive a combination of such services consistent with the student's IEP for not less than three hours per week. The student will not spend more than 50 percent of the day in the resource room program.
3. The total number of students assigned to a resource room teacher shall not exceed twenty (20) at the elementary level and twenty-five (25) at the middle and high school levels.
4. Resource room services may be provided either within the classroom or in a separate location, or a combination of both.

Integrated Co-Teaching Services

Integrated co-teaching services means the provision of specially designed instruction and academic instruction provided to a group of students with disabilities and students without disabilities.

The maximum number of students with disabilities receiving integrated co-teaching services in a class shall be determined in accordance with the students' individual needs as recommended on their IEP's. The number of students with disabilities in such classes shall not exceed 12 students, except 13 students may be in a class upon notification of variance to the New York State Education Department (NYSED). A 14th student may be added with the approval of a variance from NYSED.

School personnel assigned to each class shall minimally include a special education teacher and a general education teacher.

Additional personnel, including supplementary school personnel, such as teaching assistants, may be assigned to such classes by the district.

Special Class

A special class is defined as a class consisting of students with disabilities who have been grouped together for all or part of their school day because of similar individual needs for the purpose of being provided a special education program. The chronological age range of students who are less than sixteen (16) years of age shall not exceed thirty-six (36) months. The District provides part-time and full-time special class programs.

Out-of-District Placement

Students with disabilities whose needs cannot be addressed appropriately in an in-district special education program, may be placed in one of the following, listed from least restrictive to more restrictive:

1. Special class operated by another school district
2. A BOCES program
3. A special class in a Special Act School District
4. An approved Private School (day)
5. 4201 or State Operated School
6. An approved Residential Placement – in state
7. An approved Residential Placement outside of the state.

Home and Hospital Instruction

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

1. elementary school students (grades K-6) will be provided a minimum of five (5) hours per week;
2. secondary school students (grades 7-12) will receive a minimum of ten (10) hours of instruction per week, preferably two (2) hours daily.

Declassification Support Services

Students exiting special education may be considered for declassification services. Declassification support services are defined in the Part 100 Regulations. Testing modifications may be continued as recommended by the CSE.

If a student has been receiving special education services but the CSE determines that the student no longer requires such services and can be placed in a general education program on a full-time basis, the recommendation shall:

1. identify the declassification support services,
2. indicate the projected date of initiation, and
3. specify the frequency and duration of such services, not to exceed one year.

SECTION 4

ADDITIONAL EVALUATION, IEP AND PLACEMENT CONSIDERATIONS

ARRANGEMENT OF SPECIAL EDUCATION PLACEMENTS CPSE AND CSE

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

For CPSE, the Board shall arrange for the services commencing with the July, September or January starting date, unless such services are recommended by the CPSE less than 30 school days prior to, or after, such appropriate starting date, in which case the services shall be provided as soon as possible following development of the IEP, but no later than thirty (30) school days from the recommendation of the Committee and within 60 school days from receipt of consent to evaluate.

For CSE, placement shall be completed within 60 school days of receipt of consent to evaluate a student not previously identified as having a disability or within 60 school days of referral for review of a student with a disability. For placement in approved in-state or out-of-state private school placements, the Board shall arrange for such programs and services within 30 school days of receipt of the recommendation of the Committee on Special Education.

Because the placement of students is often a lengthy process, the Board authorizes the Superintendent of Schools, or designee, to act as its agent in making necessary arrangements to implement the appropriate recommended program/services prior to Board of Education review.

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

ADDITIONAL PROCEDURES FOR IDENTIFYING STUDENTS WITH LEARNING DISABILITIES

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

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

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

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

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

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

- does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the identified areas when using a process based on the student's response to scientific, research-based intervention; or
- exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development that is determined by the CSE to be relevant to the identification of a learning disability, using appropriate assessments; and
- the CSE determines that its findings under this paragraph are not primarily the result of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency.

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

Moreover, the CSE must also consider students with high cognition who may be eligible for special education programs and services as a student with a learning disability.

Specific Documentation for the Eligibility Determination

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

- whether the student has a learning disability;
- the basis for making the determination, including an assurance that the determination has been made in accordance with regulations;
- the relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student's academic functioning;
- the educationally relevant medical findings, if any;
- whether the student:

- does not achieve adequately for the student's age or to meet State-approved grade-level standards; and
 - does not make sufficient progress to meet age or State-approved grade-level standards; or
 - exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards or intellectual development;
- the determination of the CSE concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the student's achievement level; and
- if the student has participated in a process that assesses the student's response to scientific, research-based intervention:
 - the instructional strategies used and the student-centered data collected; and
 - the documentation that the student's parents were notified.

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

DECLASSIFICATION OF STUDENTS WITH DISABILITIES

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

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

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

PROCEDURES FOR ASSESSING ENGLISH LANGUAGE LEARNERS (ELL STUDENTS)

Screening

As part of the initial school screening, students who appear to be English Language Learners (ELL), formerly known as Limited English Proficient (LEP) students, are screened by the ENL teacher. The ENL teacher also screens ELL new entrants to the district. One method that is used to determine the student's predominant language is the Home Language Questionnaire (HLQ). If the responses on the HLQ indicate that a language other than English is spoken at home or that the student understands a language other than English, then an individual interview in English and the student's home language is conducted, along with a review of the student's abilities or work samples in reading and writing in English and the home language and math, collected or generated during the interview. If that process indicates that the student is possibly an ELL, the New York State Identification Test for English Language Learners (NYSITELL) is administered to determine language proficiency. If the student receives a score below a state-designated level of proficiency, the student is identified as an English Language Learner and will receive ENL services.

Part 154-3 requires the establishment of a Language Proficiency Team (LPT), which is a committee that makes a recommendation regarding the initial assessment of English Language Learner status for a student with a disability. The LPT shall be minimally comprised of a school/district administrator; a certified teacher or related service provider with a bilingual extension and/or a teacher of English to Speakers of Other Languages; the director of special education or individual in a comparable title (or his or her designee); and the student's parent or person in parental relation. A qualified interpreter or translator of the language or mode of communication the parent or person in parental relation best understands shall be present at each meeting of the LPT.

Students who initially enroll as a student with a disability (SWD) will require a seven-step review of their classification to determine whether the student's disability is the determinant factor affecting whether the student can demonstrate proficiency in English.

Steps in the LPT Review Process

1. For a student identified as having a disability, the LPT must make a recommendation as to whether there is evidence that the student may have second language acquisition needs.
2. In making this recommendation, the LPT shall, in accordance with guidance prescribed by the commissioner, consider evidence of the student's English language development, including, but not limited to:
 - a. the results of the HLQ and Individual Interview;

- b. the student's history of language use in school and home or community;
 - c. the individual CSE evaluation of the student, which shall include assessments administered in the student's home language; and
 - d. information provided by the Committee on Special Education (CSE) as to whether the student's disability is the determinant factor affecting whether the student can demonstrate proficiency in English.
3. Based on the evidence, the LPT must make a recommendation as to whether a student may have second language acquisition needs or whether the student's disability is the determinant factor affecting whether the student could demonstrate proficiency in English during the Individual Interview.
 4. If the LPT recommends that the student does not have second language acquisition needs and therefore should not take the English language proficiency identification assessment to identify the student as an English language learner, the recommendation shall be referred to the school principal for review.
 5. If the school principal agrees with the recommendation of the LPT that the student is not an English Language Learner and will not take the English language proficiency identification assessment, the school principal shall inform the parent or person in parental relation of this recommendation, in the language or mode of communication the parent or person in parental relation best understands.
 6. Upon receipt of a recommendation by the school principal, the Superintendent or his or her designee shall review the school principal's recommendation and make a final determination to accept or reject the school principal's recommendation within ten (10) days of receiving the school principal's recommendation. If the Superintendent determines that the student is not an English Language Learner, notice of such determination shall be provided to the parent or person in parental relation in the language or mode of communication the parent or person in parental relation best understands within five (5) days of such final determination.
 7. If the LPT determines that the student with a disability may have second language acquisition needs, the student shall take the initial English language proficiency identification assessment, NYSITELL. The CSE shall determine, in accordance with the individualized education program (IEP) developed for such student pursuant to Part 200 of this Title, whether the student shall take the assessment with or without testing accommodations or an alternate assessment as may be prescribed by the Commissioner.

State and Federal laws and regulations require that all ELLs receive ENL services until they score proficient on the NYSESLAT or on an alternate assessment as may be prescribed by the Commissioner.

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

Prior to referral, general education supports are attempted to determine if the student can make progress through these interventions.

These supports may include:

- ENL Program
- Academic Intervention Services/Response to Intervention
- Remedial Reading Support
- Remedial Math Support
- Speech/Language Services
- Extra help sessions with the general education teacher
- Informal small group instruction

If the student's home language is other than English, this is noted on the referral form in order that further evaluations can be completed in the student's native language. If the parents' dominant language is not English, they will receive all notifications in their dominant language. They will also receive the Parent's Guide to Special Education in their native language, if available.

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

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

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

When the CSE develops an IEP for an ENL student with a disability, that student must be provided the opportunity to participate in the district's ENL program. ENL programs should be considered general education core instruction for all ENL students. The CSE does not have the authority to determine that a student with a disability will not receive any ENL instruction unless the student has been re-designated as English proficient pursuant to Part 154 of the Regulations of the Commissioner of Education.

CULTURALLY UNBIASED/NON-DISCRIMINATORY EVALUATION FOR ENGLISH LANGUAGE LEARNERS

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

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

- The CSE referral will indicate the student's native language as determined by the Home Language Questionnaire and other assessments.
- The CSE referral includes a section that must be completed on students who are English Language Learners and may also be suspected of having a disability.
- If the student's English proficiency is determined to be insufficient to obtain valid results in English and the home language is not English, the evaluation shall be bilingual.
- If the home language is English but the student is considered limited English proficient, an evaluation will be conducted by a professional familiar with the culture and language dialect of the student.
- If the student is from a culturally and linguistically diverse background and English is the home language and the student is considered to be proficient in English, as determined by an English/Language Assessment, the evaluation may be conducted in English; however, the culture and linguistic background of the student will be taken into consideration.
- If the parents' dominant language is not English, they will receive all notifications in their dominant language. They will also receive the Parent's Guide to Special Education in their native language, if available.

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

The bilingual evaluation will include the following considerations and evaluations:

- the length of time the student has been in the United States;
- the amount of instruction that the student has received in the United States as well as his or her home country;
- the length of time the student has been receiving ENL instruction;
- attendance in school;
- the student's proficiency in his/her native language as well as English proficiency;
- the types of general education support that the student has received;
- a bilingual evaluator will be obtained who is knowledgeable about the student's geographic area of origin as well as its language and culture;
- BOCES and other agencies may be used for bilingual assessment;
- test instruments in the appropriate language that are normed on the same or similar population as the country from which the student has come will be sought. If such evaluative tools are not available, the evaluator will state in the report specific concerns regarding the instruments that were used and specific cautions to be observed when interpreting the results;
- if specific sub-tests are not considered appropriate because of cultural disadvantage, the evaluator may prorate the results and explain the reasons for this decision in the report;
- student work samples may be submitted to the CSE to provide an informal portfolio assessment that may indicate functional levels;
- non-verbal assessment batteries will be used to supplement more linguistic based measures;
- age-appropriate adaptive behaviors will also be taken into consideration;
- all areas of suspected disability will be evaluated in the student's native language;
- the bilingual evaluator will conduct a complete bilingual social history;
- the evaluation report will state the language in which the assessment was administered; and

- if the tests normally used are not considered valid for the ELL student, other avenues of data collection including criterion-referenced tests may be used and the results will be described in the evaluation report.

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

- (1) A bilingual professional or translator will be present at the CSE/CPSE meeting and the attendance sheet will indicate the name and language of this interpreter.
- (2) The CSE/CPSE will consider the role of cultural and/or linguistic factors in relation to the student's behavior and/or academic difficulties before determining if special education services are required.
- (3) In keeping with the mandate of Least Restrictive Environment, the CSE/CPSE will determine if remedial services and other general education supports can be tried before considering special education services.
- (4) All notices requiring consent and informing parents of CSE/CPSE recommendations will be translated into the parent's dominant language.
- (5) The program or services recommended for the student may consist of a combination of ENL and special education services, as recommended by the CSE.

Interpreting Evaluation Results and Use of Standardized Scores

Assessment scores of culturally and linguistically diverse students should only be reported if the tests are valid for the purposes for which they are intended and are determined not to be culturally, linguistically or racially discriminatory. It is inappropriate to use standard scores from tests that fail to assess an ELL student based upon norms reflective of the student's culture and linguistic background.

For translated tests and other tests that do not meet appropriate validity, discrimination and standardization criteria, personnel must analyze the information gathered during the assessment process and use clinical judgment to provide a qualitative analysis of the student's abilities, strengths, and needs. This qualitative analysis should be supported by examples and qualitative descriptions of the student's performance on the various skill sets assessed so that the reader of the evaluation can understand the basis for the quantitative and qualitative statements contained in the evaluation.

School districts and, in the case of preschool students, multidisciplinary evaluation programs approved pursuant to section 4410 of the Education Law must assure that the persons conducting evaluations understand how to review the documentation provided on assessments in order to determine their validity for children who are ELLs. When interpreting evaluation results, care must be taken that issues of language differences are

not confused with language disorders and that patterns of performance related to the student's socio-cultural background or interrupted schooling are not mistaken for signs of a disability.

Eligibility Determinations

In determining eligibility for special education, the CPSE/CSE must ensure that the student is not identified as having a disability if the determinant factor is only English language proficiency. In addition to the individual evaluation results, the appropriate identification of ELLs as students with disabilities should include use of tiered systems of support and data from a response to intervention (RTI) process. The Department has provided specific guidance on considerations for the use of RTI for ELLs as well as information to assist evaluators and the CPSE/CSE to differentiate between language differences and disabilities.

- To determine whether a preschool child should be classified as a preschool student with a disability, his or her performance should be compared with the accepted milestones for child development within his or her cultural and linguistic group. It is extremely important that the personnel involved in all aspects of the multidisciplinary assessment be familiar with the student's cultural and linguistic background and relevant research regarding such background. It is also important that these individuals have experience with culturally and linguistically diverse preschool-age students who are exhibiting age-appropriate behaviors.

RECOMMENDATIONS FOR ONE-TO-ONE AIDE FOR PRESCHOOL AND SCHOOL-AGE STUDENTS WITH DISABILITIES

Effective June 29, 2016, Section 200.4(d)(3) of the Regulations of the Commissioner of Education, relating to the assignment of an individual aide to a student with a disability, was amended to add a requirement that both Committees on Special Education (CSE) and Committees on Preschool Special Education (CPSE) make certain considerations prior to determining that a student needs a one-to-one aide. These considerations must include:

- the management needs of the student that would require a significant degree of individualized attention and intervention;
- the skills and goals the student would need to achieve that will reduce or eliminate the need for the one-to-one aide;
- the specific support that the one-to-one aide would provide for the student (e.g.: assistance with personal hygiene or behaviors that impede learning);
- other supports, accommodations and/or services that could support the student to meet these needs (e.g.: behavioral intervention plan, environmental accommodations or modifications, instructional materials in alternate formats, assistive technology devices, peer-to-peer supports);
- the extent (e.g.: portions of the school day) or circumstances (e.g.: for transitions from class to class) the student would need the assistance of a one-to-one aide;
- staff ratios in the setting where the student will attend school;
- the extent to which assignment of a one-to-one aide might enable the student to be educated with nondisabled students and, to the maximum extent appropriate, in the least restrictive environment;
- any harmful effect on the student or on the quality of services that he or she needs that might result from the assignment of a one-to-one aide; and
- the training and support provided to the one-to-one aide to help him or her understand the student's disability-related needs, learn effective strategies for addressing the student's needs, and acquire the necessary skills to support the implementation of the student's individualized education program (IEP).

Section 200.4(d)(3) also clarifies that the assignment of shared one-to-one aides at the discretion of the school to meet the individualized needs of students whose IEPs include the recommendation for one-to-one aides is not prohibited or limited. The duties of a teacher aide or a teaching assistant providing individualized support to a student with a disability must be consistent with the duties prescribed in 8 NYCRR 80-5.6.

EXTENDED SCHOOL YEAR (ESY) SERVICES

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

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

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

ACCESS TO ASSISTIVE TECHNOLOGY DEVICES AND SERVICES

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

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

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

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

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

A student's need for assistive technology is determined through the individual evaluation. The district's CSE/CPSE is responsible for this functional evaluation of the student. The

need to conduct an assistive technology component of an evaluation must be considered for students on a case-by-case basis.

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

In June 2016, NYSED released a webcast on assistive technology for students with disabilities in New York State. An Assistive Technology Consideration Checklist has also been developed to assist school districts in the consideration of assistive technology devices and services for students with disabilities.

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EXEMPTION FROM FOREIGN LANGUAGE REQUIREMENT

Students are required to complete one high school credit in a language other than English in order to earn a Regents diploma. This requirement is established for all schools in the State by Section 100.2 (d) of the Regulations of the Commissioner of Education.

Students identified as having disabilities may be exempted from this requirement if their Individualized Education Program (IEP) indicates that such requirement is inappropriate. Only those students whose disabilities specifically and severely impair receptive and/or expressive language skills, or exhibit other behavioral or learning problems that would impact their ability to benefit from foreign language instruction may be exempt from the foreign language requirements, as most students would benefit from exposure to a foreign language. The reasons for any exemption will be specified in the IEP.

At annual review for all students who are completing sixth, seventh, or eighth grade, the CSE will consider the youngster's area(s) of disability in relation to the following guidelines and a youngster may be exempt from a foreign language if they exhibit one or more of the following:

- severe auditory processing and/or severe auditory memory deficit;
- significant discrepancy between the verbal and performance areas on intelligence testing, where the profile suggests significant verbal difficulties;
- hearing impairment of a significant degree;
- significant speech impairment;
- severe emotional factors which may be relevant to youngster's ability to benefit from foreign language instruction; and/or
- severe physical handicaps and/or limitations with regard to strength, vitality or alertness.

If the CSE concludes the exemption is warranted, reasons will be provided in a statement accompanying the IEP.

If a student with a disability is assigned to a language class, a copy of the current IEP showing necessary testing accommodations and classroom modifications will be available online to the language instructor through E-School; the student's special education contact teacher will also be available to review the student's needs.

**EXEMPTION OF A STUDENT WITH A DISABILITY FROM THE
REQUIREMENT IN HANDS-ONLY CARDIOPULMONARY RESUSCITATION
AND THE USE OF AUTOMATED EXTERNAL DEFIBRILLATORS**

Section 100.2(c) (11) of Commissioner's Regulations requires that all students complete hands-only instruction in cardiopulmonary resuscitation (CPR) and instruction in the use of Automated External Defibrillators (AEDs) at least once between grades 9-12 prior to graduation. The standards for such instruction must be based on a nationally recognized instructional program that utilizes the most current guidelines for CPR and emergency cardiovascular care consistent with the requirements of the programs adopted by the American Heart Association or the American Red Cross. Instruction must be designed to:

- recognize the signs of a possible cardiac arrest and to call 911;
- provide an opportunity to demonstrate the psychomotor skills necessary to perform hands-only CPR; and
- provide awareness in the use of an AED.

Most students with disabilities have the ability to complete the required instruction in hands-only CPR and the use of AEDs described above. In recognition that there may be some students who, due to the nature of their disability, will not be able to physically or cognitively perform the tasks included in such instruction. The Committee on Special Education (CSE) may determine, on an individual student basis, if a student with a disability should be excused from the requirement for instruction in hands-only CPR and the use of AEDs.

When a determination is made to excuse the student from this instructional requirement, the student's individualized education program (IEP) or Section 504 accommodation plan must include documentation of the Committee's decision. The determination of whether a student with a disability would require this exception should be made in the year in which the student would be expected to complete the instruction.

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

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

Test accommodations are changes made in the administration of a test, including testing procedures or formats, in order to remove obstacles to the test-taking process caused by a student's disability, that do not alter the measurement of a construct. The district recognizes that the provision of testing accommodations to students with disabilities enables such students to participate in assessment programs on an equal basis with their nondisabled peers. Testing accommodations provide students with disabilities the opportunity to demonstrate mastery of skills and attainment of knowledge without being limited or unfairly restricted by their disability. Further, testing accommodations provide opportunity for students with disabilities to gain access to more challenging courses and programs.

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

- Test accommodations must be provided on a consistent and uniform basis, as provided by each student's IEP and should not be excessive not alter the standard administration of the test to the least extent possible;
- Test accommodations are neither intended nor permitted to:
 - alter the construct of the test being measured or invalidate the results;
 - provide an unfair advantage for students with disabilities over students taking tests under standardized conditions; or
 - substitute for knowledge or abilities the student has not attained.
- The following students are eligible to receive test accommodations:
 - students classified by the CSE or CPSE as having a disability;
 - students identified as having a disability pursuant to Section 504 of the Rehabilitation Act by a 504 Multidisciplinary Team;
 - students who incur disabilities for 30 days or less before administration of a districtwide test and who are authorized by the principal to receive test accommodations; and
 - students previously declassified by the CSE or CPSE who are provided with declassification accommodations.

- The following individuals are authorized to make the decisions regarding test accommodations for a student with a disability:
 - the CSE or CPSE, if the student is classified under IDEA and the Commissioner's Regulations or if the student has been declassified;
 - the Section 504 Multidisciplinary Team for those students identified as having a disability pursuant to Section 504 of the Rehabilitation Act;
 - the school principal, for general education students who have incurred a short or long-term disability within 30 days before administration of assessments and where sufficient time is not available for the development of an IEP or 504 Plan.
- all appropriate testing accommodations will be designated in a student's IEP or 504 Accommodation Plan and will be reviewed at least annually by the CSE or CPSE or 504 Multidisciplinary Team, except for declassification accommodations.
- steps shall be taken to ensure that teachers and service providers are aware of test accommodations for students and how they are to be implemented.

TRANSITION PLANNING FOR STUDENTS WITH DISABILITIES

Definition

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

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

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

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

- a statement of the responsibilities of the school district and, when applicable, participating agencies for the provision of such services and activities that promote movement from school to post-school opportunities, or both, before the student leaves the school setting.

At all meetings for the purpose of discussing the need for transition services, the student will be invited. In addition, with parental consent or consent of a student 18 years of age or older, a representative of the agencies likely to provide or pay for transition services will be invited. Other knowledgeable school personnel, such as the administrator, psychologist, related service provider, and general education teacher, may be asked to participate in the process.

The coordinated set of activities are:

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

TRAVEL TRAINING

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

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VOCATIONAL ASSESSMENT POLICY

Goal of the Vocational Assessment Process

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

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

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

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

Level of Vocational Assessment

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

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

Level II vocational assessment is more focused and involves administration of standardized tests, which look in further detail at interests, vocational skills, and specific aptitudes and abilities. This assessment builds upon information that was recorded in the Level I assessment. Specialized vocational evaluation instruments, such as a vocational

interest inventory, vocational aptitude battery and selected work samples, may be introduced at this level.

Level III vocational assessment is a situational assessment conducted while a student is actually engaged in work related/vocational activities. This may require resources such as those available in a vocational rehabilitation facility, an occupational assessment center or in an actual work setting. This type of assessment is usually reserved for more multi-disabled students whose disabilities are very severe.

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

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OPPORTUNITIES TO EARN HIGH SCHOOL DIPLOMAS

It is practice of the school district to ensure that each student has been provided with appropriate opportunities to earn a Regents or local high school diploma. Students are provided with meaningful access to participate and progress in the general education curriculum designed to meet the State's learning standards. Access to the curriculum not only means that students are taking the appropriate courses needed to earn a regular diploma, but also that they are being provided with appropriate specially-designed instruction, accommodations, supports and services to progress in the curriculum. Access must be provided to the required courses, electives and exams as specified in Part 100 of the Regulations of the Commissioner in order to attain a Regents or local high school diploma.

According to Part 100.5, requirements for a diploma apply to students depending upon the year in which they first enter grade nine. Students with disabilities who entered grade 9 during the 2010-11 school year or before are eligible for the RCT safety net which will remain available until they graduate with a Regents or local diploma or until the end of the school year in which they turn 21, whichever occurs first. The option to take the RCTs is not available to any student who entered grade 9 in September 2011 and thereafter. Achieving the local diploma through the low pass option remains available to all students with disabilities provided they earn a score of 55-64 on one or more required Regents examinations.

The Board of Regents has established multiple pathways to graduation for all students. The Local Diploma Compensatory Option is one option for a student with a disability to earn a local diploma. A student may earn a local diploma through the use of the compensatory option if the student:

- scores a minimum of 55 on the English language arts (ELA) or mathematics Regents exams; and
- scores between 45-54 on one or more of the five required Regents exams, other than the English language arts (ELA) or mathematics exam, but scores 65 or higher on one or more of the required Regents exams, in which case the lower score(s) can be compensated by the higher score(s); and
- obtains a passing grade, that meets or exceeds the required passing grade by the school, for the course in the subject area of the Regents examination in which he or she received a score of 45-54; and
- has a satisfactory attendance rate, in accordance with the district's or school's attendance policy, for the school year during which the student took the examination in which he or she received a score of 45-54, exclusive of excused absences; and

- is not already using a passing score on one or more Regents Competency Tests (RCTs) to graduate with a local diploma. A student may not use the compensatory score option if he or she is using a passing score on one or more RCTs to graduate with a local diploma.

Students with disabilities eligible to graduate in January 2016 or thereafter who have taken and passed courses in preparation to take a Regents examination and have a 65 course average but whose highest score on the Regents is below but within three points of the 55 passing score (52-54) may appeal to graduate with a local diploma using this lower score. Through this appeal, the student seeks a waiver of the graduation assessment requirement in this subject area.

The “4+1” pathway is another option for students who first entered grade 9 in September 2011. Under the “4+1” pathway assessment option, students must take and pass four required Regents Exams or Department-approved alternative assessments (one in each of the following subjects: English, math, science, and social studies) and a comparably rigorous assessment for the fifth required exam to graduate. The fifth assessment required for graduation may include any one of the following assessments:

- Pass an additional math Regents examination in a different course or Department Approved Alternative; or
- Pass an additional science Regents examination in a different course or Department Approved Alternative; or
- Pass an additional social studies Regents examination in a different course or Department Approved Alternative; or
- Pass an additional English assessment in a different course selected from the Department Approved Alternative list; or
- Pass a Department approved CTE pathway assessment, following successful completion of an approved CTE program; or
- Pass a Department approved pathway assessment in the Arts; or
- Pass a Department approved pathway assessment in a Language other than English (LOTE).

A student may also complete all the requirements for the Career Development and Occupational Studies (CDOS) Commencement Credential as the fifth graduation requirement.

The New York State (NYS) Career Development and Occupational Studies (CDOS) Commencement Credential will recognize each individual student’s preparation and

skills for post-school employment. For students with disabilities who are exiting with a regular high school diploma, it provides them with the additional opportunity to exit school with a credential that also recognizes the students' work readiness skills.

Many students with disabilities will be able to graduate with the NYS CDOS Commencement Credential as a supplement to their Regents or local diploma. Students who are unable to earn a regular diploma because of their disability may graduate with the NYS CDOS Commencement Credential as the student's only exiting credential, provided they meet the requirements for award of the credential and have attended school for at least 12 years, excluding Kindergarten.

The 4+1 pathway option does not change existing graduation course or credit requirements. All New York students must earn a minimum of 22 high school credits in a course of study that includes English Language Arts, Math, Global History and Geography, US History and Government, Science, a Language other than English, the Arts, Physical Education and Health.

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

- The Committee on Special Education (CSE) will annually review the special educational needs of each student with a disability. At each annual review after the student has entered the Middle School, the CSE will make an assessment as to whether or not the student's capabilities indicate probable success in a course of study leading to a Regents or local diploma. Where appropriate, the student will participate in this process.
- Annually, the CSE will consider the following factors:
 - current levels of achievement; and
 - learning rate;
- The CSE will consider if the student requires testing accommodations to participate in state or district-wide assessments. These accommodations will be clearly stated on the student's IEP.
- The district will offer appropriate remedial instruction for all students.
- The CSE will identify and recommend support services and supplementary instruction necessary to assist students to benefit from credit courses.
- If the student's special educational needs require instruction in small classes from certified special education teachers, the IEP shall so indicate and placement will be made in or outside the district in special education classes. In any such case,

instruction in subjects granting credit toward graduation and a Regents or local high school diploma will be provided in accordance with curriculum objectives and required levels of achievement determined by the special education teacher in consultation with a teacher certified in the subject being taught.

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

Prior receipt of a NYS CDOS Commencement Credential does not preclude subsequent granting of a regular diploma if passing of appropriate assessments and necessary credits are achieved before the end of the school year in which a student reaches his/her twenty-first (21) birthday. In all cases in which only a CDOS Commencement Credential is issued, parents will receive written notice that a student is entitled to receive a free appropriate public education until the end of the school year in which he/she reaches his/her twenty-first (21) birthday or obtains a high school diploma, whichever shall occur first.

At the June 2016 meeting, the New York State Board of Regents approved through emergency action an amendment to section 100.5 of the Regulations of the Commissioner of Education to require superintendents to make a local determination as to the academic proficiency for eligible students with disabilities to graduate with a local diploma.

The superintendent must ensure that every student with a disability who does not meet the graduation standards through the existing appeal and safety net options is considered for the Superintendent Determination. At the June meeting, the Board of Regents decided that this determination did not need to be formally requested by the student or parent. However, in response to public comment, the Board of Regents proposed that, on or after October 18, 2016, the superintendent may only consider an eligible student for a local diploma through the superintendent determination pathway upon receipt of a written request from the student's parent or guardian. Such request must be submitted in writing to the student's school principal or CSE chairperson, and must be forwarded to the school superintendent immediately upon its receipt.

Consideration for the Superintendent Determination occurs under the following conditions:

- The student has a current IEP and is receiving special education programs and/or related services.

- The student did not meet the graduation requirements through the low pass (55-64) safety net option or the compensatory option.
- The student must have earned the required course credits and have passed, in accordance with district policy, all courses required for graduation, including the Regents courses to prepare for the corresponding required Regents exam areas, which are ELA, math, social studies, and science.
- The student must have received a minimum score of 55 on both the Regents ELA and math exams or a successful appeal of a score between 52 and 54.
- There must be evidence that the student participated in the other exams required for graduation pursuant to section 100.5(a)(5), but has not passed one or more of these as required for graduation.
- In a subject area where the student was not able to demonstrate his/her proficiency of the State's learning standards through the assessment required for graduation, there must be evidence that the student has otherwise demonstrated graduation level proficiency in the subject area.

The school principal and superintendent must review, document and provide a written certification/assurance that there is evidence that the student has otherwise met the standards for graduation with a local high school diploma. In conducting a review to ensure the student has met the academic standards, the superintendent must consider evidence that demonstrates that the student:

- Passed courses culminating in the exam required for graduation, in accordance with the grading policies of the district. In making this determination, the superintendent must consider the student's final course grade as well as student work completed throughout the school year and/or interim grades on homework, projects, class work, quizzes, tests, etc., that demonstrate that the student has met the learning standards for the course; and
- Actively participated in the exam required for graduation.

At their June 2018 meeting, the New York State Board of Regents approved the permanent adoption of amendments to section 100.5 of the Regulations of the Commissioner of Education relating to the superintendent determination option for certain students with disabilities to graduate with a local diploma. The regulations, which

became effective on an emergency basis on December 12, 2017, permit students with disabilities, on or after December 12, 2017, to meet the English language arts (ELA) and/or Mathematics Regents examinations eligibility condition(s) for the superintendent determination option by completing the requirements for the New York State Career Development and Occupational Studies (CDOS) Commencement Credential. In addition, for students with disabilities who are otherwise eligible to exit from high school in either the 2017-18 school year or 2018-19 school year only, the amendments allow a school district, registered nonpublic high school, or charter school to award the CDOS Commencement Credential to a student with a disability who has not met all of the requirements, for purposes of eligibility for the superintendent determination option, provided that the school principal, in consultation with relevant faculty, has determined that the student has otherwise demonstrated knowledge and skills in the commencement level CDOS learning standards. Students who are awarded the CDOS Commencement Credential under this exception may not use such credential to meet the requirements for the CDOS graduation pathway option. The proposed amendment was subsequently revised at the April 2018 meeting in response to public comment to:

- replace the term “superintendent determination pathway” with “superintendent determination option” in sections 100.5 and 200.4 of the Regulations of the Commissioner of Education to clarify that the superintendent determination is an option, not a pathway, for students with disabilities to graduate with a local diploma; and
- clarify that students with disabilities who use the CDOS Commencement Credential to meet the ELA and/or Mathematics Regents examinations eligibility condition(s) for the superintendent determination option but have met all the assessment requirements for the remaining Regents examinations required for graduation, would be eligible for consideration of a local diploma through the superintendent determination option.

CAREER DEVELOPMENT AND OCCUPATIONAL STUDIES (CDOS) **COMMENCEMENT CREDENTIAL**

The NYS CDOS Commencement Credential is a credential recognized by the NYS Board of Regents as a certificate that the student has the knowledge and skills necessary for entry level employment. There are two options available for students to earn this credential.

OPTION 1:

- The student must have developed a Career Plan that includes documentation of the student's self-identified career interests; career-related strengths and needs; career goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals; and
- The student must have demonstrated achievement of the commencement level CDOS learning standards in the areas of career exploration and development; integrated learning; and universal foundation skills; and
- The student must have successfully completed at least 216 hours of CTE coursework and/or work-based learning experiences (of which at least 54 hours must be in work-based learning experiences); and
- The student must have at least one completed employability profile that documents the student's employability skills and experiences; attainment of each of the commencement level CDOS learning standards; and, as appropriate, attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements.

OPTION 2:

In lieu of a student meeting the requirements of option 1 to be awarded the NYS CDOS Commencement Credential, a district may award a student this credential if the student has met the requirements for one of the **nationally recognized work readiness credentials**, including but not limited to:

- National Work Readiness Credential;
- SkillsUSA Work Force Ready Employability Assessment;

- National Career Readiness Certificate WorkKeys - (ACT); and
- Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

Although the district may provide individual students the option of earning the NYS CDOS Commencement Credential by meeting the requirements for one of the nationally recognized work readiness credentials, the national credential option will not be the only option available to students in the district to earn the CDOS Credential.

On or after April 3, 2017, a board of education may award the CDOS commencement credential to a student who has received a satisfactory passing score on any work-readiness assessment approved by the Commissioner that meets the following criteria:

- measure universal foundation knowledge, skills and abilities necessary for entry-level employment across multiple industries and occupations and the assessment shall be reviewed at least every five years and be updated accordingly;
- be designed in consultation with workforce experts, such as, but not limited to, employers, national business organizations, or Federal or State labor agencies;
- be consistent with technical criteria for validity, reliability, and fairness in testing;
- be developed by an entity other than a local school or school district;
- be available for use by any school or school district in New York State; and
- be administered in accordance with assessment security conditions, directions and procedures established by the Commissioner.

SKILLS AND ACHIEVEMENT COMMENCEMENT CREDENTIAL

The Skills and Achievement Commencement Credential may be issued to students with severe disabilities who are eligible to take the New York State Alternate Assessment (NYSAA).

In this context, students with severe disabilities means students who have limited cognitive abilities combined with behavioral and/or physical limitations and who require highly specialized education, social, psychological and medical services in order to maximize their full potential for self-fulfillment and meaningful participation in society. Students with severe disabilities may experience significant speech, language, and/or perceptual-cognitive impairments, and evidence challenging behaviors that interfere with learning and socialization opportunities. These students may also have extremely fragile physiological conditions and may require personal care, physical/verbal supports and assistive technology devices.

The Skills and Achievement Commencement Credential will provide this group of students who are exiting school after attending at least 12 years, excluding kindergarten, with a commencement certificate similar in form to the diploma issued by the school district. The credential would not be considered a regular high school diploma in accordance with State standards. The Skills and Achievement Commencement Credential must be accompanied by documentation of the student's skills and strengths and levels of independence in academic, career development and foundation skills needed for post-school living, learning and working.

The district will issue a Skills and Achievement Commencement Credential to each student with a severe disability in accordance with the following rules.

- Only students with disabilities who have been instructed and assessed on the alternate performance level for the State learning standards are eligible for this credential award.
- The credential may be awarded any time after such student has attended school for at least 12 years, excluding kindergarten or received a substantially equivalent education elsewhere; or at the end of the school year in which a student attains the age of 21.
- The credential would not be considered a regular high school diploma in accordance with State standards or for federal accountability purposes.

- The credential must be similar in form to the diploma issued by the school district or nonpublic school, except that there shall appear on the credential a clear annotation to indicate the credential is based on achievement of alternate academic achievement standards.
- The credential must be issued together with a summary of the student's academic achievement and functional performance, known as the Student Exit Summary, and must include documentation of the student's:
 - achievement against the Career Development and Occupational Studies learning standards <http://www.p12.nysed.gov/cte/cdlearn/>;
 - level of academic achievement and independence as measured by NYSAA;
 - skills, strengths, interests; and
 - as appropriate, other achievements and accomplishments.
- For students less than 21 years old, the credential must be provided with a written assurance that the student continues to be eligible to attend the public schools of the school district in which the student resides without payment of tuition until the student has earned a regular high school diploma or until the end of the school year in which the student turns age 21, whichever occurs first.

SECTION 5

PROCEDURAL SAFEGUARDS

DRAFT

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

The Procedural Safeguards Notice must be provided to the parents of a student with a disability, at a minimum one time per year and also upon:

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

Prior Written Notice

Prior written notice means written statements provided to the parents of a student with a disability a reasonable time before the district proposes to or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student. Prior written notice will be on a form prescribed by the Commissioner.

Prior written notice must include a description of the action proposed or refused by the district, an explanation of why the district proposes or refuses to take the action, a description of other options considered and rejected, a description of the evaluations and reports used as a basis for the decision, and a description of the factors relevant to the proposal or refusal. Prior written notice must also inform parents of their protection under procedural safeguards and how a copy of these safeguards may be obtained. Parents are also provided sources to contact to obtain assistance in understanding these provisions.

Prior written notice must be written in language understandable to the general public and in the native language of the parents unless it is clearly not feasible to do so. A parent of a student with a disability may elect to receive prior written notice and other required communication by electronic mail (e-mail) communication if the school district makes this option available.

Informed Consent (CSE and CPSE)

"Consent" means:

- the parent has been fully informed, in his or her native language or other mode of communication, of all information relevant to the activity for which consent is sought, and has been notified of the records of the student which will be released and to whom they will be released;

- the parent understands and agrees in writing to the activity for which consent is sought; and
- the parent is made aware that the consent is voluntary on the part of the parent and may be revoked at any time except that, if a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked).

Written Parental Consent Required Prior to Initial Evaluation

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

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

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

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

Written Parental Consent Required Prior to Initial Provision of Special Education Services

If the CSE/CPSE determines the student has a disability and recommends special education services, parental consent to initial placement is requested. If a parent refuses to give written consent, the district may not deny the parent or child any other service, benefit, or activity of the school district, except for the recommended special education service. Parents are given the opportunity for further discussion with the Chairperson of the CSE or school staff, if needed. Outreach efforts are made, when necessary, to ensure the parent has received and understands the request for consent for placement. Translations are provided as necessary. If the parent of the student refuses to consent or fails to respond to a request to provide consent to the initial provision of special education programs and services, the school district shall not provide special education programs and services to the student and shall not use due process procedures to challenge the parent's refusal to consent. The school district will not be considered to be in violation of the requirements to make available a free appropriate public education to the student because of the failure to provide the student with the special education program and services for which the parent refuses to, or fails to, provide consent. The district will not be required to convene a meeting of the Committee on Special Education or develop an IEP for the student.

REVOCATION OF PARENTAL CONSENT

If, at any time, subsequent to the initial provision of special education programs and services, the parent of a student revokes consent in writing for the continued provision of special education and related services to the student, the school district:

- will not continue to provide any special education and related services to the student, but must provide prior written notice to the parent before ceasing the provision of special education and related services;
- will not use due process procedures, such as mediation, resolution meeting, and/or an impartial due process hearing, in order to obtain agreement or a ruling that the services may be provided to the student without parental consent;
- will not be considered to be in violation of the requirement to make a free and appropriate public education (FAPE) available to the student because of the failure to provide the student with further special education and related services;
- is not required to convene a meeting of the CSE or develop an IEP for the student for the further provision of special education and related services; and
- is not required to amend the student's education records to remove any references to the student's receipt of special education programs and services because of the revocation of consent.

PARENTAL CONSENT FOR REEVALUATION

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

Reasonable efforts are interpreted as:

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

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

Withdrawal of Referral - Parental consent will be requested if a parent decides to withdraw a referral for special education.

REQUESTS FOR RECORDS/OTHER COMMUNICATIONS WITH NON-DISTRICT PERSONNEL

Parent consent is requested for the following:

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

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

INDEPENDENT EDUCATIONAL EVALUATIONS

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

Parents with children who have been classified with a disability or children who are suspected of having an educationally related disability have the right under Federal and State regulations to obtain an IEE at public expense under certain conditions. Regulatory standards are outlined in New York State Regulations of the Commissioner of Education Sections 200.5(a)(1)(vi) and Federal Regulations 34 CFR 300.503. Additionally, A Parent's Guide to Special Education: Your Child's Right to an Education in New York State and the Procedural Safeguards Notice, published by the New York State Education Department, detail IEE requirements. These documents are available from the Mount Vernon City School District Special Education Office for parents who desire to review them.

Definition

An independent educational evaluation (IEE) means an evaluation conducted by qualified examiners as defined in 34 CFR 300.12 who are not employed by the District. If a parent or guardian disagrees with the evaluation conducted by the District, the parent or guardian may have the right to obtain one IEE at public expense for each District evaluation. If a parent requests an IEE at public expense, the District must, with unnecessary delay, either: (a) file a due process complaint to request an impartial hearing before an impartial hearing officer to contest the IEE for failure to comply with the District's criteria and/or to defend the appropriateness of the evaluation conducted by the District, or (b) provide the IEE at public expense. If the impartial hearing officer determines that the District's evaluation is appropriate, the parents/guardian would not have the right to a publicly funded IEE or the right to reimbursement for the IEE.

Timeline

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

If the parent requests an IEE, the District may ask why the parent objects to the evaluation of the child done by the District. The District may not require an explanation and may not unreasonably delay either providing the IEE at public expense or filing a due

process complaint to request an impartial hearing to contest the IEE and/or defend the evaluations conducted by the District.

Public Expense

Public expense means that the District either pays for the full cost of the IEE or ensures that the evaluation is otherwise provided at no cost to the parent/guardian. The District has set the following rates as the maximum allowable fees per evaluation:

| | |
|---------------------------------|------------|
| Psycho-Educational Evaluation | \$2,500.00 |
| Psychological Evaluation | \$1,500.00 |
| Educational Evaluation | \$1,000.00 |
| Neurological Evaluation | \$ 900.00 |
| Speech/Language Evaluation | \$ 900.00 |
| OT Evaluation | \$ 750.00 |
| PT Evaluation | \$ 750.00 |
| Psychiatric Evaluation | \$1,500.00 |
| Neuropsychological Evaluation | \$3,000.00 |
| Audiological Evaluation | \$ 500.00 |
| CAP Evaluation | \$ 500.00 |
| Assistive Technology Evaluation | \$1,000.00 |

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

Responsibilities

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

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

SURROGATE PARENTS

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

Qualifications:

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

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

Procedures for Assigning Surrogates:

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

- Any person whose work involves education or treatment of students, who knows of a student who may need special education services, and who knows that the parents or guardians are not known or are unavailable, or that the student is a ward of the State, may file a request for assignment of a surrogate parent, with the Committee on Special Education.
- The Committee on Special Education shall send notice of the possible need for a surrogate parent to the adult in charge of the student’s place of residence and to the parents or guardians at their last known address.

- The Committee on Special Education shall determine whether the parents or guardians are unknown or unavailable, or whether the student is a ward of the State. Where the student is known to the district to be a ward of the State, reasonable efforts to discover the whereabouts of the parent shall include consultation with the local social service agency responsible for the care of the student. The determination of the need for a surrogate parent shall be completed within a reasonable time following the receipt of a referral for an initial evaluation, reevaluation or services. If the CSE finds there is a need for a surrogate parent, one who meets the qualifications identified above shall be selected from the list approved by the Board of Education within 10 business days of the date of the determination by the CSE of the need for the surrogate parent.
- Once assigned, the surrogate parent shall represent the student for as long as a surrogate parent is required.
- The foster parent of the student, who otherwise meets the qualifications, may be appointed as the surrogate parent of the student without being appointed from a list approved by the Board of Education.
- The surrogate parent alternatively may be appointed by the judge overseeing the child's case, provided that the surrogate parent meets the requirements above. The individual appointed by the judge need not be appointed from a list approved by the Board of Education.

SPECIAL EDUCATION MEDIATION

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

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

Unlike an impartial hearing, at the end of which the impartial hearing officer makes a decision about the kinds of special education programs and services the student will receive, the mediator does not make a decision. In the case that a resolution to resolve the complaint through the mediation process is reached, the parents and school district representative will execute a legally binding written agreement that details the resolution and states that all discussion that occurred during the mediation process shall remain confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings of any federal or state court. The agreement will be signed by both the parent and representative of the school district who has the authority to bind the school district. The written, signed agreement is enforceable in any State or district court.

If the written agreement reached by the parties in mediation is inconsistent with the student's IEP, then the student's IEP must be immediately amended to be consistent with the mediation agreement.

RESOLUTION PROCESS

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

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

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

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

If the school district is unable to obtain the participation of the parent in the resolution meeting after reasonable efforts have been made and documented, the school district may, at the conclusion of the 30-day period, request that an impartial hearing officer dismiss the parents' due process complaint.

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

APPOINTMENT OF IMPARTIAL HEARING OFFICERS

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

A certified impartial hearing officer shall:

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

Appointment

The updated list of certified IHOs for this county promulgated by the New York State Education will be used in connection with all requests for impartial due process hearings.

Upon receipt of a complete due process complaint notice, the rotational selection process for the IHO shall be initiated immediately and always within two days after receipt of such request. Should an IHO decline appointment, or if within 24 hours the IHO fails to respond or is unreachable after reasonable attempts by the District Clerk or designee, such district representative shall then proceed through the list to determine availability of the next successive IHO.

The impartial hearing officer may not accept the appointment unless he or she is available to make a determination of sufficiency of a due process complaint notice within five days of receiving such a request, unless an extension is granted, and to initiate the hearing within the first 14 days after:

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

The District Clerk or designee shall then proceed through the list to determine availability of the next successive IHO.

Upon identifying the next IHO on the list who is available to serve, the Board of Education President shall appoint such person to serve as the IHO.

Records relating to the IHO process including, but not limited to, the request for availability, initiation and completion of such impartial due process hearing will be maintained by the district and such information will be reported to the Impartial Hearing Reporting System (IHRS). IHRS is a web-based data collection system designed to record information about the special education impartial hearing process at critical points, beginning with the initial written request for a hearing and ending with the issuance of the IHO's decision.

Procedures

1. The selection of an impartial hearing officer must be made from a list of all hearing officers who are certified, pursuant to the Regulations of the Commissioner 200.1 (X) and available to serve in the school district.
2. The list must be established and maintained in alphabetical order with new appointees being inserted into the alphabetical order of the list.
3. Selection must be made on a rotational basis, beginning with the first name after the hearing officer who last served. If no hearing officer on the list has served, selection must be made beginning with the first name on the list.
4. If a hearing officer declines appointment or if within 24 hours, the Impartial Hearing Officer fails to respond or is unreachable after reasonable efforts by the school district, each successive impartial hearing officer whose name next appears on the list shall be offered appointment, until such appointment is accepted. These attempts will be documented.

GUARDIAN AD LITEM

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

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

SECTION 6

RECORDS ACCESS AND CONFIDENTIALITY

SPECIAL EDUCATION RECORDS: ACCESS AND CONFIDENTIALITY

Notice of Rights Concerning Student Records

The following is an explanation of the rights of parents/guardians concerning school records relating to their child pursuant to the Federal "Family Educational Rights and Privacy Act of 1974":

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

major field of study, dates of attendance, degrees and awards received and previous educational institutions attended. Directory information shall be disclosed for limited purposes and to a limited number of district-related groups, committees, associations and organizations such as PTA and SEPTA.

- At the beginning of each school year this policy remains in effect. The district shall notify parents, guardians and students 18 years old and older (“eligible students”), either by direct mail or by other district-wide publication, or both, of those categories of information that constitute directory information. Thereafter, parents, guardians or eligible students shall have a reasonable period of time in which to inform the district that any or all of the information designated as directory information may not be released without the individual’s consent. Any objection to such disclosure of directory information, and any request to be excluded from the list of directory information to be disclosed, shall be submitted in writing to the Superintendent of Schools, no later than three weeks after the mailing of notice to parents, guardians or eligible students, or notice in a district-wide publication.

Student Records Regulations

Definitions

Terms which are defined in Federal or State law which are used in this statement are explained below:

Student: any person who has received educational services or instruction within the district. This includes students who receive preschool services from the Mount Vernon City School District.

Eligible Student: a student or former student who has reached the age of eighteen or who is attending an institution of post-secondary school education, unless the parent has legal guardianship of the student. An “eligible student” (not his/her parent) has full access to his/her own records and is the only person who is authorized to consent to the release of such records. Such student may expressly authorize a parent or guardian to exercise access and release rights on his/her behalf, but such authorization must be in writing, and must be signed by the student in the presence of a third party.

Parent: either parent, unless his/her right to access to school records has been specifically revoked by court order or a legally binding document, and the district has received notice of such court order or document. The term “parent” also includes a guardian who has been appointed by a court or who had demonstrated, to the satisfaction of the principal, that he or she is the actual and only person responsible for the child and for making decisions on the student’s behalf.

Non-custodial parents have the same rights concerning access to their student’s educational records as do parents who have custody. Boards may use the 45-day period

to inform the custodial parent and afford him or her the opportunity to present a court order or other binding instrument barring the release of the data requested.

Education Record: a record which is maintained within the school district which relates to the preschool, elementary, or secondary school education of a student within the district and which is accessible to more than one educator or other professional within the school district.

Personally Identifiable: information that includes the name or address of the student, the student's parent or other family member, personal identification such as the student's social security or student identification number, or a list of personal characteristics or other information that would make it possible to identify the student with reasonable certainty.

Records Kept in The District, Their Location and Custodian

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

Records Kept by the District by Type/Location and Custodian

| | Central Administration | Special Education & Psychology | Main Office/ Guidance Office | Principal | MS & HS Attendance | Teacher | Nurse | Clinician |
|--------------------------------|---------------------------|--------------------------------------|---------------------------------------|-----------|-----------------------|---------|-------|-----------|
| Cumulative Academic | | | X | | | | | |
| Health | | | | | | | X | |
| Attendance | | | X | | X | X | X | |
| Registration | X | X | X | | | | X | |
| Standardized Test Records | X | X | X | | | | | |
| CONFIDENTIAL | | | | | | | | |
| Psychological | | X | | X | | | | X |
| Special Education | | X | | | | | | |
| Related Service Evaluations | | X | | | | | | X |

The Freedom of Information Law, Chapter 933 of the Laws of 1977, provides for unimpaird access to the records of government agencies by the public.

Inspection of School District Records

1. Parent(s), guardians(s) and eligible students may inspect and review the student's official records, files and data directly related to the student upon compliance with the following conditions:
 - The parent or eligible student should submit to the student's school principal in the elementary schools or guidance counselor in the secondary schools a written request to see the student's file. If a student's records are maintained in several locations, the school principal will, upon request, collect the records, as described below. Such review will be scheduled promptly after receipt of the written request for access and in no case take place more than forty-five (45) days from the date of that receipt. For records containing information on more than one student, parent/student access is limited to only the information which pertains to their child.
 - Records in the custody of the Department of Special Education may be obtained upon request to the Assistant Director of Special Education. Appointments for review of special education records will be made upon a minimum of three days' notice at the mutual convenience of staff, parent or eligible student.

- Upon request, record review will be arranged prior to any Committee on Special Education or Committee on Preschool Special Education meeting or any discussion regarding an Individualized Education Program.
- 2. Within five (5) school days of receipt of a written request for a record, the principal or guidance counselor shall make such record available, deny such request in writing, or furnish a written acknowledgement of the receipt of the request and a statement of the approximate date when the request will be granted or denied. If access to records is neither granted nor denied within ten (10) business days after the principal or guidance counselor acknowledges receipt of the request, failure to respond may be construed as a denial of access that may be appealed.
- 3. Any person denied access to a record, within thirty (30) days from receipt of notice of such denial, may appeal the denial in writing, to the Superintendent of Schools or a designee. It may be appealed in a proceeding pursuant to Article 78 of the Civil Practice Law and Rules.
- 4. Appropriate school district personnel will be present during record inspection to interpret and explain records during the school year. Records may be inspected between 9:00 a.m. and 3:00 p.m. Copies of documents will be made available at a cost of \$.25 per page. Parents may be accompanied by any person in reviewing records or may have an appropriately authorized representative inspect and review only the information relating to their child.

Transmittal of Records

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

Release of Student Records to Third Parties

Release with Consent – Except under certain limited circumstances set forth in this policy and permitted by the Family Educational Rights and Privacy Act, education records will be released to third parties only with the prior written consent of the parent or eligible student.

Release without Consent – Records may be released without consent only under the following circumstances:

- a. "Directory Information" may be disclosed, where appropriate without consent.

- b. Educational records concerning a particular student may be released only to staff members who have responsibility for the student, and then only if it is educationally necessary to consult the records.
- c. Records in the custody of the Department of Special Services may be released to school officials and members of the Committee on Special Education or Committee on Preschool Special Education only for purposes of the identification of a student's disability and development of an Individualized Education Program.
- d. Portions of the cumulative record or current evaluations and IEP from special education records may be released without consent to another school under the circumstances indicated below:
 - If the principal of the school maintaining the record has received written notification of the student's intent or attempt to enroll there, or
 - If the Committee on Special Education has recommended placement in such school.

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

- e. Records may be released without consent to federal and state officials in connection with evaluation of federally supported education programs or enforcement of federal requirements. Persons reviewing records under this provision must sign a written form, to be kept in the student's folder, indicating their interest in the records.
- f. With the approval of the Superintendent of Schools, records may be released without consent to organizations, public and private, conducting studies for or on behalf of educational agencies for institutions. The district shall require recipients of such information to provide written assurances that personally identifiable information will not be further released and that all the information received will be destroyed when no longer needed for the study.
- g. Records may be released without consent to accrediting organizations to carry out their accrediting functions.
- h. Records may be released without consent to comply with judicial orders or lawfully issued subpoenas. A subpoena will be considered to be "lawfully

issued” when it is issued by a court, or when counsel to the school has reviewed it and found it to be “lawfully issued”. Before making such a disclosure, the district must send written notice to the parent or eligible student.

- i. Records may be released without consent in health or safety emergencies, if such disclosure is deemed by the official making the disclosure to be warranted by the seriousness of the threat to the health or safety of the student or other persons and if the information is necessary to meet the emergency. Such records will be released without written consent only in the event that the person to whom the information is disclosed, is qualified to deal with the emergency and time is an important factor in dealing with the emergency.

Records of Request for Access to Education Records

Current special education staff and administration have the right to continuous access to the special education student files. In addition, for all others, the district will maintain a record of all requests for disclosure of information from, or permission for access to, a student’s special or general education record and will keep a record of all information disclosed and access permitted. Such record will not include request for access by the parents who have responsibility for the student, the student, persons whose request is accompanied by prior written consent or a party seeking Directory Information. The access record will be kept with the cumulative record, or, in the case of records pertaining to special education, with those records. It will be available only to the record custodian, the eligible student, the parent of the student, or to public officials for the purpose of auditing or enforcing the requirement of federally supported educational programs. The record will include:

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

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

Procedure for Maintaining Confidentiality of CSE/CPSE Records

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

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

Only professionals who are working with the student and parents who are members of the CSE are allowed access to the records. Specified support staff members are also allowed access to student files in order to complete tasks such as filing, sending and receiving records. The student's original record does not leave the office unless it is needed for a CSE/team meeting being held at another location.

Procedures to Seek to Correct Education Records

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

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

Hearing Process

1. A hearing pursuant to paragraph 1 will be held upon request and the parents will receive timely notice of the place, date and time. The hearing officer may be the Superintendent of Schools or a designated school official having no interest in the hearing's outcome. The parents may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney, and will be afforded a full and fair opportunity to present evidence.
2. After taking evidence, the hearing officer shall render a written decision stating the disposition of the challenge and the reasons for the determination. If the hearing officer decides that the record is not accurate or is otherwise in violation of the rights of the student, he shall direct the principal or Director of Special Education to make the appropriate changes. Otherwise, he shall advise the parent

of the right to place in the education record a statement commencing on the challenged information as described in paragraph 2 above.

3. A parent who disagrees with the findings of the hearing officer may request review by the Board of Education and in the case of special education records, by the Office of Special Education. Thereafter, special education records or entries in the cumulative record may be reviewed, at the federal level by the Family Policy and Regulation Office, U.S. Department of Education, Room 1087 FB, 6400 Maryland Avenue S.W., Washington, D. C. 20202. In either case, a complaint may be in the form of a letter and should include specific claims of policy violations. If the Family Policy and Regulations Office finds the district to be out of compliance with applicable law and if resolution cannot be reached informally, the office may refer the case to the Compliance Board of the U.S. Department of Education for a formal resolution of the conflict before an administrative law judge.

SECTION 7

DISCIPLINE

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SCHOOL CONDUCT AND DISCIPLINE

In accordance with Part 201 of the Regulations of the Commissioner of Education, the Mount Vernon City School District has adopted and implemented a written policy on school conduct and discipline designed to promote responsible student behavior. A copy of the policy is on file in each school building and is available for review by any resident of the district.

The IDEA authorizes school personnel to implement a short-term disciplinary removal from the current placement, such as an out-of-school suspension, for a child with a disability who violates a code of student conduct. Schools should be safe, supportive, conducive to teaching and learning environments, where educators actively prevent the need for short-term disciplinary removals by effectively supporting and responding to behavior. School personnel who have the authority to implement disciplinary removals should be cognizant of their obligation to consider the implications of the child's behavioral needs, and the effects of the use of suspensions (and other short-term removals) when ensuring the provision of FAPE.

Research shows that school-wide, small group, and individual Positive Behavioral Supports that use proactive and preventative approaches, address the underlying cause of behavior, and reinforce positive behaviors are associated with increases in academic engagement, academic achievement, and fewer suspensions and dropouts.

Students with disabilities who are educated in the schools of the district are generally expected to meet district standards for school conduct and are subject to district-wide policy. However, when a student with a disability repeatedly violates school rules, the student will be reevaluated by the Committee on Special Education to determine whether the inappropriate conduct is related to the disability and whether a change in services or placement is appropriate. When the conduct is related to the disability, students with disabilities will be treated in accordance with their individual educational needs.

Disciplinary change in placement means a suspension or removal from a student's current education placement that is either:

1. for more than ten (10) consecutive school days; or
2. for a period of ten (10) consecutive days or less if the student is subjected to a series of suspensions or removals that constitute a pattern because they cumulate to more than 10 school days in a school year; because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and because of such additional factors as the length of each suspension or removal, the total amount of time the student has been removed and the proximity of the suspensions or removals to one another. The school district determines on a case-by-case basis whether a pattern of removals constitutes a change in placement. This determination is subject to review through due process and judicial proceedings.

Authority of School Personnel

School personnel may change the placement of a student with a disability to the extent that such alternatives would be applied to students without disabilities:

1. to an appropriate interim alternative educational setting, or suspension, for not more than ten (10) consecutive school days; and
2. to an appropriate interim alternative education setting (IAES) for not more than 45 days if the child brings a weapon or knowingly possesses, uses, sells or solicits illegal drugs while at school or a school function, or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the educational agency.

The Superintendent of Schools may order a change in a placement of a student with a disability to an IAES directly or upon recommendation of a hearing officer even when the Manifestation Team determines that the student's behavior is a manifestation of the student's disability. The setting shall be determined by the CSE.

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement consistent with the requirements of the Commissioner is appropriate for a student with a disability who violates a school district's code of conduct.

When a student with a disability is suspended or removed from his or her current placement for more than 10 consecutive school days or when a suspension or removal constitutes a disciplinary change of placement and the student's conduct is a manifestation of the student's disability, the Committee on Special Education must either:

- conduct a functional behavioral assessment and implement a behavioral intervention plan, provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in the change of placement, or
- if the student already has a behavioral intervention plan, the CSE shall meet to review the plan and its implementation and modify the plan and its implementation, as necessary, to address the behavior that resulted in the change of placement.

Provision of Service During Suspensions

During suspensions or removals for periods of up to 10 school days that do not constitute a disciplinary change in placement, students with disabilities of compulsory attendance age shall be provided with alternative instruction on the same basis as nondisabled students. Students with disabilities who are not of compulsory attendance age shall be

entitled to receive services during such suspensions only to the extent that services are provided to nondisabled students of the same age who have been similarly suspended.

During subsequent suspensions or removals for periods of 10 consecutive school days or less that in the aggregate total more than 10 school days in a school year but do not constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum and to progress toward meeting the goals set out in the student's IEP and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. School personnel, in consultation with at least one of the student's teachers, shall determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress in meeting the goals set out in the student's IEP.

During suspensions for periods in excess of 10 school days in a school year which constitute a disciplinary change in placement, regardless of the manifestation determination, students with disabilities shall be provided with services necessary to enable the student to continue to participate in the general education curriculum, to progress toward meeting the goals set out in the student's IEP, and to receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so it does not recur. The IAES and services shall be determined by the CSE.

SUPERINTENDENT'S HEARING ON DISCIPLINARY CHARGES AGAINST STUDENTS WITH DISABILITIES

Superintendent's hearings on disciplinary charges against students with disabilities and students presumed to have a disability for discipline purposes shall be bifurcated into a guilt phase and a penalty phase and conducted in accordance with the following procedures:

1. The Superintendent of Schools or hearing officer in the superintendent's hearing shall proceed with the guilt phase and determine whether the student is guilty of the alleged misconduct. If it is determined that the student is guilty, the Superintendent of Schools or hearing officer shall determine whether a suspension or removal in excess of 10 consecutive school days in a school year or a disciplinary change in placement should be considered. If such a suspension or removal is considered, before the superintendent orders or the hearing officer recommends any such removal, the superintendent's hearing shall be adjourned until a manifestation determination is made by the Manifestation Team, except in cases where IAES has been ordered. If the superintendent or hearing officer determines that a suspension or removal that would constitute a disciplinary change in placement should not be considered, the hearing shall proceed to the penalty phase.
2. Upon a determination by the Manifestation Team that the behavior of a student with a disability was not a manifestation of the student's disability, the student may be disciplined in the same manner as a student without a disability, except that the student shall continue to receive services. Upon receipt of notice of the determination, the superintendent or hearing officer shall proceed with the penalty phase of the hearing. If the Manifestation Team determines that the behavior was a manifestation of the student's disability, the superintendent or hearing officer shall dismiss the superintendent's hearing, except in cases when IAES has been ordered.
3. For the penalty phase, the school district will transmit copies of the special education and disciplinary records to the superintendent or hearing officer for consideration.

Manifestation Determination Review

If a disciplinary action involving a change in placement for more than 10 school days is contemplated for a student with a disability who has engaged in any behavior that violated any rule or code of conduct of the district that applies to all children, a review of the relationship between the student's disability and the behavior subject to disciplinary action to determine if the conduct is a manifestation of the disability must be made immediately, if possible, but in no case later than 10 school days after the date on which the decision to take disciplinary action was made. This review will take place by a manifestation team in a meeting, which shall include a representative of the school district knowledgeable about the student and the interpretation of information about child behavior, the parents and relevant members of the CSE as determined by the parent and the school district. The parent must receive written notification prior to any manifestation team meeting to ensure that the parent has an opportunity to attend. The notification shall inform the parent of the purpose of the meeting, the names of the individuals expected to attend and inform the parent of his or her right to have relevant members of the CSE participate at the parent's request.

The manifestation team shall review all relevant information in the student's file including the student's IEP, any teacher observations, and any relevant information provided by the parents to determine if:

- the conduct in question was caused by or had a direct and substantial relationship to the student's disability; or
- the conduct in question was the direct result of the school district's failure to implement the IEP, in which case, the school district will take immediate steps to remedy the deficiencies.

If the manifestation team determines that the above criteria are applicable to the student, the behavior shall be considered a manifestation of the student's disability. If the manifestation team determines that the conduct was a manifestation of the student's disability, the CSE shall:

- conduct a functional behavioral assessment and implement a behavioral intervention plan for the student; and
- return the student to the placement from which he or she was removed, unless the parent and the school district agree to a change of placement as part of the modification of the behavior intervention plan.

A special education student may be suspended by a building principal more than once during a school year, but a series of short-term suspensions adding up to ten (10) days in the same school year may be considered a change in placement, requiring prior evaluation and CSE review. Therefore, building principals, in consultation with the chairperson of the CSE, will monitor the total days and pattern of suspensions with respect to each special education student. If a student has already been suspended on multiple occasions, or if his/her behavior suggests that a "revolving door" pattern of suspensions is developing, the principal is expected to consult with the CSE before again suspending a student for disciplinary reasons.

In addition, if a special education student repeatedly violates school rules, any member of the professional staff of a school may ask the CSE to review the student's placement. The parent is invited to the meeting. The Committee, after reevaluation or review of records, may determine that the student requires a different program, within or outside the district. The CSE may develop a behavioral intervention plan at that time or review the existing plan and its implementation to determine if modifications are necessary. The parent has the right to seek an independent evaluation or to appeal. The student's class setting will not be changed during the course of the review or appeal procedures.

Determination of Setting

Students with disabilities who have been suspended or removed from their current placement for more than 10 school days may be placed in an interim alternative educational setting (IAES). The IAES shall be an educational setting other than the student's current placement at the time the behavior precipitating the IAES placement occurred. A student placed in an IAES shall: (1) continue to receive educational services so as to enable the student to participate in the general education curriculum, although in another setting, and to progress toward the goals set out in the

student's IEP; and (2) receive, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

Parent Notice of Disciplinary Removal

No later than the date on which a decision is made to change the placement of a student with a disability to an IAES, or a decision is to impose a suspension or removal that constitutes a disciplinary change in placement, the parent shall be notified of the decision and shall be provided the procedural safeguards notice.

Parent Appeal

If the parent disagrees with a determination that the student's behavior was not a manifestation of the student's disability or with any decision regarding placement, the parent may request a hearing. The district shall arrange for an expedited hearing in any case described in this section when requested by a parent.

In reviewing a decision with respect to the manifestation determination, the hearing officer shall determine whether the public agency has demonstrated that the student's behavior was not a manifestation of such student's disability consistent with the requirements for a manifestation determination review. In reviewing to place a student in an interim alternative educational setting, the hearing officer shall apply the standards indicated in "Determination of Setting".

When a parent requests a hearing to challenge the interim alternative educational setting or the manifestation determination, the student shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period discussed in sections "Authority of School Personnel" and "Authority of a Hearing Officer", whichever occurs first, unless the parent and the district agree otherwise.

If the student is placed in an interim alternative educational setting and school personnel propose to change the student's placement after the expiration of the interim alternative educational placement, during the pendency of any proceeding to challenge the proposed change in placement, the student shall remain in the current placement (the student's placement prior to the interim alternative educational setting), except where the student is again placed in an IAES by an Impartial Hearing Officer in an expedited hearing described below.

Authority of an Impartial Hearing Officer

An impartial hearing officer in an expedited due process hearing may order a change in placement of a student with a disability to an appropriate interim alternative educational setting (IAES) for not more than 45 school days, if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or others.

The procedures established in this section may be repeated if the school district believes that returning the student to the original placement is substantially likely to result in injury to the student or others.

Expedited Hearing

If school personnel maintain that it is dangerous for the student to be in the current placement during the pendency of the due process proceedings, the district may request an expedited hearing. An expedited due process hearing shall be conducted in accordance with the procedures for a non-expedited due process hearing except for the following time periods:

- a resolution meeting shall occur within seven days of receiving notice of the due process complaint, unless the parent and school district agree in writing to waive the resolution meeting or agree to use mediation;
- the expedited due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 days of receipt of the due process complaint;
- the expedited due process hearing shall occur within 20 school days of the date the complaint requesting the hearing is filed; or
- the impartial hearing officer shall make a determination within 10 school days after the hearing.

The impartial hearing officer shall mail a copy of the written, or at the option of the parents, electronic findings of fact and the decision to the parents, Board of Education and Office of Special Education of the State Education Department within 10 school days after the hearing, but in no event later than 45 calendar days after receipt of the request for a hearing, without exceptions or extension. In determining whether the student may be placed in the alternative educational setting or in another appropriate placement ordered by the hearing officer, the hearing officer shall apply the standards indicated in “Authority of a Hearing Officer”.

Notwithstanding anything in this policy, if the Superintendent concludes that the student’s presence in school creates a substantial likelihood of danger to himself or others, the school district will seek injunctive relief in a state or federal court with respect to a change of placement pending the outcome of review proceedings.

Protections for Students Not Yet Eligible for Special Education and Related Services

A student who has not yet been determined to be eligible for special education under this part and who has engaged in behavior that violated any rule or code of conduct of the district, including any behavior described above, may assert any of the provisions described herein if the district had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred. A district shall be deemed to have knowledge that a child is a student with a disability if:

- the parent of the student has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency or to a teacher of the student that the student is in need of special education, provided that such expression of concern may be oral if the parent does not know how to write or has a disability that prevents written statements;
- the parent has requested an evaluation of the student; or
- a teacher of the student, or other personnel of the district, has expressed specific concerns about a pattern of behavior demonstrated by the student, directly to the Director of Special Education or to other supervisory personnel of the school district in accordance with the district's established child find or special education referral system.

A student is not a student presumed to have a disability for discipline purposes if, as a result of receiving the information noted above:

- the parent of the student has not allowed an evaluation;
- the parent has refused special education services; or
- it was determined by the CSE that this student is not a student with a disability.

If the district determines that there is no basis for knowledge that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as students without disabilities who engaged in comparable behaviors. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures under section "Authority of School Personnel" or "Authority of Hearing Officer" above, the evaluation shall be conducted in an expedited manner. An expedited evaluation shall be completed no later than fifteen (15) school days after receipt of the request for evaluation. The CSE shall make a determination of eligibility of the student in a meeting held no later than five (5) school days after completion of the expedited evaluation. If the student is determined to be a student with a disability, taking into consideration information from the evaluation and information provided by the parents, the district shall provide special education and related services in accordance with the provisions of this part, except that, pending the results of the evaluation, the student shall remain in the education placement determined by school authorities, which can include suspension.

Referral to Law Enforcement Authorities

Nothing prohibits a district from reporting a crime committed by a student with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities. A district reporting a crime committed by a student with a disability shall ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports a crime.

SECTION 8

ACCESSIBILITY

ACCESS TO ACADEMIC AND DISCIPLINARY CONFERENCES

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

ACCESS TO PROGRAMS AND EXTRA-CURRICULAR ACTIVITIES

Students with disabilities residing in the district have the opportunity to participate in all programs and activities administered by the district and available to the students enrolled in district public schools, providing that the students seeking to participate are otherwise qualified to participate in such programs and activities. These may include regular classroom instruction, occupational education programs, ENL programs, laboratory instruction, support services, extracurricular activities and programs, special assemblies and events and career education programs. The district recognizes that extracurricular athletics - which include club, intramural or interscholastic athletics (freshman, junior varsity and varsity) - provide important health and social benefits including improved teamwork, leadership skills and fitness. The district will ensure that equal opportunity to participate in extracurricular athletics is provided to students with disabilities.

ACCESS TO OCCUPATIONAL EDUCATIONAL OPPORTUNITIES

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

Employment and educational opportunities, including vocational educational opportunities, are offered by the Mount Vernon City School District to boys and girls on an equal basis without discrimination on the basis of gender.

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

SECTION 9

MISCELLANEOUS

SCREENING PROCEDURES

A comprehensive procedure has been developed by the school district to locate, identify and provide programs for those students who need special services, including students who are gifted. Diagnostic screenings are conducted for kindergarten students, new entrants into the district, and students scoring below reference points on State examinations.

The diagnostic screening includes a health examination, review of immunization records, and a determination of receptive and expressive language development, motor development, articulation skills and cognitive development. A report is prepared containing the results of the diagnostic screening conducted on each student.

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

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

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

GUIDELINES FOR PROVIDING PUBLIC SCHOOL SERVICES TO STUDENTS IN NON-PUBLIC SCHOOLS

The procedures to locate, identify, and evaluate all nonpublic school students with disabilities, including students attending religiously-affiliated schools residing in the school district, must be comparable to activities undertaken for students with disabilities in public schools.

The Board of Education is required to furnish special education programs and services to all students with disabilities who attend a nonpublic school located within the district, upon the written request of the student's parent. If a parent of a student with a disability wishes to have his or her child receive special education programs and services while enrolled in the nonpublic school, the parent must file a written request for special education services with the school district of location by June 1st of the year preceding the school year for which services are requested.

Implementation of IDEA 2004 and Non-Public School Students

The school district where the nonpublic elementary or secondary school is located will be responsible for the equitable provision of services, child find and consultation requirements in IDEA 2004. If the school district where the nonpublic school is located determines through its child find process that a student is suspected of having a disability, it must immediately refer the student to the CSE of the student's school district of location for evaluation and possible identification as a student with a disability. The school district of location must conduct the evaluation and eligibility determination and, for a student determined eligible for special education services, develop the IESP. The school district of location must provide the services as recommended in the IESP to the student. These special education services do not include special classes or integrated co-teaching services.

The school district where the nonpublic school is located must expend a proportionate amount of its federal funds made available under Part B of IDEA for the provision of services to students with disabilities attending nonpublic schools in the jurisdiction of its public school. Such federal funds may not be used for child find purposes. The school district where the nonpublic school is located can recover tuition from the district of residence for special education services provided to nonresident students. Such tuition must exclude costs paid with federal or State funds by the school district where the nonpublic school is located who provided the special education services. State and local funds provided by the school district of residence must supplement and in no case supplant the proportionate amount of federal funds expended by the school district in which the nonpublic school attended by the student is located.

SERVICES TO HOME-SCHOOLED STUDENTS WITH DISABILITIES

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

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

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

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

REIMBURSEMENT FOR UNILATERAL PLACEMENT IN A PRIVATE SCHOOL

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

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

The cost of reimbursement may be reduced or denied if, at the most recent IEP meeting that the parents attended prior to the removal of the student from the public school, the parents did not:

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

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

- the parent is illiterate and cannot write in English;
- compliance would likely result in physical or serious emotional harm to the student;
- the school prevented the parent from providing such notice; or
- the parents did not receive notice, pursuant to section 615, of their obligation to provide the written notice described above.

DATA COLLECTION PROCEDURES

All persons involved in the collection of data shall have received prior training and written information regarding the procedures to be followed in collecting data on students with disabilities, 8 NYCRR 200.2(a).

There are two levels at which data collection takes place; one is the district- level census which serves to identify students who reside within the district boundaries, who may be eligible to attend school. The study does not target students who may have disabilities. Therefore, the district will ensure that students with disabilities are located through the census procedures outlined below. The second phase of data collection is for youngsters already identified as having a disability.

Census Procedures

The Office for Student Services has been trained in the census procedures. They maintain a file consisting of an individual card for each resident home within the district's boundaries. Mailing labels for district-wide mailings are generated from the district computer program that is designed to provide labels by mailing address. District-wide mailings are marked with a "do not forward" designation. When mail is returned to the district office as being undeliverable, the Office for Student Services follows up by marking the appropriate census cards as homes that are vacant. As new families move in, the information on these cards is updated.

In addition to this process, there is a perpetual census updating that occurs; as families move out of the district, the Office for Student Services contacts the new families to obtain census information.

There is also a procedure in place to identify resident children who attend non-public schools. The school district compiles information about these students through the school district's Transportation Office, the centralized textbook service and the regional BOCES.

The school district's registration process is one that seeks information to identify students with special needs. The Office of Student Services has been instructed to ask new registrants questions regarding their youngsters' need for special education. The registration form also requests such information. Parents of youngsters who are known to have special educational needs are given the telephone number of the Assistant Director for Special Education. The registrar also notifies the Special Education Office by telephone and follows up with a copy of the registration form of all new entrants. This also enables these new entrants to be scheduled for New Entrant Screening, which may determine the need for an in-depth evaluation for a youngster with a suspected disability.

The district calendar, which is mailed to each home annually, serves as part of "Child Find" by encouraging parents to access the CPSE/CSE if they feel their child may have special needs.

There is an annual report by October 1st of each year to the Committee on Special Education of youngsters identified by the census procedures as having a disability.

Register of Pupils with Disabilities

The Secretaries in the Department of Student Services have been trained to record the following data on each pupil:

- pupil's name, address, and birthdate;
- pupil's parents' names, address(es), and the dominant language of the pupil's home;
- pupil's suspected disability;
- dates of referral, evaluations, recommendations of the Committee on Preschool Special Education and Committee on Special Education, actual placement, and annual program reviews;
- site where the pupil is currently receiving an educational program;
- other student information as required by the Individuals with Disabilities Education Act and State regulations, including but not limited to the student's race, ethnicity, limited English proficiency status, gender and disability category; and
- if the pupil is not receiving an appropriate education, the reason shall be described.

The above information is gathered from the following respective sites:

- registration form
- referral form and social history form
- CSE recommendation
- child's confidential folder
- CSE minutes to Board of Education
- CPSE minutes to Board of Education

This information is maintained within the computer-based data base which is part of an information management system called Frontline IEP. This system has the ability to generate all the information in the required registry.

Frontline IEP includes a very comprehensive and ongoing training package. Both secretaries in the Office of Student Services, the Director of Special Education and Assistant Director of Special Education are trained in the specific data collection procedures.

BEDS Day Data- October 2018

1. Total number of school-aged students resident in district (including non-public school students): 7796
2. Total number of school-aged students served by district (the above number less non-public school students): 6711

SPACE ALLOCATION FOR SPECIAL EDUCATION PROGRAMS

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

It is the policy and practice of the Board of Education to ensure, to the fullest extent possible, the allocation of appropriate space within the District for special education programs that meet the

needs of school-age students with disabilities. Special education services shall not be denied simply because of a lack of appropriate space.

In addition, any change to the allocation of space for special education programs will be made in consideration of the needs of participating students with disabilities for placement in the LRE and for the stability and continuity of their program placements.

Further, it is the policy and practice of the Board of Education to ensure, to the fullest extent possible, that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by the Board of Cooperative Educational Services (BOCES). Section 200.2(g) Facilities for Special Education Programs requires the district to determine the adequacy and appropriateness of the facilities space available to house special education programs in the geographic area served by BOCES, consistent with the needs for placement in the LRE and for the stability and continuity of program placements for participating students with disabilities. At least once per year, a staff member from the district's Special Education Department will visit the placement of each resident student who attends a BOCES special education program to assure the appropriateness of the space allocated for that placement.

The district will continue to provide space, to the extent available, for school-age students from other school districts who need self-contained classes not available in their home schools.

METHODS FOR EVALUATING PROGRAM OBJECTIVES

Through the use of assessment techniques including staff reports, interviews with faculty, parents and students, departmental meetings and site visits, formative data will be gathered relative to the success of the delineated objectives. The data will be analyzed to provide summary information to assist the district in decision-making regarding revisions and modifications of programs, services and procedures.

The goal of the special education program in the district is to provide each youngster with individualized instruction designed to help each student compensate for his or her disability in order to more fully reach his or her potential.

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

- ongoing evaluation of pupil achievement using various standardized diagnostic tests, state assessments and other teacher-made assessments;
- annual reviews of students' progress and programs, resulting in revised comprehensive IEPs;
- qualitative techniques such as teacher observations and conferences, classroom observations, anecdotal reports, and end-of-year student summaries;
- yearly departmental goal-setting by the Director of Special Education which is reviewed by the Superintendent of Schools;
- reevaluation of each pupil with a disability; and
- updates to the district plan, as needed.

PLAN TO ENSURE AVAILABILITY OF INSTRUCTIONAL MATERIALS IN ALTERNATIVE FORMATS

Section 200.2 (b)(10) of the Regulations of the Commissioner requires the Board of Education to establish a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students. “Alternative format” is defined to mean any medium or format for the presentation of instructional materials, other than traditional print textbooks, that is needed as an accommodation for a disabled student enrolled in the school district. It may include, but not be limited to, Braille, large print, open and closed caption audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

Information on accessible formats can be accessed at the NYSED Office of Special Education website that was created to assist districts in their search for sources for accessible instructional materials (AIM): <http://www.nimac.us>.

Identification of the Needs of Students Residing in the District

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

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

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

Access to and Conversion of Electronic Files

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

magnification devices, scan and read, and Braille translation. The district will also access appropriate agencies and resource centers to assist in the conversion of materials into Braille format.

Ordering Timelines

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

On January 4, 2016, Unified English Braille (UEB) replaced English Braille American Edition (EBAE) as the official literacy Braille code. As of that date, UEB, Nemeth Music, and the International Phonetic Alphabet (IPA) are the official Braille codes for use in the United States. Materials that have been produced in other braille codes prior to the 2016 UEB implementation date will remain in circulation.

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

Selection and Procurement of Instructional Materials

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

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

Procedures for New Entrants During the School Year

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

If a student requires additional materials in an alternative format, the special education teacher or school psychologist will be responsible for providing this information to the Director of Special Education, who will be responsible for arranging the provision of materials in an alternative format.

THE USE OF UNIVERSAL DESIGN PRINCIPLES IN DISTRICT ASSESSMENTS

The Board of Education acknowledges its goal and its obligation to include the widest range of students, including students with disabilities and students with limited English proficiency, in

standardized assessments. To further this goal of ensuring equal access to districtwide assessments and to ensure that assessments provide the most accurate measure of student performance of all students, the district, to the extent feasible, will use universal design principles in developing and administering any districtwide assessment program.

“Universal Design” is an approach to designing and delivering course instruction and materials to be usable to students of all learning styles without adaptation or retrofitting. The Board of Education shall incorporate the following universal design principles into the development and administration of districtwide assessments:

- *Inclusive assessment population* – tests designed for state, district or school accountability shall include every student, except those in alternate assessments, and be designed to meet the demands of increased diversity among students;
- *Precisely defined constructs* – the specific constructs tested must be clearly defined so that all non-construct cognitive, sensory, emotional and physical barriers are removed;
- *Accessible, non-biased items* - accessibility will be built into items from the start, and bias review procedures will ensure that quality is retained in all items and that a lack of sensitivity to disability or cultural differences does not influence results;
- *Amendable to accommodations* – the test design shall be compatible with and facilitate the use of needed accommodations;
- *Simple and clear instructions and procedures* – all instructions and procedures will be simple, clear and presented in understandable language;
- *Maximum readability and comprehensibility* – a variety of readability and plain language guidelines will be followed (e.g., sentence length and number of difficult words are kept to a minimum) to produce readable and comprehensible text;
- *Maximum legibility* – characteristics such as type size, spacing, font and paper size will be, to the extent practicable, easy to decipher in text, tables, figures, illustrations and response formats.

HEALTH AND SAFETY PRECAUTIONS FOR STUDENTS WITH DISABILITIES

For students with disabilities, each committee on preschool special education or committee on special education must identify if the student has behaviors that impede his or her learning or that of others. This includes a consideration of whether a student has the tendency to wander or elope and, if so, to ensure that a functional behavioral assessment (FBA) of the behavior is conducted and that

the behavior is addressed through proper supervision and through an individualized behavior intervention plan based on the results of the FBA.

In addition, our district schools have ensured that there are building policies, procedures and protocols in place to prevent and address instances of wandering and elopement, particularly for students with cognitive impairments. These include, but are not limited to, the following.

- Staff training on awareness and response
- Supervisory notification and 911 calls
- Communication protocols with local police
- Use of school-wide communication and alert systems
- Preassignments for building and ground searches
- Procedures for assuring that crisis response and law enforcement officials have access to floor plans, blueprints, schematics or other maps of the school interior, school grounds and road maps of the immediate surrounding area
- Immediate family notification
- Identification of students with known elopement behaviors to local building principals, hall monitors, and security guards
- Consideration of installment of door alarms and use of other elopement warning devices
- Ensuring students with known elopement behaviors carry basic identification information at all times

These procedures have been incorporated into each school's school safety building plan.

SECTION 10

DISTRICT PROGRAMS

SCHOOL-AGED SPECIAL EDUCATION

The Mount Vernon City School District operates a variety of programs and services for youngsters who possess disabilities. These services are provided to district residents at no cost and in the least restrictive environment upon the recommendation of the Mount Vernon City School District Committee on Special Education and with the approval of the Mount Vernon Board of Education.

These services are available to pupils with disabilities through the end of the school year during which their 21st birthday occurs, or until a regular high school diploma has been attained, whichever shall occur first.

A description of each of the Special Education Program options prioritized from least restrictive to more restrictive follows.

Transitional Support Services

Upon the recommendation of the Committee on Special Education, this service may be provided to a student with a disability who is making the transition into a general education program. Its goal is to provide support to a youngster who no longer requires special education services, while monitoring the progress of the student during the transitional period. This support may be provided to the youngster's regular education teacher as the child makes the transition to a totally mainstreamed program. Each student is assigned to a certified special education teacher for this purpose. The youngster's progress is reviewed on a regularly scheduled basis, usually at the conclusion of each marking period. It is a temporary service which, when successful, leads to the declassification of the student. A student is eligible for this service at any age or grade level.

Consultant Teacher Services

Consultant teacher services shall be for the purpose of providing direct and/or indirect services to students with disabilities who attend regular education classes, including career and technical education classes, and/or to such students' regular education teachers. Such services shall be recommended by the Committee on Special Education to meet the specific needs of a student with a disability. The student's Individualized Education Program (IEP) shall indicate the regular education classes in which the student will receive consultant teacher services. Consultant teacher services shall be provided in accordance with the following provisions:

(1) The total number of students with disabilities assigned to a consultant teacher shall not exceed 20.

(2) Each student with a disability requiring consultant teacher services shall receive direct and/or indirect services consistent with the student's IEP for a minimum of two hours each week, except that the CSE may recommend that a student with a disability who also needs resource room services in addition to consultant teacher services, may receive a combination of such services consistent with the student's IEP for not less than three hours each week.

Related Services

Related services means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech-language pathology, audiology services, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling services, orientation and mobility services, medical services as defined by regulation, parent counseling and training, school health services, school nurse services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation, other appropriate developmental or corrective support services, and other appropriate support services and includes the early identification and assessment of disabling conditions in students. The CSE recommends any related service that is appropriate to a youngster's individual needs.

Speech and Language Therapy

The goal of speech and language therapy is early identification of communication disorders and therapeutic remediation of articulation and phonological deficits, stuttering, voice disorders, and receptive and expressive language problems, which adversely affect a youngster's educational performance.

This is a district-wide program with services provided by twenty-three certified speech and language therapists. Services are rendered either individually or in small groups of no more than five youngsters. The services are provided predominantly on a pull-out basis and the location of the service is indicated on each student's IEP. The extent and duration of the services are prescribed by the Committee on Special Education and are reviewed at least on an annual basis.

Counseling

Counseling as a related service is provided to those youngsters whose psychosocial needs interfere with their benefiting from education. The focus of school-based counseling must be on the school-related difficulties of the youngster with a disability, and is designed to assist the youngster in overcoming social, emotional or learning difficulties that interfere with the educational process. Counseling services improve communication and interaction between the youngster and school personnel in order to enable the youngster to be more productive. Counseling also addresses those social skills that students need to function appropriately.

This is a district-wide program with services provided by sixteen school social workers. Services are rendered either individually or in small groups of no more than five youngsters. The services are provided predominantly on a pull-out basis and the location of the service is indicated on each student's IEP. The extent and duration of the services are prescribed by the Committee on Special Education and are reviewed at least once annually.

Physical and Occupational Therapy

Physical Therapy as a related service is directed towards developing and maintaining the student's physical potential for independence in all education-related activities. A major focus of physical therapy is to develop the youngster's ability to safely negotiate the school environment.

The district contracts for physical therapy services with Mr. Mario Pellegrino and with Dynamic Kids. These agencies provide a licensed therapist who evaluates the youngsters and provides therapeutic services as per the recommendation of the CSE. In addition, the physical therapist consults with the special education teachers and is available for CSE meetings and parent-teacher conferences, as needed.

Occupational Therapy is concerned with the impact of a student's disability on his or her learning performance and ability to independently execute the functional tasks required in the school environment. Occupational therapy focuses on how the student receives and interprets the sensory information that is used in coordination with the motor control needed to meet the demands of the environment. The occupational therapist assesses skill levels and provides remediation in the areas of deficit such as postural control, motor planning, visual perceptual skills, hand skill development and sensory processing. The therapist may also provide alternative materials and environmental modifications to facilitate independence and generalization of those skills. Occupational therapy may be provided individually, in a small group, or as a consult to the classroom teacher, based on the recommendation of the CSE.

Itinerant Services for Student with Hearing Impairments

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

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

Itinerant Services for Student with Visual Impairments

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

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

Orientation and Mobility Services

Orientation and mobility training provides sequential instruction to students with visual impairment or those who are blind in the use of their remaining senses to determine their position within the environment and in techniques for safe movement from one place to another. Orientation is the process of using sensory information to establish and maintain one's position in the environment; mobility is the process of moving safely and efficiently within one's environment. The goal of orientation and mobility service is to train students to travel safely and independently in a variety of environments.

Resource Room Program

The resource room program is supplemental in nature and is designed to assist youngsters in remediating skill deficits and in dealing more effectively with assignments from their general education classes. The program consists of identification and diagnostic assessment and small group and/or individualized instruction in basic academic skills, oral and written language, study and organizational skills. Encouragement and emotional support are also provided. Ongoing consultation with general education classroom teachers is an integral part of this program in both meeting educational needs as well as in helping students develop basic skills and competency in content areas.

The instructional group in each resource room period does not exceed five students, who are grouped according to their similarity of need. Each resource room period is instructed by a special education teacher. Students shall spend a minimum of three hours per week receiving resource room services and shall not spend more than 50 percent of their time during the day in the resource room program. The regulations permit the CSE to recommend that a student with a disability who also needs resource room services in addition to consultant teacher services to receive a combination of such services consistent with the student's IEP for not less than three hours each week.

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

Resource room programs are available at all levels as per the recommendations of the CSE. During the 2018-19 school year, there are 330 students who are being provided resource room services.

ELEMENTARY LEVEL SPECIAL EDUCATION

There are currently Eleven Elementary Schools which educate students from Pre-K through either 5th, 6th, 7th, or 8th grade with the plan to have all Elementary schools educate students from Pre-K through Eighth grade by the year 2020.

Integrated Co-Teaching Services

According to the current Part 200 Regulations of the Commissioner of Education, which was last updated in October 2016, section 200.6 states that a school district may include integrated co-teaching services in its continuum of services that it provides to students with disabilities. Integrated co-teaching services means the provision of specially designed instruction and academic instruction provided to a group of students with disabilities and non-disabled students. The maximum number of students with disabilities receiving integrated co-teaching services in a class shall be determined in accordance with the students' individual needs as recommended on their IEPs, provided that the number of students with disabilities in each class not exceed 12 students. School personnel assigned to each class shall minimally include a special education teacher and a general education teacher. Additional personnel assigned to such classes by the district may not serve as the special education teacher.

The Mount Vernon City School District currently provides Integrated Co-Teaching Services to students grade 7-12. For the 2018-19 school year, there are 251 students being served by this model.

An important component of this program is the ongoing collaboration between the general and special education teacher. Adaptations of curriculum, methodologies, assessments, assignments and environment are assessed and individualized for each student, in accordance with the needs specified in each youngster's IEP. The speech pathologists, as well as the remedial reading and math teachers, also provide supportive and/or consultative services to these students.

The district provides ongoing support to the professional and paraprofessional staff associated with the inclusion program through staff development opportunities, common planning time and administrative support that focuses on co-teaching strategies and curriculum adaptations/modifications. As needed, the Assistant Director of Special Education observes the elementary inclusion classes and meets with the general and special education teachers, related service providers and when appropriate, the teacher aides, to provide this support.

Elementary Special Education Classes

The elementary special education class that is non-categorical serves youngsters who are classified as having a disability by the Committee on Special Education. Students are grouped according to similarity of need and as per the four grouping criteria - levels of academic achievement, social development, physical development, and management needs - defined in 8 NYCRR200.6(a)(3).

There are no more than fifteen students per class roster and the age span between the youngest and oldest student is less than or equal to 36 months. Each full time class is staffed by a certified special education teacher and depending on the program at least one teaching assistant.

As the district wholeheartedly supports the concept of the least restrictive environment, the special education students attend the mainstream art, music, library, and physical education classes, as well as eat lunch and go to recess, with their general education peers.

For the 2018-19 school year, there are the following Special Class Programs located in the Elementary Schools listed from most to least restrictive:

- 6:1+2; Three Classes in District
- 8:1+2; Five Classes in District
- 8:1+1; One Class in District
- 12:1+4; Two Classes in District
- 12:1+2; Five Classes in District
- 12:1+1; Sixteen Classes in District
- 15:1; Four Classes in District

The students in these programs have a variety of learning/language and attentional difficulties that significantly impact upon their ability to achieve the learning standards and progress in the general education curriculum. Students in this program generally require special education services for at least fifty percent of the day in this small class setting. The students are also mainstreamed in a general education class for part of the day, as described above.

These programs utilize a multi-faceted approach to develop pre-academic and readiness skills. Specialized techniques are employed to reinforce and strengthen phonemic awareness, sight word development, vocabulary, writing, math and language skills at the appropriate level for each child. Social and behavioral goals are addressed; age-appropriate social interactions through both individual and group experiences are emphasized.

The Mount Vernon City School District also established the cohort classes which are primarily for students with Autism Spectrum Disorders (ASD), speech and language impairments, and/or other global developmental delays, who benefit from a small class size and student to teacher ratio. These classes use the principles of applied behavior analysis to increase desirable learning behaviors and decrease those behaviors which are a barrier to progress and learning. A significant focus is on the students' language skills including: requesting (mands), labeling (tacts), responding to language as a listener (receptive), and engaging in communication exchanges (intraverbal skills), whether it be via spoken language, sign language or other types of symbol representation (ie: pictures, printed words). The cohort classes also use a direct instruction curriculum from McGraw Hill for language/language arts skills, reading and math. Further skill development in the areas of social-emotional / play, activities of daily living, and group behaviors are also addressed. Each student's Individualized Education Plan (IEP) drives their program in terms of placement, goals and benchmarks, related services provided, district testing and assessments, and integration with general education peers for academics and/or specials (art, music and physical education). Opportunities to join the greater student population is encouraged through participation in school-wide assemblies, concerts, contests, programs, incentives, and grade level integrated lunch /recess periods.

SECONDARY SPECIAL EDUCATION

As stated previously, there are currently eleven Elementary Schools which educate students from Pre-K through either 5th, 6th, 7th, or 8th grade with the plan to have all Elementary schools educate students from Pre-K through Eighth grade by the year 2020. At this time, there is only one Middle School in district. There are four High Schools which include the Mount Vernon City School Districts STEAM Academy and Performing Arts School.

Integrated co-teaching services described above, is available to students grade 7-12. For the 2018-19 school year, there are 251 students being served by this model.

Secondary special education in the Mount Vernon City School District grades 9- 12, is a departmentalized program which was established in order to more effectively meet the educational needs of a population of students with disabilities in relation to Part 100 curriculum requirements and to adhere to the concept of the least restrictive environment. All secondary level students with disabilities in Mount Vernon participate in a high quality inclusive educational setting where students are held to high expectations for achievement and have meaningful access to challenging academic content that prepare them for college and careers.

Secondary Resource Room

Resource Room services provide direct academic instruction and compensatory strategies to make progress within the content areas. The purpose is to re-teach/reinforce concepts that are taught initially in the regular education classrooms and provide necessary remediation of skill deficits. This program provides the opportunity for students to receive instruction in the regular education classes with non-disabled peers and learn in the least restrictive environment.

Related services are available per the IEP requirements.

Integrated Co-Teaching Classroom (ICT)

Students with disabilities who receive Integrated Co-Teaching services are educated with age appropriate peers in the general education classroom. ICT provides students the opportunity to be educated alongside their non-disabled peers with the support of a special education teacher to assist in adapting and modifying instruction.

Integrated Co-Teaching ensures that students master specific skills and concepts in the general education curriculum, as well as ensuring that their special education needs are being met, including meeting alternate curriculum goals.

Related services are available per the IEP requirements.

Special Education Classes

The secondary special education classes currently serve youngsters who are classified as being disabled through the Committee on Special Education. Students are grouped according to similarity of need and as per the four grouping criteria - levels of academic achievement, social development, physical development, and management needs - defined in 8 NYCRR200.6(a)(3).

8:1:2 and 12:1:2 Special Class Instructional Support Program (I.S.P.)

These classes serve students whose management needs are severe and chronic, requiring intensive and constant supervision. A significant degree of individualized attention, intervention and intensive behavior management as well as additional adult support is provided.

These classes are designed for students with academic difficulties and management needs which require a more restrictive environment. The students receive all their academic instruction in the small class setting. Students are included with general education students during special area classes such as art, music, and physical education. The student's program includes instruction that will follow New York State Common Core Learning Standards.

These students have academic and/or behavioral management needs which interfere with the instructional process, to the extent that additional adult support is needed to engage in learning and who require specialized/specially designed instruction which can best be accomplished in a self-contained setting.

Related services are available per the IEP requirements.

15:1 Special Class

The maximum class size for those students whose special education needs consist primarily of the need for specialized instruction which can best be accomplished in a self-contained setting shall not exceed 15 students. These self-contained classes provide specialized instruction of the general curriculum to students who require a small, highly structured learning environment. Mainstreaming is available when educationally appropriate.

Related services are available per the IEP requirements.

DECLASSIFICATION SUPPORT SERVICES

When the CSE determines that a student no longer requires special education services and can be placed in a general education program on a full-time basis, the student may be considered for declassification support services.

Declassification support services are those services provided to a student or student's teacher to aid in the student's transition from special education to full-time general education, including:

- for the student, psychological services, social work services, speech and language services, counseling (other than career counseling) and other appropriate support services; and

- for the student's teacher, the assistance of supplementary school personnel and consultation with appropriate personnel.

2018-19 CSE MEMBERS

DIRECTOR OF STUDENT SERVICES:

Dr. Felicia Gaon

ASSISTANT DIRECTOR OF SPECIAL EDUCATION:

Ms. Rachel De Paul

SUPERVISORS OF SPECIAL EDUCATION:

Ms. Susan Burnett

Dr. Joyce Corpas

Ms. Michele Fret
Ms. Michele O'Bryan

Ms. Lorraine Monroe
Ms. Teresa Scott

Dr. Kim Smith

CHAIRPERSONS:

Ms. Francine Bifulco
Ms. Yolanda Kelley
Ms. Kristina Von Hollen

Ms. Daina Marie Gardner
Ms. Pamela Tumminello
Dr. Sarah Whitney

PSYCHOLOGISTS:

Ms. Indira Alabre
Ms. Andrea Capolupo
Ms. Lisette Casines
Dr. Elizabeth Donovan
Ms. Bahia Harari
Ms. Cindy Lafontant
Ms. Paula McFarlane
Ms. Annette Parchment-Pennent
Ms. Liliana Smith
Mr. Adrian Tovar

Ms. Marissa Albano
Ms. Fernanda Carvalho
Ms. Kristen Diaz
Ms. Gabrielle Flowerman
Dr. Rebecca Ivicic
Ms. Jeannie Lester
Ms. Sherida Moore
Mr. Nicholas Parsley
Ms. Bianca Sorrells

PARENT MEMBERS:

Ms. Menana Krimou
Ms. Sandra Wakefield

Ms. Corrine Lewack
Ms. Georgia Ward

SECTION 11

THE DIFFERENCE BETWEEN IEPS AND 504 PLANS

SECTION 12

ASSISTIVE TECHNOLOGY HANDBOOK

SECTION 13

TEACHING ASSISTANTS




OFFICE OF P-12 EDUCATION: Office of Special Education
STATEWIDE COORDINATOR FOR SPECIAL EDUCATION
Room 309 EB, 89 Washington Avenue ☐ Albany, NY 12234
www.p12.nysed.gov/specialed/

Telephone (518) 402-3353
Fax: (518) 473-5387

January 2012

SPECIAL EDUCATION FIELD ADVISORY

From: James P. DeLorenzo 

Subject: Guidelines for Determining a Student with a Disability's Need for a One-to-One Aide

The purpose of this memorandum is to provide guidance to assist Committees on Preschool Special Education (CPSEs) and Committees on Special Education (CSEs) in determining a student with a disability's need for a one-to-one aide. A recommendation for an individual aide is a significant programmatic decision and one that should only be made after a comprehensive discussion of other options considered and clear documentation of as to why those options are not appropriate. While, some students may temporarily need the support of a one-to-one aide to receive a free appropriate public education¹, for other students, the assignment of a one-to-one aide may be unnecessarily and inappropriately restrictive. Footnote references have been provided to examples of legal decisions relating to the use of one-to-one aides.

A goal for all students with disabilities is to promote and maximize independence. CPSEs/CSEs are responsible for developing and implementing individualized education programs (IEPs) that promote such independence. When a CPSE or CSE determines that a student needs a one-to-one aide, it should always be considered a time-limited recommendation and specific conditions/goals must be established to fade the use of the one-to-one aide.²

One-to-one aides may not be used as a substitute for certified, qualified teachers for an individual student or as a substitute for an appropriately developed and implemented behavioral intervention plan or as the primary staff member responsible for implementation of a behavioral intervention plan. While a teaching assistant may assist in related instructional work, primary instruction must be provided to the student by a certified teacher(s). A teacher aide may assist in the implementation of a behavioral intervention

¹ *P.K. and T.K. ex rel. S.K. v. New York City Dep't of Educ.*, [111 LRP 55318](#) (E.D.N.Y. 08/11/11) ² Killeen Independent School District, 39 IDELR 21 (SEA TX)

plan, but may not provide instructional services to a student. See <http://www.highered.nysed.gov/tcert/career/tavsta.html>.

Considerations for Determining if a Student Needs a One-to-One Aide

Each decision to recommend a one-to-one aide must weigh the factors of both (1) the student's individual needs and (2) the available supports in the setting where the student's IEP will be implemented. There are a number of important considerations that must be made by the CPSE/CSE in regard to each of these factors. These include, but are not limited to, consideration of each of the following (see Attachment 1):

- ☐ The student's individual needs that require additional adult assistance (see Attachment 2).
- ☐ The skills and goals the student is planned to achieve that will reduce or eliminate the need for the one-to-one aide.
- ☐ The specific role (e.g., instructional, assistance with personal hygiene) that the aide will provide for the student.
- ☐ Other natural supports², accommodations and/or services that could support the student to meet these needs (e.g., behavioral intervention plan; environmental accommodations or modifications; changes in scheduling; instructional materials in alternate formats; assistive technology devices; peer-to-peer supports).
- ☐ The extent (e.g., portions of the school day) or circumstances (e.g., for transitions from class to class) the student would need the assistance of a one-to-one aide (see Attachment 3).
- ☐ The special class size the CPSE or CSE has recommended for the student. Special class size recommendations are made in consideration of the students' management needs. For a student in a special class, an additional aide should only be recommended for specialized circumstances based on a student's individual needs and when it has been discussed and determined by the CPSE/CSE that the recommended special class size in the setting where the student will attend school, other natural supports, a behavioral intervention plan, etc., cannot meet these needs. Whenever a student is recommended for placement in a board of cooperative educational services (BOCES) or approved private school, the CSE should consult with the program regarding their staffing

² **Natural supports** mean "those components of an educational program — philosophy, policies, people, materials and technology, and curricula — that are used to enable all students to be fully participating members of regular classroom, school, and community life." (*Jorgensen, C. (1992) Natural Support in Inclusive Schools. In Jan Nisbet (Ed.), Natural Supports in School, at Work, and in the Community for People with Severe Disabilities (pp. 179-215). Baltimore, MD: Brookes.*) Examples of such support may include supports from available staff (e.g., other aides, assistants, teachers, related service providers), peer support and environmental structures/supports (activities, routines, physical layout of the classroom, student seating).

ratios prior to recommending a one-to-one aide in the student's IEP. The staffing configurations in these programs are designed to fully support students with similar needs.

- ⇒ The potential benefits from assignment of the one-to-one aide and how these will be measured to determine continuation of the recommendation.
- ⇒ The potential negative impact of assignment of a one-to-one aide for the student (e.g., self-image, isolation and/or development of independence).

Roles and Responsibilities of the One-to-One Aide

When the decision is made that a student requires a one-to-one aide, school personnel must:

- ③ consider the qualifications of the individual (i.e., teaching assistant or teacher aide) that would be necessary to meet the needs of the student. See <http://www.highered.nysed.gov/tcert/career/tavsta.html>³;
- ③ establish a plan to monitor the student's progress toward the goals to be addressed by the assignment of the one-to-one aide and the student's continuing need for the one-to-one aide⁵;
- ③ consider, as appropriate, a plan for progressively reducing the support provided to the student and his or her dependence on an aide over time⁶;
- ③ plan for substitutes to serve as the student's one-to-one aide to cover staff absences in order to ensure the student receives the recommended IEP services of the one-to-one aide⁷; and
- ③ ensure that the one-to-one aide has access to a copy of the student's IEP, has been informed of his or her responsibilities for IEP implementation for the student and has received the professional development and supervision necessary to carry out these responsibilities⁴.

Once a Committee recommends a one-to-one aide for an individual student, the staff person is expected to be in close proximity to and working with that student throughout the assigned period.

³

⁴ NYCRR Part 80 ⁵ Student with a Disability, 52 IDELR 59 (SEA NY) ⁶ A.C. and M.C. ex rel. M.C. v. Board of Education of the Chappaqua Central School District, 51 IDELR 147 (2nd Cir. 2009); 50 IDELR 3; Connally Independent School District, 34 IDELR 309 (SEA TX 2001) ⁷

Dorchester County (SC) #2 School District, Dorchester County (SC) #2 School District 37 IDELR 289 (OCR) 2002 ⁸

Student with a Disability, 50 IDELR 150 (SEA NY 2008); Moorestown Township Bd. Of Education, 38 IDELR 139 (SEA NJ 2003)

Attached are three sample forms that, when used together, will assist and guide CPSEs and CSEs in their consideration of a student's need for a one-to-one aide:

1. One-to-One Aide Planning: Considerations and Recommendations
2. Checklist to Determine the Student's Needs as They May Relate to the Need for a One-to-One Aide
3. Considerations for Need for a One-to-One Aide: Available Natural and Other Supports for the Student's Schedule.

To ensure dissemination to appropriate individuals within a school district, I ask Superintendents to please share this memorandum with individuals such as Directors of Special Education, School Psychologists, CSE and CPSE Chairpersons, Guidance Counselors and Directors of Pupil Personnel and Parent Teacher Associations. Questions regarding this memorandum may be directed to the Special Education Policy Unit at (518) 473-2878 or your Special Education Quality Assurance Regional Associate at one of the following Regional Offices:

| | |
|----------------------|----------------|
| Central Region | (315) 476-5081 |
| Eastern Region | (518) 486-6366 |
| Hudson Valley Region | (518) 473-1185 |
| Long Island Region | (631) 884-8530 |
| New York City | (718) 722-4544 |
| Western Region | (585) 344-2002 |
| Nondistrict Unit | (518) 473-1185 |

SAMPLE FORM**ONE-TO-ONE AIDE PLANNING CONSIDERATIONS AND RECOMMENDATIONS**

| | |
|--|--|
| What are the needs of the student which necessitate the assignment of a 1:1 aide? | |
| What skills and goals must the student achieve to reduce or eliminate the need for a 1:1 aide? | |
| What are the potential benefits of the assignment of a 1:1 aide? | |
| What is the potential negative impact of assignment of a 1:1 aide? | |
| What role will 1:1 aide fulfill (e.g., instructional; behavior support; personal hygiene assistance)? | |
| For what specific activities (e.g., toileting) and/or times of day (e.g., transition to and from the bus) is the aide needed? <i>(See Attachment 3)</i> | |
| What qualifications of the individual (i.e., teaching assistant or teacher aide) is necessary to meet the needs of the student? | |
| What is the plan to monitor the student's progress toward the goals to be addressed by the assignment of the one-to-one aide and the student's continuing need for the one-to-one aide? | |
| What is the plan for progressively reducing the support provided to the student and his or her dependence on an aide over time? | |
| If student's one-to-one aide is absent, who will cover in order to ensure the student receives the recommended IEP services of the one-to-one aide or how will substitute staff support be arranged? | |
| Who/how will one-to-one aide have access to a copy of the student's IEP, and be informed of his or her responsibilities for IEP implementation for the student? | |

SAMPLE FORM

| | |
|---|--|
| What, if any professional development and supervision will aide need to carry out these responsibilities? | |
|---|--|

CHECKLIST TO DETERMINE THE STUDENT'S NEEDS AS THEY MAY RELATE TO THE NEED FOR A ONE-TO-ONE AIDE⁵

Health / Personal Care

- ☐ Student requires non-medical specialized health care support (e.g., feeding, assistance with braces or prosthesis)⁶.
- ☐ Student requires positioning or bracing multiple times daily.
- ☐ Student requires health-related interventions multiple times daily.
- ☐ Student requires direct assistance with most personal care.

Behavior

- ☐ Student presents with serious behavior problems with ongoing (daily) incidents of injurious behaviors to self and/or others or student runs away and student has a functional behavioral assessment and a behavioral intervention plan that is implemented with fidelity.

Instruction

- ☐ Student cannot participate in a group without constant verbal and/or physical prompting to stay on task and follow directions.

⁵ This checklist does not present an exhaustive list nor is it intended to mean that every student with these needs would require individualized assistance by a one-to-one aide.

⁶ Use of one-to-one aides for health related care must be provided consistent with Department guidance http://www.schoolhealthservicesny.com/uploads/nursing_tasks.pdf; <http://www.schoolhealthservicesny.com/uploads/March.pdf>

SAMPLE FORM**Inclusion in General Education Classes**

- ☐ Student needs an adult in constant close proximity for direct instruction.
- ☐ Student requires individualized assistance to transition to and from class more than 80 percent of the time.
- ☐ Student needs an adult in close proximity to supervise social interactions with peers at all times.

**CONSIDERATIONS FOR NEED FOR A ONE-TO-ONE AIDE:
AVAILABLE NATURAL AND OTHER SUPPORTS FOR STUDENT'S SCHEDULE**

Row 1 shows examples of the types of information to be included in the columns

| Period / Class | Need of Student Requiring Additional Support | Natural* and Other Supports Available in Setting |
|--|---|---|
| <i>1st Period; English Class; Activity (e.g., transition between classes)</i> | <i>See Attachment 1</i> | <ul style="list-style-type: none"> • <i>special class staff- to-student ratio other aides, assistants, teachers, related service providers</i> • <i># of students out of class receiving related services peer supports</i> • <i>environmental structures/supports – (activities, routines, physical layout of the classroom, student seating)</i> |
| | | |
| | | |

SAMPLE FORM

| | | |
|--|--|--|
| | | |
| | | |
| | | |

ANNOTATED IEP GUIDE

INDIVIDUALIZED EDUCATION PROGRAM (IEP)

| | |
|---|----------------------------------|
| STUDENT NAME: | DISABILITY CLASSIFICATION: |
| DATE OF BIRTH: LOCAL ID #: | |
| PROJECTED DATE IEP IS TO BE IMPLEMENTED: | PROJECTED DATE OF ANNUAL REVIEW: |

PRESENT LEVELS OF PERFORMANCE AND INDIVIDUAL NEEDS

DOCUMENTATION OF STUDENT'S CURRENT PERFORMANCE AND ACADEMIC, DEVELOPMENTAL AND FUNCTIONAL NEEDS

EVALUATION RESULTS (INCLUDING FOR SCHOOL-AGE STUDENTS, PERFORMANCE ON STATE AND DISTRICT-WIDE ASSESSMENTS)

Refer to General Directions Document <http://www.p12.nysed.gov/specialed/formsnotices/IEP/home.html>

This is a the section where evaluation information will be added and described. May need to coordinate with psychologists and secretaries on this section. It cannot be left blank. Include title of assessment, date and results. A summary of the interpretation of the scores, including the instructionally relevant information understandable to the parent and educational team should be included in this section.

(Instructional

implications of an assessment can then be further summarized or included in the appropriate section of the PLP.) Psycho-educational Assessment

Speech & Language, PT, OT Assessment (& other related services)

Physical Examination, Medical information

Classroom Observation

Functional Behavior Assessment

Transition Assessment

State & District-wide Assessments; Transcript Information, Credits earned

ACADEMIC ACHIEVEMENT, FUNCTIONAL PERFORMANCE AND LEARNING CHARACTERISTICS

LEVELS OF KNOWLEDGE AND DEVELOPMENT IN SUBJECT AND SKILL AREAS INCLUDING ACTIVITIES OF DAILY LIVING, LEVEL OF INTELLECTUAL FUNCTIONING, ADAPTIVE BEHAVIOR, EXPECTED RATE OF PROGRESS IN ACQUIRING SKILLS AND INFORMATION, AND LEARNING STYLE:

REFER TO NYSED GUIDE TO QUALITY INDIVIDUALIZED EDUCATION PROGRAM (IEP) DEVELOPMENT AND IMPLEMENTATION

www.p12.nysed.gov/specialed/formsnotices/iepguidance/IEPguideFeb2010.pdf

Provide Description of Student's Current Level of Performance, Including Baseline Data - the "CAN DO" in the "CAN'T DO" Areas; Include Progress on Annual Goals; "WHAT WORKS" – Specific Strategies, Supports and Instructional Methodologies that Support Progress made; Describe the Impact of the Disability; Manifestations or Characteristics of the Disability Observed.

EXPECTED RATE OF PROGRESS: (INCLUDES CURRENT GRADES, EFFORT, MOTIVATION, ASSESSMENT IMPLICATIONS, ETC); FUNCTIONAL PERFORMANCE; ACTIVITIES OF DAILY LIVING;

COMMUNICATION/LANGUAGE

READING WRITING: MATH:

ORGANIZATION/ ATTENTION: (EXECUTIVE FUNCTIONING SKILLS)

TRANSITION/LEARNING STYLE: STUDENT STRENGTHS, PREFERENCES,

INTERESTS: (Can use a bulleted list)

- Include student's academic strengths, preferences and interests; consider student's post secondary goals. Don't forget student voice!

ACADEMIC, DEVELOPMENTAL AND FUNCTIONAL **NEEDS** OF THE STUDENT, INCLUDING CONSIDERATION OF STUDENT NEEDS THAT ARE OF CONCERN TO THE PARENT: (Can use a bulleted list)

Identify student's specific skill deficits noted in the current performance areas;

Do not include recommendations for services or management needs in this section.

Parent's / student's voice regarding student's needs/skill deficits clearly stated; provide parents with multiple opportunities to provide input; document multiple attempts to contact parent (parent/teacher conferences, phone contact, e-mail, parent survey/questionnaire) If parent does not provide information or identify concerns – include a null statement: Parent does not identify any concerns at this time.



SOCIAL DEVELOPMENT

THE DEGREE (EXTENT) AND QUALITY OF THE STUDENT'S RELATIONSHIPS WITH PEERS AND ADULTS; FEELINGS ABOUT SELF; AND SOCIAL ADJUSTMENT TO SCHOOL AND COMMUNITY ENVIRONMENTS:

Give examples of what specific behaviors look like (include data) and possible strategies that help the student.

Student's relationship with adults and peers, social skills, ability to accept guidance or assistance from others:

Student's feelings of self, level of maturity:

Self determination, self – advocacy skills:

Preschool/Elementary: play skills, taking turns, sharing:

Working on teams, collaborative activities:

Adjustment to School and Community

(Refer to SCANS and CDOs Skills Poster discussed in training)

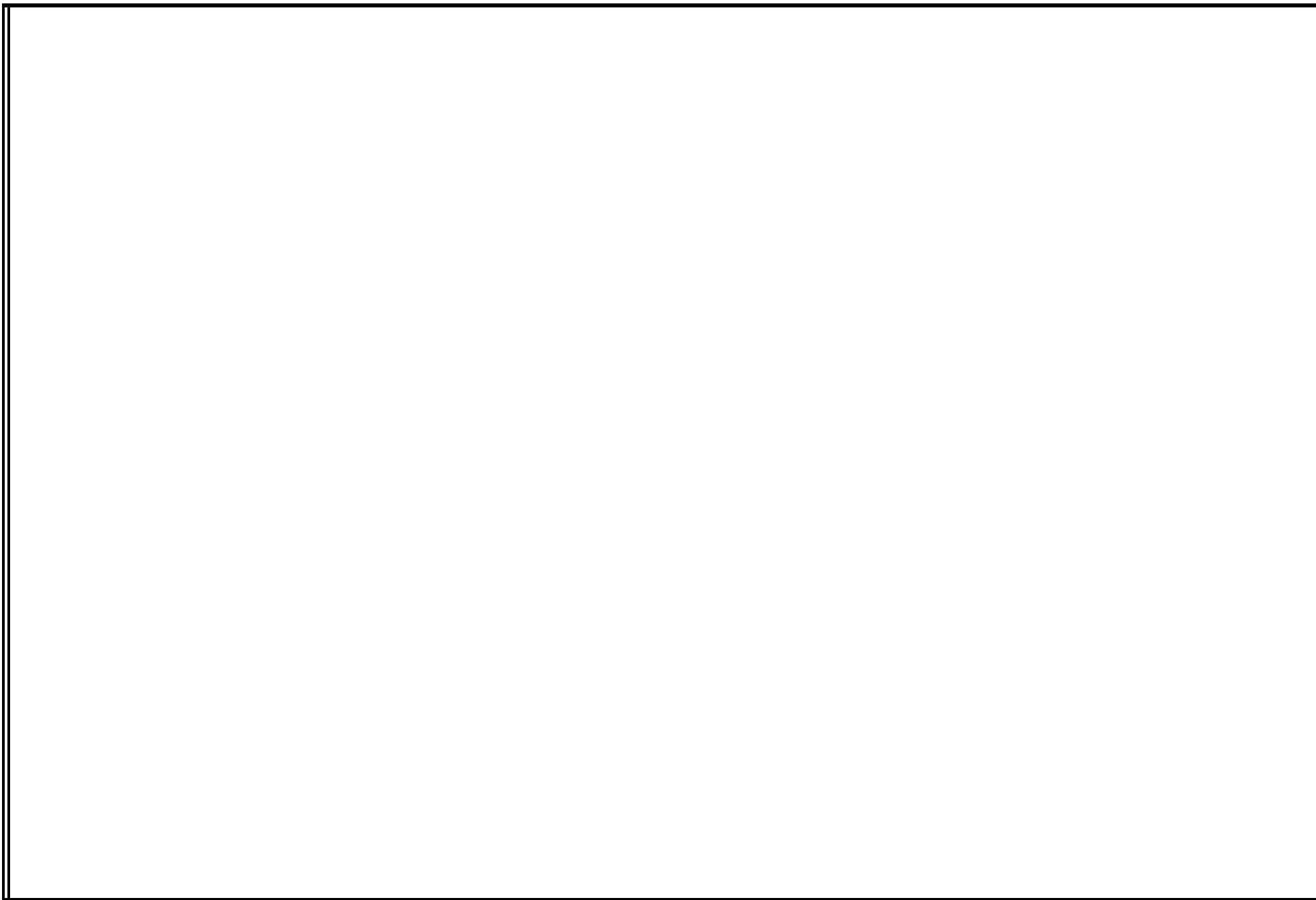
STUDENT STRENGTHS: (CAN USE BULLETED LIST)

Identify the student's strengths, social skills, consider recreation and community experiences.

SOCIAL DEVELOPMENT NEEDS OF THE STUDENT, INCLUDING CONSIDERATION OF STUDENT NEEDS THAT ARE OF CONCERN TO THE PARENT: (Can use bulleted list)

Identify the skills deficits as noted in the current level of ability.

Include the parent's voice relating to concerns noted.



PHYSICAL DEVELOPMENT

THE DEGREE (EXTENT) AND QUALITY OF THE STUDENT'S MOTOR AND SENSORY DEVELOPMENT, HEALTH, VITALITY AND PHYSICAL SKILLS OR LIMITATIONS WHICH PERTAIN TO THE LEARNING PROCESS:

Must complete this section - Include information related to gross/fine motor skills, sensory needs; medical conditions – impact on educational performance, physical limitations or endurance; describe medical equipment (wheelchair, crutches, braces, AFO's, splints, etc); describe the impact of medication on educational performance.

STUDENT STRENGTHS:

Consider student's health, fitness and nutritional status; attendance, recreational interests, participation in physical education, sports or extracurricular activities. PHYSICAL DEVELOPMENT NEEDS OF THE STUDENT, INCLUDING CONSIDERATION OF STUDENT NEEDS THAT

ARE OF CONCERN TO THE PARENT:

Include skill deficits impacted by the student's disability; If disability does not impact this area – include null statement: No needs identified at this time; disability does not impact this area.

Parent/student concerns

MANAGEMENT NEEDS

THE NATURE (TYPE) AND DEGREE (EXTENT) TO WHICH ENVIRONMENTAL AND HUMAN OR MATERIAL RESOURCES ARE NEEDED TO ADDRESS NEEDS IDENTIFIED ABOVE: (Can use a bulleted list) Include supports, strategies to be provided by the teachers, related services, and support staff– the recommendations described should relate to the information (what works) and needs identified in the other PLP sections.

Environmental Resource Needs – adapted equipment/furniture, routine schedule, preferential seating (describe), additional transition time

Human Resource Needs – adult supervision, guidance or assistance to provide support, strategies, accommodations noted in PLP

Material Resource Needs – alternate instructional materials, assistive technology, graphic organizer, study guide/copy of notes; behavior intervention plan, evacuation plan, health care plan, etc

EFFECT OF STUDENT NEEDS ON INVOLVEMENT AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM OR, FOR A PRESCHOOL STUDENT, EFFECT OF STUDENT NEEDS ON PARTICIPATION IN APPROPRIATE ACTIVITIES (Discuss student's barriers to success in general education).

MANIFESTATIONS OF DISABILITY IN GEN ED SETTING – describe the characteristics of the disability observed consistently that impacts the student's ability to participate and show progress in the general ed setting; provides evidence for consideration of least restrictive environment – consider areas related to environment, instructional methodologies, content, materials and student's ability to demonstrate knowledge.

STUDENT NEEDS RELATING TO SPECIAL FACTORS

BASED ON THE IDENTIFICATION OF THE STUDENT'S NEEDS, THE COMMITTEE MUST CONSIDER WHETHER THE STUDENT NEEDS A PARTICULAR DEVICE OR SERVICE TO ADDRESS THE SPECIAL FACTORS AS INDICATED BELOW. AND IF SO, THE APPROPRIATE SECTION OF THE IEP MUST IDENTIFY THE PARTICULAR DEVICE OR SERVICE(S)

NEEDED. ~~MUST ADDRESS ALL AREAS WITH EITHER YES/NO/NA~~ see attachment 2 in Guide to Quality IEP Development and Implementation

Does the student need strategies, including positive behavioral interventions, supports and other strategies to address behaviors that impede the student's learning or that of others? Yes No

Does the student need a behavioral intervention plan? No Yes: DESCRIBE

For a student with limited English proficiency, does he/she need a special education service to address his/her language needs as they relate to the IEP?

Yes No Not Applicable

☐ ☐ ☐

☐ ☐ ☐

☐ ☐

For a student who is blind or visually impaired, does he/she need instruction in Braille and the use of Braille? Yes No Not Applicable

Does the student need a particular device or service to address his/her communication needs? Yes No

In the case of a student who is deaf or hard of hearing, does the student need a particular device or service in consideration of the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode?

Yes No Not Applicable

Does the student need an assistive technology device and/or service? Yes No If yes, does the Committee recommend that the device(s) be used in the student's home?

Yes No **consider any devices/equipment identified in management section;**

BEGINNING NOT LATER THAN THE FIRST IEP TO BE IN EFFECT WHEN THE STUDENT IS AGE 15 (AND AT A YOUNGER AGE IF DETERMINED APPROPRIATE)

MEASURABLE POSTSECONDARY GOALS

LONG-TERM GOALS FOR LIVING, WORKING AND LEARNING AS AN ADULT

Use student's "goal is to", shall or will. (Keep in mind.... These are POST high school goals.)

EDUCATION (2 OR 4 YEAR DIPLOMA OUTCOME)/TRAINING (ON THE JOB TRAINING, COMMUNITY/ADULT EDUCATION, CERTIFICATE PROGRAM):

EMPLOYMENT: (COMPETITIVE, SUPPORTED, SHELTERED WORKSHOP BE AS SPECIFIC AS POSSIBLE ABOUT CAREER CHOICE... BUT ONLY 1 CHOICE...)

MULTIPLE OPTIONS LIST IN PLP WITH "TOP CHOICE" INDICATED HERE)

INDEPENDENT LIVING SKILLS (WHEN APPROPRIATE): (LIVE INDEPENDENTLY IN COMMUNITY; ATTAIN DRIVER'S LICENSE, COLLEGE DORM, SUPPORTED APARTMENT GROUP HOME)

TRANSITION NEEDS

In consideration of present levels of performance, transition service needs of the student that focus on the student's courses of study, taking into account the student's strengths, preferences and interests as they relate to transition from school to post-school activities:

Transition Needs relate to the student needs to address with the support of the school in order to achieve MPSSGs

- Barriers to post secondary goals – consider skills related to self determination, advocacy or academic areas.
- Can make bulleted list of needs for this section

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Course of study statement is narrative

- Should contain diploma student is going to achieve (must match with transcripts) & with participation in state/local assessments.
- Should list courses/instruction related to post secondary goals

This will help you to determine Coordinated Set of activities and Annual Goals needed for the coming year

MEASURABLE ANNUAL GOALS

THE FOLLOWING GOALS ARE RECOMMENDED TO ENABLE THE STUDENT TO BE INVOLVED IN AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM, ADDRESS OTHER EDUCATIONAL NEEDS THAT RESULT FROM THE STUDENT'S DISABILITY, AND PREPARE THE STUDENT TO MEET HIS/HER POSTSECONDARY GOALS.

COLLABORATE WITH GENERAL EDUCATION TEACHERS, RELATED SERVICE PROVIDERS AND PARENTS.

ANNUAL GOALS WHAT THE STUDENT WILL BE EXPECTED TO ACHIEVE BY THE END OF THE YEAR IN WHICH THE IEP IS IN EFFECT. **THE GOAL MUST BE MASTERED IN ONE YEAR.**

CRITERIA

MEASURE TO DETERMINE IF GOAL HAS BEEN ACHIEVED

METHOD

HOW PROGRESS WILL BE MEASURED

SCHEDULE

WHEN PROGRESS WILL BE MEASURED

| | | | |
|--|---|--|---|
| <p><u>Student will (do what (Skill, behavior), to what extent(anticipated level – relates to baseline identified in PLP), under what conditions (across settings, in a specific situation) or givens (graphic organizer, equipment, strategies, etc).</u></p> <ul style="list-style-type: none"> • Reasonable in number – to achieve in one year. Average # of goals 3-8 per IEP • All teachers and providers working with the student are responsible for Instruction & progress monitoring of annual goals • Team Goals - No service-specific goals (Ex. No OT, PT, or Speech goals) – must be educationally based, not medically related. • Must correspond to need/skill deficit in PLP • Must be skill-based, not activity-based • Must not be a GenEd expectation or curriculum based required of all students. | <p><u>How well/how often and over what period of time will student perform skill/behavior to indicate mastery of skill. (must be possible to achieve in one year)</u></p> | <p><u>Identify the procedures or methods used to collect data to monitor progress. Must be tangible – charts, checklists, rubric, student work samples, teacher made tests, etc. (teacher observation is not tangible)</u></p> | <p><u>How often methods will be used to collect or review the data so progress can be monitored.</u> Evaluation schedule should be frequent enough to allow adjustments to instruction and might be different for each goal. THIS IS NOT WHEN YOU REPORT PROGRESS TO PARENTS</p> |
| | | | |

ALTERNATE SECTION FOR STUDENTS WHOSE IEPs WILL INCLUDE SHORT-TERM INSTRUCTIONAL OBJECTIVES AND/OR BENCHMARKS
(REQUIRED FOR PRESCHOOL STUDENTS AND FOR SCHOOL-AGE STUDENTS WHO MEET ELIGIBILITY CRITERIA TO TAKE THE NEW YORK STATE ALTERNATE ASSESSMENT)

MEASURABLE ANNUAL GOALS

THE FOLLOWING GOALS ARE RECOMMENDED TO ENABLE THE STUDENT TO BE INVOLVED IN AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM OR, FOR A PRESCHOOL CHILD, IN APPROPRIATE ACTIVITIES, ADDRESS OTHER EDUCATIONAL NEEDS THAT RESULT FROM THE STUDENT'S DISABILITY, AND, FOR A SCHOOL-AGE STUDENT, PREPARE THE STUDENT TO MEET HIS/HER POSTSECONDARY GOALS.

| ANNUAL GOAL WHAT THE STUDENT WILL BE EXPECTED TO ACHIEVE BY THE END OF THE YEAR IN WHICH THE IEP IS IN EFFECT | CRITERIA MEASURE TO DETERMINE IF GOAL HAS BEEN ACHIEVED | METHOD HOW PROGRESS WILL BE MEASURED | SCHEDULE WHEN PROGRESS WILL BE MEASURED |
|---|---|---|--|
| <p>Student will (<u>do what</u> (Skill, behavior), to what <u>extent</u>(anticipated level - relates to baseline identified in PLP), under what conditions (across settings, in a specific situation) or givens (graphic organizer, equipment, strategies, etc).</p> <ul style="list-style-type: none"> Reasonable in number - to achieve in one year. Average # of goals 3-8 per IEP All teachers and providers working with the student are responsible for Instruction & progress monitoring of annual goals Team Goals - No service-specific goals (Ex. No OT, PT, or Speech goals) - must be educationally based, not medically related. Must correspond to need/skill deficit in PLP Must be skill-based, not activity-based Must not be a GenEd expectation or curriculum based required of all students. | <p><u>How well/how often and over what period of time</u> will student perform skill/behavior to indicate mastery of skill. (must be possible to achieve in one year)</p> | <p>Identify the procedures or methods used to collect data to monitor progress. Must be tangible - charts, checklists, rubric, student work samples, teacher made tests, etc. (teacher observation is not tangible)</p> | <p>How often methods will be used to collect or review the data so progress can be monitored. Evaluation schedule should be frequent enough to allow adjustments to instruction and might be different for each goal. THIS IS NOT WHEN YOU REPORT PROGRESS TO PARENTS</p> |

SHORT-TERM INSTRUCTIONAL OBJECTIVES AND/OR BENCHMARKS (INTERMEDIATE STEPS BETWEEN THE STUDENT'S PRESENT LEVEL OF PERFORMANCE AND THE MEASURABLE ANNUAL GOAL):

NYSAA students & preschool students must have objectives/benchmarks for each goal

Objective: (task analysis) - identify sub-skills that will support the achievement of the annual goal; may be specific to a related service.

Benchmark: incremental steps of the same skill identified in the annual goal; may include decreasing levels of support with increasing levels of skill ability; timeline for progress.

Include 3-4 objectives or benchmarks for each goal developed.

REPORTING PROGRESS TO PARENTS

Identify when periodic reports on the student's progress toward meeting the annual goals will be provided to the student's parents: **This is where you identify how often parents will receive progress reports on Annual Goals**

RECOMMENDED SPECIAL EDUCATION PROGRAMS AND SERVICES

| SPECIAL EDUCATION PROGRAM/SERVICES | SERVICE DELIVERY RECOMMENDATIONS* | FREQUENCY HOW OFTEN PROVIDED | DURATION LENGTH OF SESSION | LOCATION WHERE SERVICE WILL BE PROVIDED | PROJECTED BEGINNING/ SERVICE DATE(S) |
|--|--|---------------------------------|-------------------------------|--|---|
| SPECIAL EDUCATION PROGRAM: Should NOT be filled in prior to CSE Drop down menu – special ed programs identified in regs: Preschool § 200.16/200.9 and school-age § 200.6 | identify group size, native language, etc. | | | identify general ed. setting – specific academic area OR special ed. setting | |
| RELATED SERVICES: Drop down menu – not finite list; see definition § 200.1(qq) | | | | | |
| SUPPLEMENTARY AIDS AND SERVICES/PROGRAM MODIFICATIONS/ACCOMMODATIONS: Must correspond to PLP - Identify specific supports noted in Management: (teacher aide, preferential seating, verbal prompts, etc) Transition Considerations: - Are they increasing or decreasing student independence? - Are they available to student in post-school settings? - Is the student aware of them and able to advocate for them in all settings? | | | | | |

| | | | | | |
|---|---|------------------|-----------------|-----------------|---|
| ASSISTIVE TECHNOLOGY DEVICES AND/OR SERVICES: Include equipment noted in PLP + Special Factors section – do not include medical equipment | | | | | |
| SUPPORTS FOR SCHOOL PERSONNEL ON BEHALF OF THE STUDENT: <u>services for staff</u> (ex: training on specific disability such as autism, on assistive technology, behavior interventions, etc) | | | | | |
| * Identify, if applicable, class size (maximum student-to-staff ratio), language if other than English, group or individual services, direct and/or indirect consultant teacher services or other service delivery recommendations. | | | | | |
| 12-MONTH SERVICE AND/OR PROGRAM – Student is eligible to receive special education services and/or program during July/August: Cannot be left blank <div style="display: flex; justify-content: space-between;"> <input type="checkbox"/> No <input type="checkbox"/> Yes </div> <p style="color: red;">Services can be provided to students with disabilities who...</p> <ul style="list-style-type: none"> Have intensive management needs Have severe multiple disabilities Are in home, hospital, or residential programs Require ongoing instruction to avoid substantial regression (as defined by NYSED ESY policy 2006) <p>If <input type="checkbox"/> yes:</p> <p style="margin-left: 20px;"><input type="checkbox"/> Student will receive the same special education program/services as recommended above.</p> <p>OR</p> <p style="margin-left: 20px;"><input type="checkbox"/> Student will receive the following special education program/services:</p> | | | | | |
| SPECIAL EDUCATION PROGRAM/SERVICES | SERVICE DELIVERY RECOMMENDATIONS | FREQUENCY | DURATION | LOCATION | PROJECTED BEGINNING/ SERVICE DATE(S) |

| | | | | | |
|---|--|--|---|--|--|
| Can be different from what was provided during school year. | | | | | |
| Name of school/agency provider of services during July and August: For a preschool student, reason(s) the child requires services during July and August: | | | | | |
| TESTING ACCOMMODATIONS (TO BE COMPLETED FOR PRESCHOOL CHILDREN ONLY IF THERE IS AN ASSESSMENT PROGRAM FOR NONDISABLED PRESCHOOL CHILDREN): INDIVIDUAL TESTING ACCOMMODATIONS, SPECIFIC TO THE STUDENT'S DISABILITY AND NEEDS, TO BE USED CONSISTENTLY BY THE STUDENT IN THE RECOMMENDED EDUCATIONAL PROGRAM AND IN THE ADMINISTRATION OF DISTRICT-WIDE ASSESSMENTS OF STUDENT ACHIEVEMENT AND, IN ACCORDANCE WITH DEPARTMENT POLICY, STATE ASSESSMENTS OF STUDENT ACHIEVEMENT - DO NOT USE DIRECTIONS READ AS A TEST ACCOMMODATION UNLESS YOU KNOW SPECIFICALLY THAT DIRECTIONS WILL NOT BE READ TO THE STUDENT. | | | | | |
| TESTING ACCOMMODATION | CONDITIONS* | | IMPLEMENTATION RECOMMENDATIONS** | | |
| <input type="checkbox"/> NONE | | | | | |
| Drop Down Menu – not a finite list Refer to NYSED guide from May 2006 <u>Test Access and Accommodations for Students with Disabilities</u> | <u>When</u> accommodation will be provided: (tests requiring extensive writing) – <u>not</u> as needed, when requested, or for specific tests (regents) www.p12.nysed.gov/specialed/policy/testaccess/policyguide.htm | | <u>How</u> accommodation will be provided; specific recommendations for implementation. | | |

*Conditions – Test Characteristics: Describe the type, length, purpose of the test upon which the use of testing accommodations is conditioned, if applicable.
 **Implementation Recommendations: Identify the amount of extended time, type of setting, etc., specific to the testing accommodations, if applicable.

| BEGINNING NOT LATER THAN THE FIRST IEP TO BE IN EFFECT WHEN THE STUDENT IS AGE 15 (AND AT A YOUNGER AGE, IF DETERMINED APPROPRIATE). | | |
|--|--|--|
| COORDINATED SET OF TRANSITION ACTIVITIES (MUST BE COMPLETED WITHIN THE DURATION OF THIS IEP) | | |
| NEEDED ACTIVITIES TO FACILITATE THE STUDENT'S MOVEMENT FROM SCHOOL TO POST-SCHOOL ACTIVITIES | SERVICE/ACTIVITY | SCHOOL DISTRICT/ AGENCY RESPONSIBLE |
| Instruction Identify instruction student will be getting THIS YEAR (the year IEP is in effect) to support achievement of MPSSGs | <ul style="list-style-type: none"> MUST list activities for this one DO NOT USE DROP DOWN STATEMENTS <i>"Student will be provided the opportunity to..."</i> List courses as related to MPSSG'S Can be bulleted statements | MUST list district and role of person responsible |
| Related Services Identify what related services are going to be provided THIS YEAR and how they will support the transition plan. | <ul style="list-style-type: none"> Can be bulleted– at least one statement per service Should correspond to related service section Identify activity/skill that will be addressed that relates to MPSSG If none then write... "Considered, not needed" | MUST list agency responsible if agency is paying for/providing service (agency must be invited to CSE with parent permission) |

| | | |
|--|---|--|
| Community Experiences Describe any community-based experiences that will be provided to the student THIS YEAR | <ul style="list-style-type: none"> Consider job shadow for 11th /12th graders? School Clubs? Sports? Cannot be experiences that are not supported by the district (church, Boys/Girls club, etc...) If none then write... "Considered, not needed" | |
| Development of Employment and Other Postschool Adult Living Objectives Identify activities that school will provide student to support college/training, employment, and/or independent living goals. | <ul style="list-style-type: none"> <u>MUST</u> list activities for this one Include VESID application/ connection for seniors only Cannot be experiences that are not supported by the district (volunteer experiences, work obtained on their own) | |
| Acquisition of Daily Living Skills (if applicable) Identify activities to assist student in functional skills (Dressing, hygiene, self-care, health care, cooking, budgeting, etc.) | Think about - SCANS poster for skill areas Organization? Time management? If none then write... "Considered, not needed" | |
| Functional Vocational Assessment (if applicable) Only identified in this area if going to be done this school year. Should only identify Level 2 or Level 3 (more intensive assessment assessments, situational assessments that must be completed by trained individual) | Do NOT list Level I Assessments - State prefers the phrase "Considered, but not needed" for any of these 6 areas in which no activity is required" | |

PARTICIPATION IN STATE AND DISTRICT-WIDE ASSESSMENTS

(TO BE COMPLETED FOR PRESCHOOL STUDENTS ONLY IF THERE IS AN ASSESSMENT PROGRAM FOR NONDISABLED PRESCHOOL STUDENTS)

☐ The student will participate in the same State and district-wide assessments of student achievement that are administered to general education students.

☐ The student will participate in an alternate assessment on a particular State or district-wide assessment of student achievement. Identify the alternate assessment: Statement of why the student cannot participate in the regular assessment and why the particular alternate assessment selected is appropriate for the student:
Include information specific to the student's needs related to eligibility criteria for the NYSSAA –student's limited cognitive abilities combined with physical limitations. She is nonverbal and uses a picture communication device to communicate basic needs. She requires direct care for personal needs. Her chronological age is 12 but her instructional levels are at the Kindergarten level."

PARTICIPATION WITH STUDENTS WITHOUT DISABILITIES

REMOVAL FROM THE GENERAL EDUCATION ENVIRONMENT OCCURS ONLY WHEN THE NATURE OR SEVERITY OF THE DISABILITY IS SUCH THAT, EVEN WITH THE USE OF SUPPLEMENTARY AIDS AND SERVICES, EDUCATION CANNOT BE SATISFACTORILY ACHIEVED.

FOR THE PRESCHOOL STUDENT:

Explain the extent, if any, to which the student will not participate in appropriate activities with age-appropriate nondisabled peers (e.g., percent of the school day and/or specify particular activities):

FOR THE SCHOOL-AGE STUDENT:

Explain the extent, if any, to which the student will not participate in regular class, extracurricular and other nonacademic activities (e.g., percent of the school day and/or specify particular activities):

If the student is not participating in a regular physical education program, identify the extent to which the student will participate in specially-designed instruction in physical education, including adapted physical education:

EXEMPTION FROM LANGUAGE OTHER THAN ENGLISH DIPLOMA REQUIREMENT: No ☐ Yes - The ☐ Committee has determined that the student's disability adversely affects his/her ability to learn a language and recommends the student be exempt from the language other than English requirement. **Note: Consider student's post secondary plans - Can limit college options**

SPECIAL TRANSPORTATION

TRANSPORTATION RECOMMENDATION TO ADDRESS NEEDS OF THE STUDENT RELATING TO HIS/HER DISABILITY

☐ None.

☐ Student needs special transportation accommodations/services as follows:

Consider:

- .Special seating – e.g., near window, individual seat
- .Vehicle and/or equipment needs – e.g., harness, lift
- .Adult supervision or training
- .Type of transportation – e.g., small bus, door to door, individual transport
- .Other accommodations – e.g., permission to bring personal items or to use iPod on bus

☐ Student needs transportation to and from special classes or programs at another site:
to another for services or programs to be provided.

Consider if student needs transportation from one site

PLACEMENT RECOMMENDATION

The identification of placement must specify where the student's IEP will be implemented and should indicate the type of setting where the student will receive special education services.

For example:

- Public school district
- BOCES
- Approved private school or Special Act School District
- Home / Community Setting

Evaluating Goal Components using 3+3=1

Status: 0 Not in place, 1 Partially in place, 2 Fully in Place

| IEP Goal | Scoring | | | Revised Goal |
|---|--|--|---|---|
| Evaluative Criteria: Evaluative Procedures: Evaluative Schedule: | 1. Clearly defined, observable behaviors/skill | 2. To what degree or anticipated level of ability | 3. Conditions or givens under which the behavior is performed | Evaluative Criteria: Evaluative Procedures: Evaluative Schedule: |
| | | | | |
| | 1. <u>Evaluative Criteria</u> ; how well and over what period of time student must perform the behavior/skill to consider the goal met | 2. <u>Evaluative Procedure</u> ; what method will be used to measure progress? | 3. <u>Evaluative Schedule</u> ; dates or intervals of time in which evaluative procedures will be used to assess progress | |
| | | | | |
| | 1. Clearly defined, observable behaviors/skill | 2. To what degree or anticipated level of ability | 3. Conditions or givens under which the behavior is performed | |
| | | | | |

| | | | | |
|------------------------|---|--|--|------------------------|
| Evaluative Criteria: | 1. Evaluative Criteria; how well and over what period of time student must perform the behavior/skill to consider the goal met | 2. Evaluative Procedure; what method will be used to measure progress? | 3. Evaluative Schedule; dates or intervals of time in which evaluative procedures will be used to assess progress | Evaluative Criteria: |
| Evaluative Procedures: | | | | Evaluative Procedures: |
| Evaluative Schedule: | | | | Evaluative Schedule: |

| | | | |
|---|---|---|---|
| Measurable Annual Goal Template | (The Final Exam) | (The Tool) | Provides DATA |
| <p>Annual Goal (The Task)</p> <p>Student will</p> <p>1 do what</p> <p>2 to what extent/ anticipated level</p> <p>3 under what conditions or givens</p> <p>Skill-Based</p> <p>1</p> <p>Evaluative Criteria</p> | <p>Identify <u>how well/often</u> and <u>over what period of</u> <u>time</u> (sustained) the student must perform the skill or behavior in order to consider it achieved.</p> <p>~ Mastery ~</p> <p>Achievement of Goal</p> <p>2</p> <p>Evaluative Procedures</p> | <p>Identify the method that will be used to measure progress and determine if the student has met the annual goal, including the objectives or benchmarks.</p> <p>Provides an objective method in which the student’s behavior will be measured or observed</p> | <p>3</p> <p>Evaluative Schedule (How Often)</p> <p>State the <u>periodic</u> intervals of time by which the evaluative procedures will be used to measure or assess the student’s progress.</p> <p>WHEN :</p> <p>Collect OR Review Data</p> |

It is not the date by
which the student must
achieve the goal.

The Student Does This

The Adult Does This

Source: SED - Guide to Quality Individualized Education Program (IEP) Development and Implementation – February
2010 www.emsc.nysed.gov/specialeducation/publications



- Can Read
- Can Write
- Perform Math Functions
- Listens Effectively
- Speaks Clearly



Thinking Skills

- Can Think Creatively
- Uses Decision Making Skills
- Thinking Leads to Problem Solving
- Knows How to Learn
- Applies Knowledge to New Situations

Interpersonal Skills



- Teaches Others
- Serves Clients
- Exercises Leadership
- Negotiates/Communicates
- Works as a Member of a Team
- Works with Diversity

Managing Information

- Acquires and Evaluates Information
- Organizes/Maintains Information
- Interprets/Communicates Information
- Uses Computers to Enter, Modify, Retrieve and Store Data



Career Development and Occupational Studies Standard 3A Universal Foundation Skills

- 
- Selects and Uses Technology
 - Improves & Designs Systems
 - Monitors & Collects Performances
 - Understands How Systems Perform
 - Designs and Creates Related to Goals, Resources and To Meet Needs
 - Organizational Function

Managing Resources

Understands
how to use:

- Materials
- Facilities
- Time
- Money
- Human Resources
- Networking



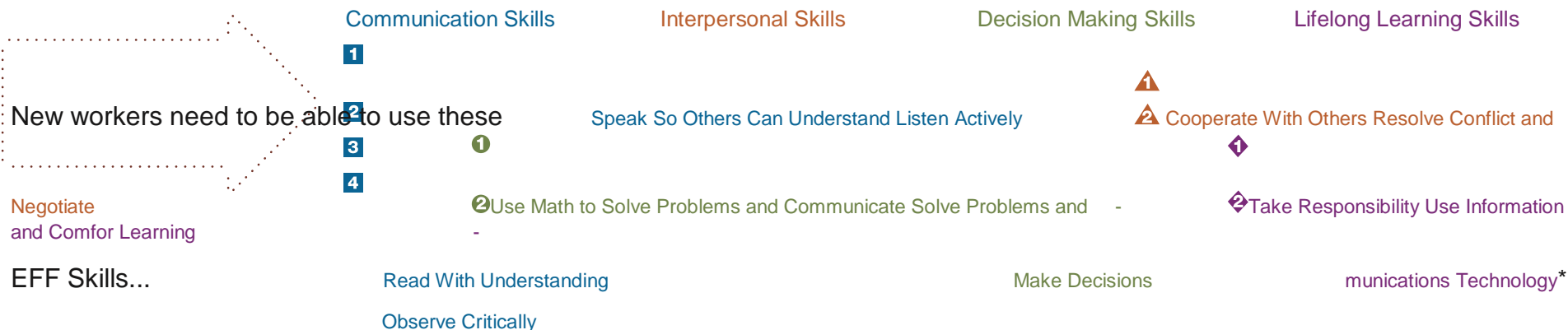
Personal Qualities

Demonstrates:

- Responsibility
- Ability to Plan
- Ability to Take Independent Action
- Integrity/Honesty
- Self-determination and ability to self-evaluate knowledge, skills and abilities

THE WORK READINESS CREDENTIAL PROFILE

What New Workers in Entry Level Jobs Need to Be Able to Do



...well enough to successfully carry out these critical entry level tasks:

Acquire and Use Information

- Acquire, use, and share information accurately and in a timely manner in order to:
 - Get work done.
 - Identify appropriate procedures.
 - Respond to requests from internal and external customers.
- Read and understand information presented in written form well enough to get the job done.
- Communicate in spoken English well enough to get the job done.
- Ask for clarification or help from supervisor or appropriate others when needed.

- Learn how to use appropriate computer-based technology to get the job done most efficiently.
- Be able to use a telephone, pager, radio, or other device to handle and process communication.
- Make sure that all equipment is in safe working order.
- Use equipment properly to minimize damage to equipment or injury to oneself or others.

* This skill is not currently tested in the WRC.

Use Systems

UNDERSTAND SYSTEMS

- Understand how one's own performance can impact the success of the organization.

- Comply with organizational policies and procedures in a consistent manner.
- Pay attention to company guidelines:
 - Personal and professional interactions.
 - Appropriate dress.
 - Health and safety.
- Follow established procedures for handling urgent situations or emergencies.
- Keep informed about quality and health standards set by external sources, including unions, OSHA, and other national and international organizations.

- Go to the appropriate person/source when approval is needed for workrelated activities.

MONITOR AND CORRECT PERFORMANCE

- Monitor quality of own work.
- Accept and use constructive criticism for continuous improvement of own job performance.
- Keep track of changes within the organization and adapt to them.

Work With Others

DIVERSITY

- Work as part of a team to develop and achieve mutual goals and objectives.

Use Technology

- Develop and maintain good working relations with coworkers, supervisors, and others throughout the organization, regardless of background or position:
 - Be respectful and open to the thoughts, opinions, and contributions of others.
 - Avoid use of language or comments that stereotype others.

NEGOTIATE

- Work through conflict constructively.

SERVE CLIENTS

- Address customer comments, questions, concerns and objections with direct, accurate, and timely responses.
- Verify customer or client identification to validate forms, provide services, or carry out procedures.

Integrity

- Demonstrate integrity.
- Maintain confidentiality, as appropriate, about matters encountered in the work setting.

Know How to Learn

- Accept help from supervisors and coworkers.
- Learn new/additional skills related to your job.
- Learn about the products/ services of the organization.

Responsibility

- Demonstrate willingness to work.
- Take responsibility for completing one's own work assignments:
 - Accurately.
 - On time.

- To a high standard of quality.
- Even when the work is physically or mentally challenging.
- As efficiently as possible, to minimize costs, rework, and production time.
- Show initiative in carrying out work assignments.

Allocate Resources

- Use basic math well enough to get the job done.
- Manage time effectively to:

- Get the work done on schedule.
- Make sure that urgent tasks are completed on time.
- Make sure that materials, tools, and equipment are available to do the job effectively.

Solve Problems

- Cope with a work situation or tasks that change frequently:
 - Demonstrate flexibility.
 - Accept new or changed work responsibilities with a positive attitude.
 - Adjust to unexpected problems and situations by seeking advice from a supervisor or appropriate others.

- Identify actual or potential problems related to one's own work:
 - Report them in a timely manner, according to company policy.
 - Help to fix them.

Self Management

- Display responsible behaviors at work:

- Avoid absenteeism.
- Demonstrate promptness.
- Maintain appropriate grooming and hygiene.
- Do not attend to personal business when on the job, except in emergencies.
- Manage stressful situations effectively.

Based on Equipped for the Future Standards



High School DIPLOMA High School Equivalency

GED Test

Options:

To change in Jan. 2014

- **Regents Diploma:** 65 Pass on 5 Regents Exams **Test Assessing Secondary** (ELA, Math, Science, US History, Global Studies)
Completion - Appeal of score 62-64 • Aligning to NYSED standards and Common Core

- **Local Diploma via Safety Net for SWDs:** • Phase in to computer-based • RCT option for students entering HS prior assessment to 2011 cohort • Notify “near passer” students of need to • Low Pass 55-64 pass option OR complete current exam by 2014

- **NEW Safety Net Compensatory Option:**

- Student may score 45-54 on one or more of the required exams (excluding ELA and Math) if they compensate

with scores higher than 65 on other exams AND meet district attendance & course

CREDENTIALS

requirements (get course credit)

Student Exit ➤ English and math scores must be ≥ 55 **College and** •

➤ Cannot be used in combination with

Career Ready RCT option **In**

Effect as of 10/31/12 June 2013 update

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P-12 PROPOSED Multiple Diploma Pathways

- All Students
- 3 Pathways:
 - Traditional - possibly split Global into 2 courses/exams •
 - CTE – rigorous CTE assessment in place of Global
 - STEM – 2nd math or science exam in place of Global
- Review structure of middle school programs

(NOT High School Diplomas)

Skills and Achievement Commencement Credential

- Begin 2013-2014 school year
- NYSAA eligible & assessed • Attended 12 years excluding K, or end of year attains age 21 • CDOS learning standards
- Accompanied by new model of Student Exit Summary

Career Development & Occupational Studies Commencement Credential

For all students with disabilities (*can be provided in addition to Regents/Local diploma*) Exiting credential for some students with disabilities – students must be provided appropriate opportunities to earn

diploma Requires student to complete a career plan that is annually reviewed & updated Minimum 2 units (216 hrs) of instruction in CTE coursework including at least 54 hours of Work-Based Learning OR attainment of a nationally recognized work readiness credential (WorkKEYS, NWRC, CASAS, etc.)

Completion of Employability Profile to identify level of knowledge and skills for career development (CDOS)

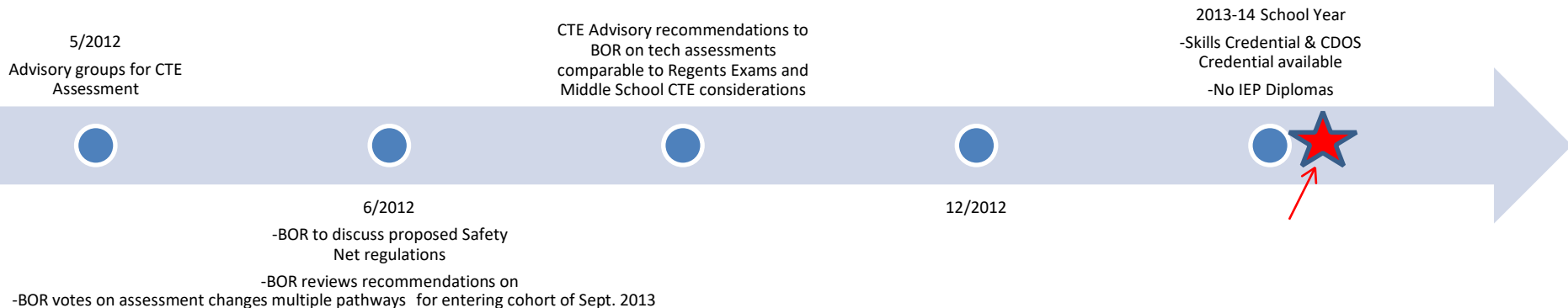
Timeline for Recommendations and Implementation

9/2012

Credential to BOR

-Recommendations for Phase 2

We are here



Resources:

Approval of Proposed Amendment to Sections 100.5, 100.6 and 200.5 Relating to a New York State Career Development and Occupational Studies Commencement Credential (NYS CDOS Commencement Credential) (June 2013)

<http://www.regents.nysed.gov/meetings/2013Meetings/June2013/613p12a3.pdf>

Questions and Answers – Compensatory Option Safety Net (December 2012) <http://www.p12.nysed.gov/specialed/publications/safetynet-qa.htm>

Field Advisory - Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Safety Net for Students with Disabilities to Graduate with a Local High School Diploma (November 2012)

<http://www.p12.nysed.gov/specialed/publications/safetynet-compensatoryoption.html>

Approval of Proposed Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Safety Net for Students with

Disabilities to Graduate with a Local High School Diploma (October 2, 2012)

<http://www.regents.nysed.gov/meetings/2012Meetings/October2012/1012p12a1.pdf>

Proposal to Create Multiple Pathways to a NYS High School Diploma (August 18, 2012)

<http://www.regents.nysed.gov/meetings/2012Meetings/April2012/412p12d5.pdf>

Potential Revision of High School Graduation Requirements: Global History and Geography (August 27, 2012)

<http://www.regents.nysed.gov/meetings/2012Meetings/September2012/912p12d1.pdf>

Skills and Achievement Commencement Credential for Students with Severe Disabilities (June 4, 2012)

<http://www.p12.nysed.gov/specialed/publications/SACCMemo.htm>

Executive Function Fact Sheet

By: National Center for Learning Disabilities (NCLD) (2005)

What is Executive Function?

"Executive Function" is a term used to describe a set of mental processes that helps us connect past experience with present action. We use executive function when we perform such activities as planning, organizing, strategizing and paying attention to and remembering details.

People with executive function problems have difficulty with planning, organizing and managing time and space. They also show weakness with "working memory" (or "seeing in your mind's eye"), which is an important tool in guiding one's actions.

As with other manifestations of LD, disorders in executive function can run in families. Problems can be seen at any age but tend to be increasingly apparent as children move through the early elementary grades; the demands of completing schoolwork independently can often trigger signs that there are difficulties in this area.

How does Executive Function affect learning?

In school, at home or in the workplace, we're called on all day, every day, to self-regulate behavior. Normally, features of executive function are seen in our ability to:

- make plans
- keep track of time
- keep track of more than one thing at once
- meaningfully include past knowledge in discussions
- engage in group dynamics
- evaluate ideas
- reflect on our work
- change our minds and make mid-course and corrections while thinking, reading and writing
- finish work on time
- ask for help
- wait to speak until we're called on □ seek more information when we need it.

These skills allow us to finish our work on time, ask for help when needed, wait to speak until we're called on and seek more information.

Problems with executive function may be manifested when a person:

- has difficulty planning a project
- has trouble comprehending how much time a project will take to complete

- struggles to tell a story (verbally or in writing); has trouble communicating details in an organized, sequential manner
- has difficulty with the mental strategies involved in memorization and retrieving information from memory
- has trouble initiating activities or tasks, or generating ideas independently
- has difficulty retaining information while doing something with it; e.g., remembering a phone number while dialing.

How are problems with Executive Function identified?

There is no single test or even battery of tests that identifies all of the different features of executive function. Educators, psychologists, speech-language pathologists and others have used measures including the Wisconsin Card Sorting Test (Berg, 1948), the Category Test (Reitan, 1979), the Trail Making Test (Reitan, 1979), and the Progressive Figures and Color Form Tests (Reitan & Wolfson, 1985) to name a few.

Careful observation and trial-teaching are invaluable in identifying, and better understanding, weaknesses in this area.

What are some strategies to help?

There are many effective strategies one can use in when faced with the challenge of problems with executive function. Here are some methods to try:

General strategies

- Take step-by-step approaches to work; rely on visual organizational aids.
- Use tools like time organizers, computers or watches with alarms.
- Prepare visual schedules and review them several times a day.
- Ask for written directions with oral instructions whenever possible.
- Plan and structure transition times and shifts in activities.

Managing time

- Create checklists and "to do" lists, estimating how long tasks will take.
- Break long assignments into chunks and assign time frames for completing each chunk.
- Use visual calendars to keep track of long term assignments, due dates, chores, and activities.
- Use management software such as the Franklin Day Planner, Palm Pilot, or Lotus Organizer.
- Be sure to write the due date on top of each assignment.

Managing space and materials

- Organize work space.
- Minimize clutter.
- Consider having separate work areas with complete sets of supplies for different activities.
- Schedule a weekly time to clean and organize the work space.

Managing work

- Make a checklist for getting through assignments. For example, a student's checklist could include such items as: get out pencil and paper; put name on paper; put due date on paper; read directions; etc.
- Meet with a teacher or supervisor on a regular basis to review work; troubleshoot problems.

The bottom line

The brain continues to mature and develop connections well into adulthood, and a person's executive function abilities are shaped by both physical changes in the brain and by life experiences, in the classroom and in the world at large. Early attention to developing efficient skills in this area can be very helpful, and as a rule, direct instruction, frequent reassurance and explicit feedback are strongly recommended.

Glossary of Terms

Adaptive behavior means the effectiveness with which the individual copes with the natural and social demands of his environment.

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

Behavioral intervention plan means a plan that is based on the results of a functional behavioral assessment and, at a minimum, includes a description of the problem behavior, global and specific hypotheses as to why the problem behavior occurs and intervention strategies that include positive behavioral supports and services to address the behavior.

Progress monitoring. The implementation of a student's behavioral intervention plan shall include regular progress monitoring of the frequency, duration and intensity of the behavioral interventions at scheduled intervals, as specified in the behavioral intervention plan and on the student's IEP. The results of the progress monitoring shall be documented and reported to the student's parents and to the CSE or CPSE and shall be considered in any determination to revise a student's behavioral intervention plan or IEP.

Differentiated Instruction is a way to reach students with different learning styles, different abilities to absorb information and different ways of expressing what they have learned.

Educational Benefit is the expectation of student progress. The intent of a "Free Appropriate Public Education" (FAPE) for students with disabilities is to design individualized instruction with sufficient supports and services to enable the student to receive educational benefit.

Educational Benefit Review is a process which has been developed to examine how districts provide supports and services that result in educational benefit to students with disabilities. It consists of examining the characteristics of student IEPs over the course of two or more years to assess the increase in student access to general education as well as participation and progress in general education by providing an appropriate education. The purpose is to determine whether the design of the IEP was reasonably calculated for the student to receive educational benefit.

Functional Behavioral Assessment is the process of determining why a student engages in behaviors that impede learning and how the student's behavior relates to the environment. The *functional behavioral assessment* shall be developed consistent with the requirements in section 200.22(a) of this Part and shall include, but is not limited to, the identification of the problem behavior, the definition of the behavior in concrete terms, the identification of the contextual factors that contribute to the behavior (including cognitive and affective factors) and

Glossary of Terms

the formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

Least restrictive environment means that placement of students with disabilities in special classes, separate schools or other removal from the regular educational environment occurs only when the nature or severity of the disability is such that even with the use of supplementary aids and services, education disability in the least restrictive environment shall:

- (1) provide the special education needed by the student;
- (2) provide for education of the student to the maximum extent appropriate to the needs of the student with other students who do not have disabilities; and
- (3) be as close as possible to the student's home.

Literacy skills are those skills which enable a learner to read and write with independence, comprehension and fluency.

Phonemic Awareness is a reader's ability to recognize that spoken language is made up of a series of individual sounds.

Phonics is the understanding that there is a pattern and relationship between the sounds (phonemes) of spoken language and the letters and spellings (graphemes) that represent those sounds in written text.

Fluency is the ability to read a text accurately and quickly. When fluent readers read silently, they recognize words automatically. They group words quickly to help them gain meaning from what they read. Fluent readers read aloud effortlessly and with expression. Their reading sounds natural, as if they are speaking.

Fluency = Accuracy + Rate + Expression

Vocabulary means the words we must know to communicate effectively. Academic vocabulary is the vocabulary that allows students to understand the concepts that are taught.

Comprehension is understanding a text that is read, or the process of "constructing meaning" from a text. Comprehension is a "construction process" because it involves all of the elements of the reading process working together as a text is read to create a representation of the text in the reader's mind.

Writing is a set of visible or tactile signs used to represent units of language in a systematic way, with the purpose of recording messages which can be retrieved by everyone who knows the language in question and the rules by virtue of which

Glossary of Terms

its units are encoded in the writing system. It may include symbols for such things as punctuation and numerals.

Manifestation of Disability means the effects (i.e. characteristics, signs, limitations, & behaviors) related to the disability that impact access, participation, and progress in the general education curriculum and/or settings.

Program Modifications, Supplementary Aids and Services means aids, services and other supports that are provided in general education classes or other education-related settings to enable students with disabilities to be educated with nondisabled students to the maximum extent appropriate in the least restrictive environment.

Progress monitoring is the practice of assessing student performance using assessments on a repeated basis to determine how well a student is responding to instruction. Data obtained from progress monitoring helps staff to determine the extent to which students are benefiting from classroom instruction and informs decisions about appropriate levels of intervention. **Special education** means specially designed individualized or group instruction or special services or programs, as defined in subdivision 2 of section 4401 of the Education Law, and special transportation, provided at no cost to the parent, to meet the unique needs of students with disabilities.

(1) Such instruction includes but is not limited to that conducted in classrooms, homes, hospitals, institutions and in other settings.

(2) Such instruction includes specially designed instruction in physical education, including adapted physical education.

(3) For the purposes of this definition:

(i) The individual needs of a student shall be determined by a committee on special education in accordance with the provisions of section 200.4 of this Part upon consideration of the present levels of performance and expected learning outcomes of the student. Such individual-need determinations shall provide the basis for written annual goals, direction for the provision of appropriate educational programs and services and development of an individualized education program for the student. The areas to be considered shall include:

(a) ***academic achievement, functional performance and learning characteristics*** which shall mean the levels of knowledge and development in subject and skill areas, including activities of daily living, level of intellectual functioning, adaptive behavior, expected rate of progress in acquiring skills and information, and learning style;

(b) ***social development*** which shall mean the degree and quality of the

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student's relationships with peers and adults, feelings about self, and social adjustment to school and community environments;

(c) ***physical development*** which shall mean the degree or quality of

the student's motor and sensory development, health, vitality, and

physical skills or limitations which pertain to the learning process; (d)

management needs which shall mean the nature of and degree to

which environmental modifications and human or material

resources are required to enable the student to benefit from

instruction. Management needs shall be determined in accordance

with the factors identified in each of the three areas described in

clauses (a)-(c)

Specially-designed instruction means adapting, as appropriate to the needs of an eligible student under this Part, the content, methodology, or delivery of instruction to address the unique needs that result from the student's disability; and to ensure access of the student to the general curriculum, so that he or she can meet the educational standards that apply to all students.

Substantial regression means a student's inability to maintain developmental levels due to a loss of skill or knowledge during the months of July and August of such severity as to require an inordinate period of review at the beginning of the school year to reestablish and maintain IEP goals and objectives mastered at the end of the previous school year.

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. The testing accommodations most frequently required by students as indicated in their IEPs are:

- flexibility in scheduling/timing;
- flexibility in the setting used for the administration of assessments;
- changes in the method of presentation; and
- changes in the method of response.

Transition Assessment is the ongoing process of collecting data on the individual's needs, preferences, and interests as they relate to the demands of current and future working, educational, living, and personal and social environments. (CEC-DCDT, 1997) ***Transition Services*** means a coordinated set of activities for a student with a disability, designed within a results-oriented process, that is focused on improving the academic and functional

Glossary of Terms

achievement of the student with a disability to facilitate the student's movement from school to post-school activities, including, but not limited to, post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based on the student's strengths, preferences and interests, and shall include needed activities in the following areas:

- (1) instruction;
- (2) related services;
- (3) community experiences;
- (4) the development of employment and other post-school adult living objectives;
- (5) when appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

INSTRUCTIONAL STRATEGY CHECKLIST

TEACHER NAME

STUDENT NAME

READING

sight work approach

WRITTEN LANGUAGE

finger tracing of letters/shapes

MULTI-MODAL PRESENTATION

memorization

DATE

INSTRUCTIONAL STRATEGY

marker to keep place when reading

[illegible]



THE STATE EDUCATION DEPARTMENT/ THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

OFFICE OF P-12 EDUCATION: Office of Special Education
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November 2012

SPECIAL EDUCATION FIELD ADVISORY

FROM: James P. DeLorenzo

SUBJECT: Amendment to Section 100.5 of the Regulations of the Commissioner of Education Relating to the Safety Net for Students with Disabilities to Graduate with a Local High School Diploma

The Board of Regents, at their October 2012 meeting, approved the emergency adoption of an amendment to section 100.5 of the Regulations of the Commissioner of Education. These regulations, effective October 31, 2012, provide an additional option for a student with a disability to earn a local diploma through the use of a “compensatory option” if the student:

1. scores between 45-54 on one or more of the five required Regents exams, other than the English language arts (ELA) or mathematics exam⁷, but scores 65 or higher on one or more of the required Regents exams, in which case the lower score(s) can be compensated by the higher score(s)⁸; and
2. obtains a passing grade, that meets or exceeds the required passing grade by the school, for the course in the subject area of the Regents examination in which he or she received a score of 45-54; and
3. has a satisfactory attendance rate, in accordance with the district’s or school’s attendance policy, for the school year during which the student took the examination in which he or she received a score of 45-54, exclusive of excused absences; and
4. is not already using a passing score on one or more Regents Competency Tests (RCTs) to graduate with a local diploma. (A student may not use the compensatory score option if he or she is using a passing score on one or more RCTs to graduate with a local diploma.)

⁷ A score of at least 55 must be earned on both the ELA and mathematics exams.

⁸ A score of 65 or higher on a single examination may not be used to compensate for more than one examination for which a score of 45-54 is earned.

Attached, for additional information, are the amended regulations (Attachment A); a checklist for eligibility for the compensatory safety net option (Attachment B); and examples of possible scoring variations (Attachment C). Questions and answers regarding safety net options have been posted at <http://www.p12.nysed.gov/specialed/assessment.html>. Additional questions should be sent to speced@mail.nysed.gov. Responses to these additional questions will also be posted on that website.

To ensure dissemination to appropriate individuals within a school district, I ask Superintendents to please share this memorandum with individuals such as Directors of Special Education, School Psychologists, Committee on Special Education Chairpersons, Guidance Counselors and Directors of Pupil Personnel and Parent Teacher Associations. Questions regarding this memorandum may be directed to the Special Education Policy Unit at 518-473-2878 or to the Special Education Quality Assurance Office in your region:

| | |
|-------------------------------|----------------|
| Central Regional Office | (315) 428-4556 |
| Eastern Regional Office | (518) 486-6366 |
| Hudson Valley Regional Office | (518) 473-1185 |
| Long Island Regional Office | (631) 952-3352 |
| New York City Regional Office | (718) 722-4544 |
| Western Regional Office | (585) 344-2002 |
| Nondistrict Unit | (518) 473-1185 |

Attachments

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 209, 305, 308 and 309

Section 100.5 of the Regulations of the Commissioner of Education is amended, effective October 31, 2012, as follows:

§100.5 Diploma requirements.

(a) General requirements for a Regents or a local high school diploma. Except as provided in paragraph (d)(6) of this section, the following general requirements shall apply with respect to a Regents or local high school diploma. Requirements for a diploma apply to students depending upon the year in which they first enter grade nine. A student who takes more than four years to earn a diploma is subject to the requirements that apply to the year that student first entered grade nine. Students who take less than four years to complete their diploma requirements are subject to the provisions of subdivision (e) of this section relating to accelerated graduation.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) State assessment system. (i) Except as otherwise provided in subparagraphs (ii), (iii) and (iv) of this paragraph, all students shall demonstrate attainment of the New York State learning standards:

(a) . . .

(b) . . .

(c) United States history and government:

(1) . . .

(2) . . .

(3) for students with disabilities who first enter grade nine in or after September 1998 and prior to September 2011 and who fail the Regents examination in United States history and government, the United States history and government requirements for a local diploma may be met by passing the Regents competency test in United States history and government. For students with disabilities who first enter grade nine in September 2005 and thereafter, the United States history and government requirements for a local diploma may also be met by passing the Regents examination in United States history and government with a score of 55-64 or as provided in subparagraph (b)(7)(vi) of this section. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5);

(4) . . .

(d) Science:

(1) . . .

(2) . . .

(3) for students with disabilities who first enter grade nine in or after September 1999 and prior to September 2011 and who fail a Regents examination in science, the science requirements for a local diploma may be met by passing the Regents competency test in science. For students with disabilities who first enter grade nine in September 2005 and thereafter, the science requirements for

a local diploma may also be met by passing a Regents examination in science with a score of 55-64 or as provided in subparagraph (b)(7)(vi) of this section. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5);

(4) . . .

(e) Global history and geography:

(1) . . .

(2) . . .

(3) for students with disabilities who first enter grade nine in or after September 1998 and prior to September 2011 and who fail the Regents examination in global history and geography, the global history and geography requirements for a local diploma may be met by passing the Regents competency test in global studies. For students with disabilities who first enter grade nine in September 2005 and thereafter, the global history and geography requirements for a local diploma may also be met by passing the Regents examination in global history and geography with a score of 55-64 or as provided in subparagraph (b)(7)(vi) of this section. This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5);

(4) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(6) . . .

(7) . . .

(8) . . .

(b) Additional requirements for the Regents diploma. Except as provided in paragraph

(d)(6) of this section, the following additional requirements shall apply for a

Regents diploma.

(1) . . .

(2) . . .

(3) . . .

(4) . . .

(5) . . .

(6) . . .

(7) Types of diplomas.

(i) . . .

(ii) . . .

(iii) . . .

(iv) . . .

(v) . . .

(vi) Local diploma options for students with disabilities. The provisions of this subparagraph shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law section 3202 or 4402(5).

(a) For students with disabilities who first enter grade nine in or after September 2001 and prior to September 2011 and who fail required Regents examinations for graduation but pass Regents competency tests in those subjects, as provided for in paragraph (a)(5) of this section, a local diploma may be issued by the local school district.

(b) For students with disabilities who first enter grade nine in September 2005 and thereafter, a score by such student of 55-64 may be considered as a passing score on any Regents examination required for graduation, and in such event and subject to the requirements of paragraph (c)(6) of this section, the school may issue a local diploma to such student. [This provision shall apply only to students with disabilities who are entitled to attend school pursuant to Education Law, section 3202 or 4402(5).]

(c) Notwithstanding the provisions of clause (b) of this subparagraph, for students with disabilities who first enter grade nine in September 2005 and thereafter, a student's score of 45-54 on a Regents examination required for graduation, other than the English and mathematics examinations, may, for purposes of earning a local diploma, be compensated by a score of 65 or higher on one of the other required Regents examinations; provided that:

(1) each examination for which the student earned a score of 45-54 must be compensated by a score of 65 or higher on a separate examination; a score of 65 or higher on a single examination may not be used to compensate for more than one examination for which the student earned a score of 45-54; and

(2) the student has attained a passing grade, that meets or exceeds the required passing grade by the school, for the course in the subject area of the Regents examination in which he or she received a score of 45-54; and

(3) the student has a satisfactory attendance rate, in accordance with the district's or school's attendance policy established pursuant to subparagraph 104.1(i)(2)(v) of this Title, for the school year during which the student took the Regents examination in which he or she received a score of 45-54, exclusive of excused absences; and

(4) a student shall not use the compensatory score option if the student is using a passing score on one or more Regents competency tests (RCT) pursuant to clause (a) of this subparagraph to graduate with a local diploma.

(vii) . . .

(viii) . . .

(ix) . . .

(x) . . .

(c) . . .

(d) . . .

(e) . . .

(f) . . .

Checklist for Eligibility for the Compensatory Safety Net Option

The student is eligible for the compensatory safety net option if he/she meets ALL of the following requirements.

- ☞ The student:
 - is classified as a student with a disability and has an individualized education program; or was declassified in grade eight or later and the committee on special education recommended that the student continue to be eligible to graduate with a local diploma through the safety net options; or
 - has a Section 504 Accommodation Plan and is recommended for the safety net on his/her Section 504 plan.

- ☞ The student earned at least a score of 55 on both the English language arts and math Regents examinations that are required for graduation.

- ☞ The student earned a score of 65 or higher on one or more required Regents examinations⁹ to compensate, on a one-to-one basis, for each required Regents examination in which he or she received a score of 45-54.

- ☞ The student earned a passing grade, as determined by the school, in the subject area of the required Regents examinations in which he or she received a score of 45-54.

- ☞ The student has an attendance rate that was deemed to be satisfactory, based on the district's or school's attendance policy, during the school year in which he or she received a score of 45-54 on the required Regents examination.

- ☞ The student is relying only on Regents examination scores, and not the Regents Competency Test , to obtain a local diploma.

⁹ Regents examinations required to earn a regular high school diploma include Comprehensive English; Mathematics; Global History and Geography; Science; and U.S. History and Government.

Attachment C**COMPENSATORY SAFETY NET OPTION EXAMPLES**

The following are provided only as examples. For each example, it is presumed that the student has achieved a passing grade for the course(s) and has a satisfactory attendance rate, in accordance with the district's or school's attendance policy, for the course in the subject area of the Regents examination in which he or she received a score of 45-54.

Student A:

| Required Regents Exam | Score | Rationale |
|----------------------------|-------|--|
| Comprehensive English | 55 | <ul style="list-style-type: none"> Student earned a score of at least 55 on both the English and mathematics exams. Student's score of 68 on U.S. History exam compensates for his score of 46 on Global History exam. Student may use the compensatory option to graduate with a local diploma. |
| Mathematics | 62 | |
| Global History & Geography | 46 | |
| Science | 64 | |
| U.S. History & Government | 68 | |

Student B:

| Required Regents Exam | Score | Rationale |
|----------------------------|-------|--|
| Comprehensive English | 79 | <ul style="list-style-type: none"> Student earned a score of at least 55 on both the English and mathematics exams. Student's score of 79 on the English exam compensates for his score of 45 on the Global History exam. Student's score of 86 on the mathematics exam compensates for his score of 49 on the U.S. History exam. Student may use the compensatory option to graduate with a local diploma. |
| Mathematics | 86 | |
| Global History & Geography | 45 | |
| Science | 64 | |
| U.S. History & Government | 49 | |

Student C:

| Required Regents Exam | Score | Rationale |
|-----------------------|-------|-----------|
|-----------------------|-------|-----------|

| | | |
|----------------------------|----|--|
| Comprehensive English | 50 | <ul style="list-style-type: none"> Student did not earn a score of at least 55 on both the English and mathematics exams. Student may not use the compensatory option to graduate with a local diploma. |
| Mathematics | 62 | |
| Global History & Geography | 60 | |
| Science | 73 | |
| U.S. History & Government | 65 | |

Student D:

| Required Regents Exam | Score | Rationale |
|----------------------------|-------|---|
| Comprehensive English | 61 | <ul style="list-style-type: none"> Student earned a score of at least 55 on both the English and mathematics exams. Student's score of 78 on the Science exam can compensate for either his score of 49 on the Global History exam or his score of 52 on the U.S. History exam, but not both. Student may not use the compensatory option to graduate with a local diploma. |
| Mathematics | 59 | |
| Global History & Geography | 49 | |
| Science | 78 | |
| U.S. History & Government | 52 | |

Questions and Answers – Compensatory Option Safety Net December 2012

1. What safety net options are available so that students with disabilities may graduate with a local diploma? (Revised)

Students with disabilities have the following safety net options available to meet testing requirements for a local high school diploma: the Regents Competency Test (RCT) and the 55-64 passing score on Regents examinations and the compensatory option.

- The **RCT safety net** has allowed those students with disabilities who fail one or more of the required Regents examinations (i.e., English, Mathematics, Science, Global History and U.S. History) to meet the testing requirements for the local diploma by passing the corresponding RCT(s) or its equivalent. The existing RCT safety net is, by regulation, only available to students with disabilities entering grade 9 prior to September 2011. The RCTs are available to these students until they graduate or until the end of the school year in which they turn 21.
- The 55-64 passing score option provides an additional safety net for all students with disabilities. Under this safety net, a score of 55-64 on required Regents examinations meets testing requirements for a local diploma. Although the 55-64 local diploma option was phased out for general education students entering Grade 9 in 2008 and thereafter, the 55-64 passing score option continues to be available to students with disabilities.
- The **compensatory option** provides an additional option for a student with a disability who entered grade nine in 2005 and thereafter if the student:
 - scores between 45-54 on one or more of the five required Regents exams, other than the English language arts (ELA) or mathematics exam¹⁰, but scores 65 or higher on one or more of the required Regents exams, in which case the lower score(s) can be compensated by the higher score(s)¹¹; and
 - obtains a passing grade, that meets or exceeds the required passing grade by the school, for the course in the subject area of the Regents examination in which he or she received a score of 45-54; and
 - has a satisfactory attendance rate, in accordance with the district's or school's attendance policy, for the school year during which the student took the examination in which he or she received a score of 45-54, exclusive of excused absences; and

¹⁰ A score of at least 55 must be earned on both the ELA and mathematics exams.

¹¹ A score of 65 or higher on a single examination may not be used to compensate for more than one examination for which a score of 45-54 is earned.

- is not already using a passing score on one or more RCTs to graduate with a local diploma. (A student may not use the compensatory score option if he or she is using a passing score on one or more RCTs to graduate with a local diploma.)

2. When can students begin using the compensatory option to graduate with a local diploma?

Effective October 31, 2012, students may use the compensatory option to graduate with a local diploma.

3. Are students who are no longer eligible for the RCT safety net (those entering grade nine in September 2011 and thereafter) eligible for the compensatory safety net option if they entered grade nine between September 2011 and October 31, 2012 (the effective date of the compensatory safety net regulations)?

Yes.

4. Can students use the compensatory safety net option if they are using the RCT safety net option?

No. Students may not use both options to graduate with a local diploma. They may use either the RCT safety net option (provided they entered grade nine before September 2011) OR the compensatory safety net option to graduate with a local diploma.

5. Can students use the 55 low pass safety net option if they are using the compensatory safety net option?

Yes. Students may combine both the 55 low pass and compensatory safety net options to graduate with a local diploma.

6. Can students earning a score of 65 or higher on any one of the required Regents examinations use that score to compensate for a score between 45 and 54 on any one of the required Regents examinations?

A student may not use a score of 65 or higher on one of the required Regents examinations to compensate for a score of 45-54 on either the math or the English required Regents examinations.

However, students can use a score of 65 or higher on any of the required Regents examinations, including English and/or math, to compensate for a score between 45 and 54 on another required Regents examination.

7. What is the maximum number of required Regents examinations for which students can use the compensatory safety net option?

For purposes of receiving a local diploma, under the current Regents examination requirements, students earning between a 45 and 54 on up to two required Regents examinations (except for English and math) may compensate for those scores with scores of 65 or higher on two other required Regents examinations.

8. Can students use the RCT safety net option if they are using the 55 low pass safety net option?

Yes. Students may combine both the RCT and 55 low pass safety net options to graduate with a local diploma.

9. Can students use higher scores on a required RCT examination to compensate for lower scores on another required RCT examination?

No. The compensatory option is not available for RCT examinations.

10. For students who successfully appealed to earn a diploma with a required Regents examination score between 62 and 64, in accordance with section 100.5(d)(7) of the Regulations of the Commissioner of Education, can the score of the appeal be used to compensate for a lower score on another required Regents examinations? (Revised)

No. In a successful appeal, the score of 62, 63 or 64 remains the same but the student may graduate with that score. Therefore the score of the appeal may not be used to compensate for a score between 45-54 on another required Regents examination because the appealed score is not 65 or higher.

11. Is the safety net option available to students with disabilities who are declassified?

Yes. Students with disabilities requiring special education who are declassified in grade eight or thereafter may be eligible for the same safety net options as if they were continuing as a student with a disability. The committee on special education should discuss the student's need for continuing eligibility for the safety net in their declassification recommendation.

12. Is the safety net option available to students with disabilities who have a section 504 plan?

Yes. Students with written section 504 accommodation plans are students with disabilities under 504 of the Rehabilitation Act. However, for 504 students, the 504 plan must specify, as appropriate, that the student is recommended for the safety net.

13. How is it determined which safety net options are available to specific students?

Decisions regarding the availability of the different safety net options depend upon when the student entered grade nine, as follows:

- Students who entered grade nine in 2005 and thereafter may use the 55 low pass and/or the compensatory safety net options to graduate with a local diploma.
- Students who entered grade nine prior to September 2011 may use the RCT safety net option to graduate with a local diploma.
- Students may not use the compensatory safety net option if they are using the RCT safety net option to graduate with a local diploma.

14. Are safety net options applicable to Regents examinations a student has taken prior to being classified as having a disability?

Yes.

15. Is the local diploma available to general education students? (Revised)

In July 2005, the Board of Regents amended section 100.5(b)(7) of the Regulations of the Commissioner of Education to eliminate the local diploma (55-64 pass score option) for general education students, beginning with students who entered grade 9 in 2008. To the extent that there are general education students remaining in school who entered grade 9 prior to 2008, these students may graduate with a local diploma.

In addition, a student who falls within three points of attaining a score of 65 on a Regents examination required for graduation may appeal his or her score. Students who successfully appeal one required Regents examination score may graduate with a Regents diploma. Those successfully appealing two required Regents examination scores may graduate with a local diploma. This appeals process is available to students with and without disabilities.

16. If a student takes two Regents examinations in the same subject area (e.g., science) and scores 65 or higher on both examinations, may each of these scores be used to compensate for scores of 45-54 on two other required Regents examinations? (New)

No. Students may only use one score of 65 or higher on a required Regents examination in a given subject area to compensate for a score of 45-54 on another required Regents

examination. The five required Regents examinations include English Language Arts; Mathematics; US History and Government; Global History and Geography; and Science.

17. May scores earned on a required Regents examination taken prior to October 31, 2012 be used to meet graduation requirements using the compensatory safety net option? (New)

Yes, provided the student is eligible for the option at the time of graduation from high school.



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June 2013

Special Education Field Advisory

From: James P. DeLorenzo

Subject: New York State Career Development and Occupational Studies
Commencement Credential

I am pleased to announce that the New York State Board of Regents has approved regulations that establish an important new exiting credential for students with disabilities. Beginning with the 2013-14 school year and thereafter, students with disabilities¹² will be able to earn a New York State (NYS) Career Development and Occupational Studies (CDOS) Commencement Credential. This credential will recognize each individual student's preparation and skills for post-school employment. Where in the past, many students graduated with an individualized education program (IEP) diploma, this credential provides a more meaningful substitute for these students. For students with disabilities who are exiting with a regular high school diploma, it provides them with the additional opportunity to exit school with a credential that also recognizes the students' work readiness skills.

Effective transition planning and services for students with disabilities includes appropriate assessment of a student's needs, preferences, strengths and skills; realistic identification of post-secondary goals; development of an infrastructure to support instruction in the CDOS learning standards, participation in career exploration and work and communitybased learning experience; increased opportunities for students to earn a diploma; and collaboration among regional partners responsible for the transition process and early referral to adult agencies. The establishment of a Regents-endorsed graduation credential that recognizes the accomplishments of students in these areas emphasizes the importance of this instruction for schools, helps to focus student commitment to career exploration and development, and

¹² If the student has a severe disability and has taken the NYS Alternate Assessment (NYSAA), he or she would graduate with the Skills and Achievement Commencement Credential in lieu of an IEP diploma. These students are not eligible for the NYS CDOS Commencement Credential. Guidance on the Skills and Achievement Commencement Credential may be found at <http://www.p12.nysed.gov/specialed/publications/SACCMemo.htm>.

provides potential employers with documentation on which students are exiting school with demonstrated knowledge and experience for entry-level employment.

For a copy of the State regulations authorizing school districts to award this new credential, see **Attachment 1**. Effective July 1, 2013, an individualized education program (IEP) diploma may no longer be awarded to students with disabilities.

Most students with disabilities will be able to graduate with the NYS CDOS Commencement Credential as a supplement to their regular diploma (Regents or local diploma). Students who are unable to earn a regular diploma because of their disability may graduate with the NYS CDOS Commencement Credential as the student's only exiting credential, provided they meet the requirements for award of the credential and have attended school for at least 12 years, excluding Kindergarten. If the NYS CDOS Commencement Credential is the student's only exiting credential and he/she is less than 21 years of age, the parent must be provided prior written notice indicating that the student continues to be eligible for a free appropriate public education until the end of the school year in which he/she turns age 21.

It is the responsibility of each school to ensure that the student has been provided with appropriate opportunities to earn a Regents or local high school diploma. Each school must provide the student with meaningful access to participate and progress in the general education curriculum to assist the student to meet the State's learning standards. Access to the curriculum not only means that students are taking the appropriate courses needed to earn a regular diploma, but also that they are being provided with appropriate specially-designed instruction, accommodations, supports and services to progress in the curriculum. In order for students to also develop the knowledge and skills necessary to earn the NYS CDOS Commencement Credential, students must also be provided instruction that supports the achievement of the CDOS learning standards, access to career and technical education (CTE) coursework and opportunities to engage in school supervised work-based learning experiences, either in school and/or in the community. Schools should review their curriculum and instructional practices to ensure that all students with disabilities will be provided these instructional opportunities.

NYS CDOS COMMENCEMENT CREDENTIAL: REQUIREMENTS

The NYS CDOS Commencement Credential is a credential recognized by the NYS Board of Regents as a certificate that the student has the knowledge and skills necessary for entry level employment. There are two options available for students to earn this credential.

OPTION 1:

- The student must have developed a **Career Plan** that includes documentation of the student's self-identified career interests; career-related strengths and needs; career goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals; and

- The student must have demonstrated achievement of the **commencement level CDOS learning standards** in the areas of career exploration and development; integrated learning; and universal foundation skills; and
- The student must have successfully completed at least **216 hours of CTE coursework and/or work-based learning experiences** (of which at least 54 hours must be in workbased learning experiences); and
- The student must have at least one completed **employability profile** that documents the student's employability skills and experiences; attainment of each of the commencement level CDOS learning standards; and, as appropriate, attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements.

Each of the above requirements is further explained below.

CAREER PLANS

To earn the NYS CDOS Commencement Credential through Option 1, a student with a disability must have completed a commencement level Career Plan that includes documentation of the following:

- the student's self-identified career interests;
- career-related strengths and needs;
- career goals; and
- CTE coursework and work-based learning experiences that the student plans to engage in to achieve those goals.

The activities that the student includes in his/her Career Plan are not limited to those career-related activities that will be provided by the school and may include other activities that the student involves him or herself in outside of school (e.g., volunteer work or summer employment).

School districts must provide students with the form to document the student's Career Plan. NYSED has developed a model form for this purpose. (See **Attachment 2**) A student may choose to develop his/her Career Plan online, beginning in middle school, using CareerZone, a career exploration and planning website for youth that is provided at no cost to users by the NYS Department of Labor at www.careerzone.ny.gov.

Schools must assist the student, as appropriate, to develop his/her Career Plan. A student's preferences and interests, as identified in the Career Plan, must be reviewed by the student at least once annually and must be considered by the committee of special education in the development of the student's IEP. A copy of the student's Career Plan that was in effect

during the school year in which the student exits high school must be maintained in the student's permanent record.

CDOS LEARNING STANDARDS

To earn this credential, the school must have documentation that the student demonstrated achievement of commencement level knowledge and skills relating to the CDOS learning standards in the areas of:

1. career development;
2. integrated learning; and
- 3a. universal foundation skills.

(Students may, but would not be required to, also achieve competencies in career majors.)

Instruction toward the commencement level learning standards should begin in elementary school and continue throughout the student's high school experience. The CDOS learning standards, which are provided at the Elementary, Intermediate and Commencement levels, include a progression of learning standards:

1. **Career Development:** *Students will be knowledgeable about the world of work, explore career options, and relate personal skills, aptitudes, and abilities to future career decisions.* Learning standards in the area of career awareness and exploration may be evidenced by completing a career plan; applying decision-making skills in the selection of a career option; analyzing skills and abilities necessary for specific career options and participating in work experiences as described in Section II of the New York State WorkBased Learning Manual (<http://www.p12.nysed.gov/cte/wbl/home.html>).
2. **Integrated Learning:** *Students will demonstrate how academic knowledge and skills are applied in the workplace and other settings.* This may be evidenced by applying academic knowledge and skills across multiple settings and demonstrating the ability to research, interpret, analyze and evaluate information.

3a. Universal Foundation Skills: *Students will demonstrate mastery of the foundation skills and competencies essential for success in the workplace.*

These skills and competencies include the following:

- Basic Skills (reading, writing, listening, speaking, arithmetical and mathematical functions);
- Thinking Skills (problem solving, experimenting, focused observation and applying knowledge to new and unfamiliar situations);
- Personal Qualities (self-management, planning, organizing and taking independent action);
- Interpersonal Skills (teamwork and cooperation in large and small groups in family, social and work situations);

- Technology (designing and creating things from available resources to satisfy personal and societal needs and wants);
- Managing Information (accessing and using information obtained from other people, community resources and computer networks);
- Managing Resources (applying financial and human factors, and the elements of time and materials to successfully carry out a planned activity); and
- Systems (understanding and working within natural and constructed systems).

3b. Career Majors: (Optional for this credential.) *Students who choose a career major will acquire the career-specific technical knowledge/skills necessary to progress toward gainful employment, career advancement, and success in postsecondary programs.* The learning standards for career majors may be evidenced by acquisition of specific knowledge and skills within a specific career major. The Career Majors include the following:

- Business/Information Systems;
- Health Services;
- Engineering/Technologies;
- Human and Public Services;
- Natural and Agricultural Sciences; and
- Arts/Humanities.

The CDOS learning standards can be found at <http://www.p12.nysed.gov/cte/cdlearn/documents/cdoslea.pdf>. Guidance included on this website includes key ideas, performance indicators describing expectations for students and sample tasks suggesting evidence of progress toward the standards. The *Career Development and Occupational Studies (CDOS) Resource Guide with Core Curriculum* is a companion document to the CDOS learning standards that provides information on the core content for each learning standard and career major, including teacher-developed classroom activities that help students achieve the CDOS learning standards (see <http://www.p12.nysed.gov/cte/cdlearn/cdosresourceguide.html>).

CTE COURSEWORK AND WORK-BASED LEARNING

To earn the NYS CDOS Commencement Credential, a student must have successfully completed not less than the equivalent of two units of study¹³ (216 hours) in either CTE courses and/or work-based learning experiences.

- CTE coursework. For purposes of this credential, CTE coursework means grades 9-12 CTE courses, including specialized and integrated courses approved by either the local board of education or by NYSED. For information on CTE courses, see <http://www.p12.nysed.gov/cte/>.

¹³ One unit of study is equivalent to 108 hours

- Work-based learning experiences. Every student earning this credential must have earned a minimum of 54 documented hours of work-based learning experiences, which count towards the 216 hour requirement. These experiences must be under the supervision of the school district.

Work-based learning experiences may be provided through student participation in:

- registered State-approved programs (i.e., Career Exploration Internship Program (CEIP); General Education Work Experience Program (GEWEP); Work Experience and Career Exploration Program (WECEP); and Career and Technical Education Cooperative Work Experience Program (CO-OP)); and/or through
- other work-based learning experiences that are district approved including, but not limited to:
 - job shadowing, ○ community service, ○ volunteering, ○ service learning, ○ senior projects(s), and/or ○ school-based enterprise(s).

School credit may be given for these experiences. For further information on work-based learning experiences, see www.p12.nysed.gov/cte/wbl/docs/WBLmanualMarch2013.doc.

The U.S. Departments of Labor and Education have jointly developed specific guidelines for school districts to use when providing community-based work programs for students with disabilities aged 14 or older (see <http://www.dol.gov/whd/FOH/ch64/64c08.htm>). All registered work-based learning programs must be under the supervision of a NYS certified work-based learning coordinator. It is highly recommended that all work-based learning activities that place students out into the business community, whether registered or not, be under the supervision of a NYS certified work-based learning coordinator for the safety and protection of the student and employer. For students with disabilities, the work-based learning coordinator should also collaborate with special education teachers to assure that the expectations of the worksite and the needs/goals of the students are considered.

Other nonregistered work-based learning programs should include, but are not limited to, the following components:

1. a certified teacher or guidance counselor with the proper work-based learning career development extension overseeing the learning experience;
2. an appropriate work site placement;
3. supervised on-the-job training;
4. related in-school instruction;
5. coordination of in-school and work site components;
6. a training plan;
7. student evaluation;
8. a copy of student working papers for work site placement; and

9. a memorandum of agreement with the work site.

The special education staff, CTE teachers, family, student, and/or work-based learning coordinator should collaborate to create a coherent program that includes related in-school instruction and coordination of in school and work site components. The school district is responsible to ensure that the student receives special education supports and services to participate in the work-based learning experiences, consistent with the student's IEP.

Work-based learning experiences must be provided consistent with NYSED guidelines and documented in a student's transcript. Guidance on these and other work-based learning programs is provided in **Attachment 3** and at <http://www.p12.nysed.gov/cte/wbl/home.html>.

EMPLOYABILITY PROFILE

The district must ensure that the student has at least one work skills employability profile completed within one year prior to a student's exit from high school that documents the student's:

- employability skills and experiences;
- attainment of each of the commencement level CDOS learning standards for standards 1, 2 and 3a; and
- as appropriate, attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other workrelated and academic achievements.

A copy of the student's employability profile(s) must be maintained in the student's permanent record. An employability profile will provide students with a better understanding of how others view their strengths and the skills they may need to continue to work on to realize their goals; summarizes their work-experiences, skills, abilities, knowledge and talents to assist in the development of a resume; and provides potential employers with evidence of work-skills attained.

Attachment 4 provides the State's model Employability Profile form which may be used to meet the documentation requirements for an award of the NYS CDOS Commencement Credential.

EXCEPTIONS TO THE OPTION 1 MINIMUM REQUIREMENTS FOR AN AWARD OF A NYS CDOS COMMENCEMENT CREDENTIAL:

1. For students with disabilities who exit from high school prior to July 1, 2015, the NYS CDOS Commencement Credential may be awarded to a student who has not met all of the requirements, provided that the school principal, in consultation with relevant faculty (e.g., guidance counselors, teachers, job coaches, CTE teachers and/or others knowledgeable about the student's skills), has determined that the student has otherwise demonstrated knowledge and skills in the commencement level CDOS learning

standards 1, 2 and 3a. An award of this credential means that the student is ready for entry-level employment and therefore, the principal must have evidence that the student has successfully completed relevant instructional and work-based learning activities during the student's secondary school years that demonstrates the student has readiness skills for entry-level employment. However, up until June 30, 2015, the total hours of the CTE coursework and/or work-based learning activities may be less than the equivalent of two units of study (216 hours).

2. For students with disabilities who transfer from another school district within the State or another state, the principal must, after consultation with relevant faculty, evaluate the work-based learning experiences and coursework on the student's transcript or other records to determine if the student meets the requirements of the NYS CDOS Commencement Credential.

When making the determination as to whether the student meets the requirements of the NYS CDOS Commencement Credential in these situations, the principal, in consultation with relevant faculty should consider the following.

- Documentation that the student has engaged in career planning and exploration.

Minimally, all students should, have a career plan;

- Evidence that the student has attained each of the commencement level CDOS learning standards;
- The extent to which the student has successfully completed instruction, courses of study and transition activities at the secondary level related to the student's post-secondary employment goals; and
- An evaluation of the student's employability skills, as documented in the employability profile of the student.

OPTION 2:

In lieu of a student meeting the requirements of option 1 to be awarded the NYS CDOS Commencement Credential, a district may award a student this credential if the student has met the requirements for one of the **nationally recognized work readiness credentials**, including but not limited to:

- National Work Readiness Credential;
- SkillsUSA Work Force Ready Employability Assessment;
- National Career Readiness Certificate WorkKeys - (ACT); and
- Comprehensive Adult Student Assessment Systems Workforce Skills

Certification System.

Attachment 5 provides a chart summarizing each of these national work readiness credentials.

Although a school district may provide individual students the option of earning the NYS CDOS Commencement Credential by meeting the requirements for one of the nationally recognized work readiness credentials, the national credential option should not be the only option available to students in the district to earn the Credential.

IEP TRANSITION PLANNING AND THE NYS CDOS COMMENCEMENT CREDENTIAL

A student's preferences and interests as identified in his/her Career Plan must be reviewed annually and considered in the development of the student's IEP. Career planning and participation in CTE and work-based learning programs are integral components of the transition planning process. NYS regulations require each student with a disability who has an IEP to begin receiving transition programs and services the school year in which that student turns age 15, or younger if appropriate. Transition programs and services, which are designed to incrementally prepare the student with a disability to achieve his or her post-secondary goals in the areas of training, education, employment and, where appropriate, independent living skills through a set of coordinated activities, must be documented in the student's IEP. **Attachment 6** provides a crosswalk of the transition components of the IEP with the requirements of the NYS CDOS Commencement Credential.

ENSURING STUDENTS HAVE OPPORTUNITIES TO GRADUATE WITH A REGULAR DIPLOMA

In order to ensure that students are not 'tracked' to the NYS CDOS Commencement Credential in a way that diminishes the students' opportunities to graduate with a regular high school diploma, State regulations provide that where the State finds that a school district has awarded this credential to more than 20 percent of the students with disabilities in the cohort and where such credential is not a supplement to a regular high school diploma, the State has the authority to redirect the district's use of a portion of the district's Part B Individuals with Disabilities Education Act grant funds for targeted activities to ensure that students with disabilities have appropriate access to participate and progress in the general education curriculum necessary to earn a regular high school diploma. The State will make a district-by-district determination as to whether redirection of such funds is warranted.

TRAINING AND RESOURCES FOR TECHNICAL ASSISTANCE ON THE NYS CDOS COMMENCEMENT CREDENTIAL

NYSED will provide additional information and regional workshops regarding the NYS CDOS Commencement Credential. Questions regarding this memorandum and the credential should be submitted to cdoscomment@mail.nysed.gov.

Attachment 1 – Express Terms

Attachment 2 – Career Plan Form

Attachment 3 – Work-based Learning Programs

Attachment 4 – Model Employability Profile and Directions

Attachment 5 – National Work Readiness Credentials

AMENDMENT OF THE REGULATIONS OF THE COMMISSIONER OF EDUCATION

Pursuant to Education Law sections 101, 207, 208, 305, 4402 and 4403

1. Subparagraph (i) of paragraph (7) of subdivision (b) of section 100.5 of the Regulations of the Commissioner of Education is amended, effective July 3, 2013, as follows:

(i) Except as provided in subparagraphs (vi), (vii), (viii) and (xi) of this paragraph, and paragraph (d)(7) of this section, for students first entering grade nine in the 2001-2002 school year and thereafter, there shall be no diplomas [or], certificates, or credentials other than the following:

- (a) Regents diploma;
- (b) Regents diploma with an advanced designation;
- (c) State high school equivalency diploma as provided in section 100.7 of this Part;
- (d) High School Individualized Education Program Diploma as provided in section 100.9 of this Part; [or]
- (e) Regents diploma, or Regents diploma with an advanced designation, with an affixed technical endorsement awarded upon completion of an approved career and technical education program pursuant to paragraph (d)(6) of this section;
- (f) Skills and achievement commencement credential as provided in section 100.6(a) of this Part; or
- (g) New York State career development and occupational studies commencement credential as provided in section 100.6(b) of this Part.

2. Section 100.6 of the Regulations of the Commissioner of Education is amended, effective July 3, 2013, as follows:

§100.6 High school exiting credentials.

(a) Skills and achievement commencement credential. Beginning with the 2013-14 school year and thereafter, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a skills and achievement commencement credential to a student who has taken the State assessment for students with severe disabilities, as defined in section 100.1(t)(2)(iv) of this Part, in accordance with the following provisions:

[(a)] (1) Prior to awarding the skills and achievement commencement credential, the governing body of the school district or nonpublic school shall ensure that:

[(1)] (i) . . .

[(2)] (ii) . . .

[(3)] (iii) . . .

[(b)] (2) . . .

[(c)] (3) . . .

[(d)] (4) The credential shall be issued together with a summary of the student's academic achievement and functional performance, as required pursuant to section 200.4(c)(4) of this Title, that includes documentation of:

[(1)] (i) . . .

[(2)] (ii) . . .

[(3)] (iii) . . .

School districts may use the State model form developed by the commissioner for the summary of academic and functional performance or a locally-developed form that meets the requirements of this subdivision.

(b) New York State career development and occupational studies commencement credential. Beginning July 1, 2013 and thereafter, the board of education or trustees of a school district shall, and the principal of a nonpublic school may, issue a New York State career development and occupational studies commencement credential to a student with a disability who meets the requirements of paragraph (1) of this subdivision to document preparation for entry-level employment after high school, except for those students deemed eligible for a skills and achievement commencement credential pursuant to subdivision (a) of this section. Consistent with sections 100.2(q)(1) and 100.5 of this Part, the school district or nonpublic school shall ensure that the student has been provided with appropriate opportunities to earn a Regents or local high school diploma, including providing a student with meaningful access to participate and progress in the general curriculum to assist the student to meet the State's learning standards.

(1) Except as provided in paragraphs (2), (5) and (6) of this subdivision, prior to awarding the career development and occupational studies commencement credential, the board of education or trustees of the school district, or the governing body of the nonpublic school, shall ensure that each of the following requirements have been met:

(i) the school district has evidence that the student has developed, annually reviewed and, as appropriate, revised a career plan to ensure the student is actively engaged in career exploration. Such plan shall include, but is not limited to, a statement of the student's self-identified career interests; career-related strengths and needs; career

goals; and career and technical coursework and work-based learning experiences that the student plans to engage in to achieve those goals. School districts shall provide students with either a model form developed by the commissioner to document a student's career plan, or a locally-developed form that meets the requirements of this subdivision and, as appropriate, shall assist the student to develop his/her career plan. The student's career plan may not be limited to career-related activities provided by the school and may include activities to be provided by an entity other than the school; provided that nothing in this subdivision shall be deemed to require the school to provide the student with the specific activities identified in the career plan. A student's preferences and interests as identified in his/her career plan shall be reviewed annually and considered in the development of the student's individualized education program pursuant to section 200.4(d)(2)(ix) of this Title. A copy of the student's career plan in effect during the school year in which the student exits high school shall be maintained in the student's permanent record;

(ii) the school district has evidence that the student has demonstrated commencement level knowledge and skills relating to the career development and occupational studies learning standards set forth in section 100.1(t)(1)(vii)(a), (b) and (c) of this Part, including but not limited to career development, integrated learning and the universal foundation skills; and the student has successfully completed in grades 9-12 not less than the equivalent of two units of study in career and technical education course(s) and/or work-based learning experiences. The equivalent units of study shall be earned through coursework in career and technical education and/or work-based learning experiences, provided that the equivalent units of study shall include a minimum of 54 hours of documented school supervised work-based learning experiences related to career

awareness, exploration and/or preparation which may, but are not required to, be completed in conjunction with the student's career and technical education course(s). For purposes of this subdivision: (1) career and technical education course(s) means a grade 9 -12 course or courses in career and technical education, as defined in section 100.1(l) of this Part, that consists of specialized and integrated courses that are approved by the local board of education or by the Department pursuant to section 100.5(d)(6)(iv); and (2) workbased learning experiences include, but are not limited to, job shadowing, community service, volunteering, service learning, senior project(s) and/or school based enterprise(s), which shall be provided, consistent with Department guidelines, under the supervision of the district and documented in the student's transcript; and

(iii) Within one year prior to a student's exit from high school, at least one work skills employability profile for the student has been completed by designated school staff or other individuals knowledgeable about the student's employability skills and experiences that identifies the student's attainment of each of the commencement level career development and occupational studies learning standards set forth in section 100.1(t)(1)(vii)(a), (b) and (c) of this Part including, but not limited to career development; integrated learning; and universal foundation skills and, as appropriate, documents the student's attainment of technical knowledge and work-related skills, work experiences, performance on industrybased assessments and other work-related and academic achievements. School districts may use a model form developed by the commissioner to document a student's work skills employability profile, or a locally-developed form that meets the requirements of this subdivision. A copy of the student's work skills employability profile(s) shall be maintained in the student's permanent record.

(2) Notwithstanding the provisions of paragraph (1) of this subdivision, a board of education or trustees of the school district, or the governing body of the nonpublic school, may award the career development and occupational studies commencement credential to a student who has met the requirements for a nationally-recognized work-readiness credential, including but not limited to SkillsUSA, the National Work Readiness Credential, the National Career Readiness Certificate – (ACT) WorkKeys and the Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

(3) The credential shall be issued at the same time the student receives his/her Regents or local high school diploma or, for a student whose disability prevents the student from earning a Regents or local diploma, any time after such student has attended school for at least 12 years, excluding kindergarten, or has received a substantially equivalent education elsewhere, or at the end of the school year in which a student attains the age of 21.

(4) The certificate awarded shall be similar in form to the diploma issued by the school district or nonpublic school, except that it shall not use the term "diploma" but shall indicate that the student has earned a New York State career development and occupational studies commencement credential that has been endorsed by the New York State Board of Regents as a certificate of readiness for entry-level employment. Award of the credential shall be documented in the student's transcript.

(5) For students with disabilities who exit from high school prior to July 1, 2015, the district or nonpublic school may award the career development and occupational studies commencement credential to a student who has not met all of the requirements in subparagraph (ii) of paragraph (1) of this subdivision, provided that the school principal, in

consultation with relevant faculty, has determined that the student has otherwise demonstrated knowledge and skills relating to the commencement level career development occupational studies learning standards.

(6) For students with disabilities who transfer from another school district within the State or another state, the principal shall, after consultation with relevant faculty, evaluate the work-based learning experiences and coursework on the student's transcript or other records to determine if the student meets the requirements in subparagraph (ii) of paragraph (1) of this subdivision.

(7) A school district that awards this credential to more than twenty percent of the students with disabilities in the cohort, where such credential is not a supplement to a regular high school diploma, shall be required to use a portion of its Part B Individuals with Disabilities Education Act grant funds for targeted activities as deemed necessary by the Department to ensure that students with disabilities have appropriate access to participate and progress in the general education curriculum necessary to earn a regular high school diploma.

[(e)] (c) If the student receiving a credential pursuant to subdivision (a) or (b) of this section is less than 21 years of age, such credential shall be accompanied by a written statement of assurance that the student named as its recipient shall continue to be eligible to attend the public schools of the school district in which the student resides without the payment of tuition until the student has earned a [regular] Regents or local high school diploma or until the end of the school year in which such student turns age 21, whichever shall occur first.

3. Subparagraph (iii) of paragraph (5) of subdivision (a) of section 200.5 of the Regulations of the Commissioner of Education is amended, effective July 3, 2013, as follows:

(iii) Prior to the student's graduation with an individualized education program (IEP) diploma or, beginning with the 2013-14 school year, prior to a student's exit with a skills and achievement commencement credential or a career development and occupational studies commencement credential as set forth in section 100.6 of this Title, such prior written notice must indicate that the student continues to be eligible for a free appropriate public education until the end of the school year in which the student turns age 21 or until the receipt of a [regular] Regents or local high school diploma.

NEW YORK STATE EDUCATION DEPARTMENT

Career Plan
Commencement Level

1. Personal Data

Name: _____

Student Identification Number: _____

School: _____

2. Review of Student Career Plan

| | | Possible Participants (Initials) | | | | |
|--------------|-----------------|----------------------------------|----------------------|----------|------------|--------|
| Grade Level: | Date of Review: | Student: | Parent/ Guardian: | Teacher: | Counselor: | Other: |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

3. Knowledge**A. Self-knowledge:** *Who am I?***Interests:** *List your top three choices for each of the following areas of interest:*

| Grade Level: | 1a. Personal: <i>Out-of-school activities that you enjoy</i> | 1b. Academic: <i>Classes or subjects you enjoy the most</i> | 1c. Work Preferences: <i>Working with people, ideas, and things</i> |
|--------------|--|---|---|
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2. Abilities: *List personal skills and talents that will be helpful in a career choice:*

| Grade Level: | My Personal Abilities . . . | Career areas where my abilities will be useful . . . |
|--------------|-----------------------------|--|
| | | |
| | | |
| | | |
| | | |

Personal and academic areas I need to strengthen:

| Grade Level: | I need to strengthen . . . | Steps I will take to strengthen these areas . . . |
|--------------|----------------------------|---|
| | | |
| | | |
| | | |
| | | |

B. Career Exploration: *Where am I going?*

| Grade Level: | Careers of Interest: | Education Requirements: | Skills I Need to Acquire: | Work Environment: | Job Outlook: |
|--------------|----------------------|-------------------------|---------------------------|-------------------|--------------|
| | | | | | |
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|--|--|--|--|--|--|
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|--|--|--|--|--|--|

1. **School and/or Community Experiences:** *I have participated in the following school and/or community experiences:*

| Grade Level: | School and/or Community Experiences: | Skills Acquired Through Experience: |
|--------------|--------------------------------------|-------------------------------------|
| | | |
| | | |
| | | |
| | | |

2. **Work Experiences:** *I have participated in the following work experiences:*

| Grade Level: | Work Experiences: | Skills Acquired Through Work Experience: |
|--------------|-------------------|--|
| | | |
| | | |
| | | |
| | | |

3. **Careers of Interest and Characteristics:** *I am interested in the following careers and have discovered the following information about these careers:*

- C. **Future Goals and Decision-Making:** *How do I get there?*

1. **Career Goals and Action Steps:**

| Grade Level: | Goals: (resulting from career exploration activities) | Education Plan: (courses that relate to my career interests) | Action Steps: (what I need to do to accomplish my goals) | Check Off Completed Steps |
|--------------|--|---|---|---------------------------|
| | | | | |
| | | | | |
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| | | | | |

4. **Skills/Application:** *What do I need to know? What skills are important to me? What am I learning? Why am I learning it? How can I use it?*

Directions: *The following skills are needed to succeed in life, work, and education beyond high school. Using the scale provided, identify for each skill the level of achievement **you believe** you possess at the beginning of the commencement level and the level **you believe** you achieved by the end of your senior year. Briefly describe a classroom experience or an activity that helped you develop each skill and identify how each skill can be used in your life and future work experiences.*

Attachment 2

| Skills: | <u>Beginning Skill</u> Level I Possess (Check Off) | Experiences/Activities/Application: | <u>Final Skill</u> Level I Have Achieved (Check Off) |
|---|---|--|---|
| Basic Skills: Uses a combination of techniques to read, listen to, and analyze complex information; conveys information in oral and written form; uses multiple computational skills to analyze and solve mathematical problems. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Thinking Skills: Demonstrates the ability to organize and process information and apply skills in new ways. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Personal Qualities: Demonstrates skills in setting goals, monitoring progress, and improving performance. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Interpersonal Skills: Communicates effectively and helps others to learn a new skill. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Technology: Applies knowledge of technology to identify and solve problems. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Managing Information: Uses technology to acquire, analyze and organize data, and communicates information. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Managing Resources: Allocates time and financial and human resources to complete a task. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |
| Systems: Demonstrates an understanding of the relationship between the performance of a system and the goals, resources, and functions of an organization. | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed | | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Highly <input type="checkbox"/> Least Developed Developed |

5. Culminating Activity

Directions: Briefly describe the activity that you completed. Indicate the most important thing you learned about yourself through this activity. Describe how this self knowledge will influence your plans for the future.

| | |
|------------------|-------------------------------------|
| Activity: | Self Knowledge/Future Plans: |
|------------------|-------------------------------------|

Attachment 2

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Work-Based Learning Programs

Registered State-Approved Programs

| Registered State-Approved Programs | Coordinator's Extension* | Student Age | Paid/Unpaid | Diploma Credit Permissible/ Worksite Hours | Related Classroom Instruction | Experience Must Relate to Career Interests | Training Must Develop Career Skills |
|--|--------------------------|---------------------------|---------------|---|--|--|-------------------------------------|
| CEIP Career Exploration Internship Program*** | #8982 | 14+ And in high school | Unpaid ** | .5 / 54 hrs. 1 / 108 hrs. | 27 hours 54 hours (see Section II) | Yes | No (focus is career exploration) |
| GEWEP General Education Work Experience Program | #8981 or #8982 | 16+ | Paid ** | .5 / 150 hrs. 1 / 300 hrs. 1.5 / 450 hrs. 2 / 600 hrs. | At least one period per week (see Section 4) | No | Yes |
| WECEP Work Experience and Career Exploration Program (for at-risk students) | #8981 or #8982 | 14-15 | Paid ** | .5 / 150 hrs. 1 / 300 hrs. | At least one period per week (see Section 4) | No | Yes |
| CO-OP Career and Technical Education Cooperative Work Experience Program** *** | #8982 | 16+ | Paid & Unpaid | .5 / 150 hrs. 1 / 300 hrs. 1.5 / 450 hrs. 2 / 600 hrs. | Five periods per week (see Section 5) | Yes | Yes |

* 8981: Coordinator of Work Based Learning Programs for Career Awareness

* 8982: Coordinator of Work Based Learning Programs for Career Development

** Students must also be covered under the employer's Workers' Compensation Insurance.

*** Credit earned in these programs can be applied towards a 5-unit career and technical education (CTE) sequence.

Other Work-Based Learning Options

Work-Based Learning Programs

| Other Work-Based Learning Options | Supervising Agency | Coordinator's Extension | Age of Students | Paid/Unpaid | Diploma Credit Allowable | Related WBL Classroom Instruction | Experience Must Relate to Career | Interests Must Develop Job Skills |
|--|--------------------|-------------------------|-----------------|----------------|--|-----------------------------------|----------------------------------|-----------------------------------|
| Community-Based Work Programs (for students with disabilities) | NYSED | #8981 or #8982 ⊙ | 14+ | Unpaid or Paid | Yes | Optional | No | No |
| Job Shadowing (1 – 8 hours of observation at a work site) | Local School | ◆ | 14+ | Unpaid | No | N.A. | No | No |
| Community Service/Volunteering | Local School | ◆ | 14+ | Unpaid | No | Optional | No | No |
| Service Learning | Local School | ◆ | 14+ | Unpaid | Yes | Yes | No | No |
| Senior Project | Local School | ◆ | 16+ | Unpaid | Yes | Yes | No | No |
| School-Based Enterprise | Local School | ◆ | 14+ | Unpaid | Yes but typically included within a course | Yes | No | No |

⊙ Extension #8981 or #8982 is recommended but not required

◆ Extension Optional

Descriptions of Other Work-based Learning Options Community-Based Work Programs (for students with disabilities)

Students with disabilities are required to have the opportunity to participate, as appropriate, in all registered and non-registered work-based learning programs. Community-Based Work Programs, designed specifically for students with disabilities, provide additional opportunities for students with disabilities, ages 14 and older, to participate in work-based learning programs. These work experiences, which can be paid or unpaid, help students to identify their career interests, assess their employability skills and training needs, and develop the skills and attitudes necessary for eventual paid employment. School credit may be awarded for these experiences. It is recommended, but not required, that these experiences be supervised by a work-based learning coordinator who holds a #8981 or #8982 extension.

Work-Based Learning Programs

Job Shadowing

Job shadowing is a career exploration activity for late middle school or early high school. The student follows an employee at a workplace for 1 - 8 hours to learn about an occupation or career pathway of interest. No credit is granted to the student. Job shadowing experiences in grades 9 through 12 may be counted towards the 216 hour requirement for the NYS CDOS Commencement Credential.

Community Service/Volunteering

In community service, students participate in volunteer experiences that teach them responsibility, community involvement, and an awareness of the needs of others. Community service does not directly connect the knowledge and technical skills learned in the classroom.

Service Learning

Service Learning includes integrated classroom and service-related activities. Students utilize the skills and knowledge they are acquiring in their classes to make a positive difference in their schools or communities. Service learning provides real life application of academic knowledge and skills to real life community or school needs.

Service Learning must be carefully differentiated from volunteerism and/or community service. Service learning is community service that directly connects to the knowledge and skills learned in classrooms. In service learning, the interwoven service and learning outcomes derive from a singular, distinct pedagogy.

Senior Project

The senior project and career research paper are designed for students to research a topic or career interest in a specific career pathway. They serve to guide the student in learning about the college preparation and skills training needed to be successful in that pathway. No additional credit is awarded for participation in this experience; the credit exists within the related course.

School-Based Enterprise

A school-based business enterprise exists within the school to provide services for students and/or staff. No additional credit is awarded for participation in this experience; the credit exists within the related course. Examples of a school-based enterprise are a store and a credit union.

Additional information regarding work-based learning programs is available at <http://www.p12.nysed.gov/cte/wbl/home.html>

EMPLOYABILITY PROFILE

| | | | | | |
|---|--|-----------------------------------|--|-------------------------------------|--|
| Student Name: | | Identification Number: | | School Name: | |
| Type of Work-based Learning Experience(s): | | Worksite Name/Location(s): | | Description of Experience(s) | |
| | | | | | |
| | | | | | |

EVALUATION GRADING SCALE: General Key

| Unsatisfactory (1) | | Needs Improvement (2) | Meets Expectations (3) | | | | Exceeds Expectations (4) |
|---|---|--|---|---|---|---|--|
| Not yet demonstrating the skills required for the position and needs to have a formal plan for improving skills. Needs additional training. | | Inconsistently demonstrates the skills needed for the position. Further development is needed. | Demonstrates the skills required for the position with rare exceptions, and shows initiative in improving skills. | | | | Consistently demonstrates skills required for the position. Often exceeds expectations and has emerged as a leader that improves overall team. |
| PERFORMANCE SKILLS | PERFORMANCE EXPECTATIONS | | 1 | 2 | 3 | 4 | COMMENTS: STUDENT WORK READINESS SKILLS |
| ATTENDANCE | Understands work expectations for attendance and adheres to them. Notifies supervisor in advance in case of absence. | | | | | | |
| PUNCTUALITY | Understands work expectations for punctuality. Arrives on time for work, takes and returns from breaks on time and calls supervisor prior to being late. | | | | | | |
| WORKPLACE APPEARANCE | Dresses appropriately for the position and duties. Practices personal hygiene appropriate for position and duties. | | | | | | |
| TAKES INITIATIVE | Participates fully in task or project from initiation to completion. Initiates interactions with supervisor for the next task upon completion of previous one. | | | | | | |
| QUALITY OF WORK | Gives best effort, evaluates own work and utilizes feedback to improve work performance. Strives to meet quality standards and provides optimal customer service. | | | | | | |

| | | | | | | |
|--------------------------------|--|--|--|--|--|--|
| KNOWLEDGE OF WORKPLACE | Demonstrates understanding of workplace policy and ethics. | | | | | |
| RESPONSE TO SUPERVISION | Accepts direction, feedback and constructive criticism with positive attitude and uses information to improve work performance. Demonstrates flexibility when nature of work changes. | | | | | |
| COMMUNICATION SKILLS | Gives full attention to what other people are saying, asks questions as appropriate and understands what was heard. Communicates concerns clearly and asks for assistance when needed. | | | | | |

| PERFORMANCE SKILLS | PERFORMANCE EXPECTATIONS | 1 | 2 | 3 | 4 | COMMENTS: STUDENT WORK READINESS SKILLS |
|--|---|----------|----------|----------|----------|--|
| SOLVES PROBLEMS and MAKES DECISIONS | Identifies the nature of the problem, evaluates various ways of solving the problem and selects the best alternative. | | | | | |
| COOPERATES WITH OTHERS | Interacts and communicates with others in a friendly and courteous way. Shows respect for others' ideas, opinions and racial and cultural diversity. Effectively works as a member of a team. | | | | | |
| RESOLVES CONFLICT | Identifies the source of conflict, suggests options to resolve it and helps parties reach a mutually satisfactory agreement. | | | | | |
| OBSERVES CRITICALLY | Carefully attends to visual sources of information. Evaluates the information for accuracy, bias and usefulness. Develops a clear understanding of the information. | | | | | |
| TAKES RESPONSIBILITY FOR LEARNING | Identifies one's strengths and weaknesses. Sets goals for learning. Identifies and pursues opportunities for learning. Monitors one's progress toward achieving these goals. | | | | | |

| | | | | | | |
|--|---|--|--|--|--|--|
| READS WITH UNDERSTANDING | Reads print materials in a variety of formats (signs, books, instruction sheets, forms, charts, etc.) to locate, understand, apply and manage information they contain. | | | | | |
| SOLVES PROBLEMS USING MATH | Works with mathematical information (numbers, symbols, etc.), procedures, and tools and applies skills to answer a question, solve a problem, verify the reasonableness of results, make a prediction or carry out a task that has mathematical dimensions. | | | | | |
| HEALTH AND SAFETY | Complies with health and safety rules for specific workplace. | | | | | |
| TECHNOLOGY | Uses job-related tools, technologies and materials appropriately. | | | | | |
| ADDITIONAL INFORMATION | | | | | | |
| Based on your knowledge of this student, how would you rate his/her overall work performance? | | | | | | |
| OTHER WORK-RELATED (JOB SPECIFIC/TECHNICAL SKILLS); STRENGTHS and/or ACADEMIC ACHIEVEMENTS | | | | | | |
| <div>Signature of reviewer:</div> <div>Print name:</div> <div>Title:</div> <div>Review date:</div> | | | | | | |

EMPLOYABILITY PROFILE – RECORD OF COURSEWORK AND WORK-BASED LEARNING

| Student: | School: | School Personnel: | Title: |
|---|---------|-------------------|------------|
| Career and Technical Education (CTE) Coursework | Year | Comments | # of Hours |
| | | | |
| | | | |
| | | | |
| | | | |

Attachment 4

| | | | |
|--|-------------|-----------------|---|
| | | | |
| Work-based Learning Experiences | Year | Comments | # of Hours |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| Industry-based Assessments (if any) | Year | Comments | Score |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | Total # of CTE Coursework hours |
| | | | Total # Work-based Learning Experience hours |
| | | | Final Total # of hours (216 required hours which include at least 54 hours of work based-learning) |

**General Directions for Completing the New York State Education Department
Employability Profile Model Form**

EMPLOYABILITY PROFILE FORM

Document student demographic information.

Provide information on the student's coursework and work-based learning experience(s) on which the rating of the student's skills is based.

Document the type of instructional and work-based learning experience(s) in which the student engaged, including but not limited to, job shadowing, community service, volunteering, service learning, senior project(s) and/or school-based enterprise(s) and the location of these experiences. These may also include, but are not limited to, workbased learning experiences associated with Department approved programs including the Career Exploration Internship Program (CEIP); General Education Work Experience Program (GEWEP); Work Experience and Career Exploration Program (WECEP); and the Career and Technical Education Cooperative Work Experience Program (CO-OP).

Indicate the worksite name and location and briefly describe the experience (e.g., volunteered 3 hours a week to maintain the community garden).

EVAULATION GRADING SCALE: General Key

Use this scale to determine and document the skill level the student has demonstrated. The levels on the scale are 1 = Unsatisfactory, 2 = Needs Improvement, 3 = Meets Expectations and 4 = Exceeds Expectations. The criterion for each level of performance is described in the profile.

PERFORMANCE SKILLS and PERFORMANCE EXPECTATIONS

Using the Evaluation Grading Scale, rate the student on the 17 performance skills and corresponding performance expectations. Attainment of these performance skills and expectations, which are cross walked (figure 1) to specific commencement level CDOS learning standards, provide evidence of student attainment of the commencement level CDOS learning standards. This cross walk should be reviewed at least annually to inform the development of the transition components of the student's individualized education program (i.e., student needs, post-secondary and annual goals, courses of study and activities necessary to facilitate the student's movement from school to postschool activities) and to ensure the student has opportunities to demonstrate the commencement level CDOS learning standards.

Attachment 4**COMMENTS: STUDENT WORK READINESS SKILLS**

Provide comments, as appropriate, relating to technical skills the student has learned during the work experience (e.g., operation of a job specific machine/tool) and additional detail about the student's performance.

ADDITIONAL INFORMATION

In this section, use the Evaluation Grading Scale to rate the student's overall work performance.

Comment on the student's other achievements (e.g., job-specific and technical skills; other strengths and academic accomplishments) that are not already included in the documentation.

REVIEWER INFORMATION

The person completing the Employability Profile must be personally knowledgeable about the student's skills (e.g., teacher, work experience coordinator, employer, job coach, or extracurricular club advisor etc.).

Indicate the name and title of the person completing the Employability Profile.

Indicate the date the Employability Profile was completed.

The form must include an original signature by the person completing the profile.

RECORD OF COURSEWORK AND WORK-BASED LEARNING

Identify the career and technical education coursework and/or work-based learning experiences, including the corresponding number of hours for each, which the student completed to earn the credential.

- The student must complete 216 hours of combined coursework and work-based learning experiences, provided that the 216 hours must include a minimum of 54 hours of documented school supervised work-based learning experiences.
- A student may complete all of the 216 required hours through participation in workbased learning. These work-based learning experiences may, but are not required to, be completed in conjunction with the student's career and technical education course(s).

If appropriate, indicate if the student passed industry-based assessments.

Crosswalk: Employability Profile Performance Skills/Expectations and Commencement Level CDOS Learning Standards

Figure 1

| EMPLOYABILITY PROFILE | | CDOS LEARNING STANDARDS | | | | | | | | | |
|-----------------------------------|--|-------------------------------------|-------------------------------------|---|-------------------------------------|-------------------------------------|-------------------------------------|------------|-------------------------------------|-------------------------------------|-------------------------------------|
| PERFORMANCE SKILLS | PERFORMANCE EXPECTATIONS | CAREER DEVELOPMENT STANDARD 1 | INTEGRATED LEARNING STANDARD 2 | UNIVERSAL FOUNDATION SKILLS STANDARD 3a | | | | | | | |
| | | | | Basic Skills | Thinking Skills | Personal Qualities | Interpersonal Skills | Technology | Managing Info. | Managing Resources | Systems |
| ATTENDANCE | Understands work expectations for attendance and adheres to them. Notifies supervisor in advance in case of absence. | | | | | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> |
| PUNCTUALITY | Understands work expectations for punctuality. Arrives on time for work, takes and returns from breaks on time and calls supervisor prior to being late. | | | | | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> |
| WORKPLACE APPEARANCE | Dresses appropriately for the position and duties. Practices personal hygiene appropriate for position and duties. | | | | | <input checked="" type="checkbox"/> | | | | | |
| TAKES INITIATIVE | Participates fully in task or project from initiation to completion. Initiates interactions with supervisor for the next task upon completion of previous one. | | | | | | <input checked="" type="checkbox"/> | | | | |
| QUALITY OF WORK | Gives best effort, evaluates own work and utilizes feedback to improve work performance. Strives to meet quality standards and provides optimal customer service. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | | |
| KNOWLEDGE OF WORKPLACE | Demonstrates understanding of workplace policy and ethics. | <input checked="" type="checkbox"/> | | | | | | | | | <input checked="" type="checkbox"/> |
| RESPONSE TO SUPERVISION | Accepts direction, feedback and constructive criticism with positive attitude and uses information to improve work performance. Demonstrates flexibility when nature of work changes. | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | |
| COMMUNICATION SKILLS | Gives full attention to what other people are saying, asks questions as appropriate and understands what was heard. Communicates concerns clearly and asks for assistance when needed. | | | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | |
| SOLVES PROBLEMS & MAKES DECISIONS | Identifies the nature of the problem, evaluates various ways of solving the problem and selects the best alternative. | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | | | | |
| COOPERATES WITH OTHERS | Interacts and communicates with others in a friendly and courteous way. Shows respect for others' ideas, opinions and racial and cultural diversity. Effectively works as a member of a team to accomplish a task. | | | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| RESOLVES CONFLICT | Identifies the source of conflict, suggests options to resolve it and helps parties reach a mutually satisfactory agreement. | | | | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | | | | |

| | | | | | | | | | | | |
|--|---|-------------------------------------|--|-------------------------------------|-------------------------------------|-------------------------------------|--|--|-------------------------------------|--|--|
| OBSERVES CRITICALLY | Carefully attends to visual sources of information. Evaluates the information for accuracy, bias and usefulness. Develops a clear understanding of the information. | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | |
| TAKES RESPONSIBILITY FOR LEARNING | Identifies one's strengths and weaknesses. Sets goals for learning. Identifies and pursues opportunities for learning. Monitors one's progress toward achieving | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | | | | |

6

Attachment 4

| EMPLOYABILITY PROFILE | | CDOS LEARNING STANDARDS | | | | | | | | | |
|-----------------------------------|--|-------------------------------|-------------------------------------|---|-----------------|--------------------|----------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| PERFORMANCE SKILLS | PERFORMANCE EXPECTATIONS | CAREER DEVELOPMENT STANDARD 1 | INTEGRATED LEARNING STANDARD 2 | UNIVERSAL FOUNDATION SKILLS STANDARD 3a | | | | | | | |
| | | | | Basic Skills | Thinking Skills | Personal Qualities | Interpersonal Skills | Technology | Managing Info. | Managing Resources | Systems |
| | these goals. | | | | | | | | | | |
| READS WITH UNDERSTANDING | Reads print materials in a variety of formats (signs, books, instruction sheets, forms, charts, etc.) to locate, understand, apply and manage information they contain. | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | <input checked="" type="checkbox"/> | | |
| SOLVES PROBLEMS USING MATH | Works with mathematical information (numbers, symbols, etc.), procedures and tools and applies skills to answer a question, solve a problem, verify the reasonableness of results, make a prediction or carry out a task that has mathematical dimensions. | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | |
| HEALTH AND SAFETY | Complies with health and safety rules for specific workplace. | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | | | | <input checked="" type="checkbox"/> |
| TECHNOLOGY | Uses job-related tools, technologies and materials appropriately. | | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | | | | <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | |

Comparison of National Employability Skills Credentials

Attachment 5

| SKILLS CREDENTIALS | | | | |
|---|--|---|---|--|
| Specific Information | SkillsUSA Workforce Ready Employability Assessment | National Work Readiness Credential (NWRC) | National Career Readiness Certificate (NCRC) - WorkKeys (ACT) | Comprehensive Adult Student Assessment Systems (CASAS) - Workforce Skills Certificate System (WSCS) |
| Skills Assessed (including but not limited to) | <p>Focuses primarily on industry- specific abilities and personal qualities.</p> <p>Includes assessment of general employability skills.</p> | <p>General employability skills including nine communication, interpersonal, problem-solving and learning skills.</p> | <p>General employability skills such as reading for information, applied mathematics, listening for understanding, applied technology and soft skills. Includes 4 performance levels (bronze, silver, gold and platinum).</p> | <p>CASAS measures basic academic skills, critical thinking and problem solving. Includes continuum of skill levels, including skill descriptors for individuals with intellectual disabilities. WSCS, a supplemental credential to CASAS, assesses general employability skills.</p> |
| Career Specific | Yes | No | No | No |
| Curriculum/Instructional Materials | <p>Yes. Blueprint of competencies for each career area.</p> | <p>Yes. Three book series designed to model authentic, work-related experiences and activities.</p> | <p>Yes. Interactive learning tool for career readiness skills.</p> | <p>No single curriculum. Provides an extensive data base of instructional training materials including low level literacy curriculum modules and lesson plans in alternative formats.</p> |
| Test Administration | <p>Testing occurs online and can be administered at school.</p> | <p>Testing is internet based and delivered securely in wide range of authorized sites.</p> | <p>Individuals can be certified as administrators and schools can become certified test sites.</p> | <p>Testing is available online and in paper and pencil formats. Schools can administer assessments.</p> |
| Fee for Test/Materials | Yes | Yes | Yes | Yes |
| Accommodations for Individuals with Disabilities | Yes | Yes | Yes | Yes |
| Reading/Math Levels | <p>Reading - 8th grade</p> <p>Math - 6th through 8th grades (depending on career assessment).</p> | <p>Reading – 7th - 8th grade</p> <p>Math - 7th - 8th grade</p> | <p>Varies by performance level. Reading – 8th grade through high school (HS)</p> <p>Math - 5th grade through HS</p> | <p>Varies by performance level. Includes preliteracy and adult low level literacy skills. Reading and math level is comparable to GED® test for CASAS certification.</p> |

| | | | | |
|---|--|--|---|---|
| <i>States/districts using Credential</i> | <i>Approximately 44 states. Some districts in NYS use these assessments through the Career and Technical Education program approval process.</i> | <i>Credential was developed in partnership with five states (Florida, New Jersey, NY, Rhode Island, and Washington), the District of Columbia and JA Worldwide. NYS Department of Labor endorses credential.</i> | <i>Five states have funded WorkKeys and 12 have funded the EXPLORE program for middle school students. Used by Center for Workforce Education and Development at Syracuse University and some BOCES adult education programs.</i> | <i>CASAS is affiliated with National External Diploma Program (NEDP) which provides unique ways for adults to earn HS diploma based on life experiences. Eleven states, including NY use NEDP. NEDP is used by 18 BOCES adult education programs. California is primary user of WSCS.</i> |
| <i>For additional information</i> | http://www.workforcereadysystem.org | http://www.workreadiness.com | http://www.act.org/certificate | https://www.casas.org |

Transition and the New York State Career Development and Occupational Studies (CDOS) Commencement Credential

The following chart describes the strong connection between the proposed credential and appropriate and effective individualized education program (IEP) transition planning and services for students with disabilities.

| IEP | Credential Requirements |
|---|--|
| Beginning not later than the school year when a student turns age 15, the IEP must include transition goals and services. | A student's preferences and interests as identified in his/her career plan shall be reviewed annually and considered in the development of the student's IEP. |
| Transition Needs and Goals: <ul style="list-style-type: none"> • A statement of the student's needs, taking into account the student's strengths, preferences and interests as they relate to transition from school to post-school activities. • Appropriate measurable post-secondary goals and measurable annual goals relating to training, education, employment and, where appropriate, independent living skills. | Career Plan: <ul style="list-style-type: none"> • Ensures the student is actively engaged in career exploration. • Includes a statement of the student's selfidentified career interests; career-related strengths and needs; career goals; and career and technical education (CTE) coursework and work-based learning experiences that the student plans to engage in to achieve those goals. |
| The IEP must include a statement of a student's course of study to address transition needs. | Student demonstrates commencement level knowledge and skills relating to the CDOS learning standards: <ul style="list-style-type: none"> • career development • integrated learning • universal foundation skills • CTE majors (optional) Student may complete CTE courses toward the minimum instructional hours required for the credential. |
| Needed activities to facilitate the student's movement from school to post-school activities, including instruction; related services; community experiences; development of employment and other post-adult living objectives; and as appropriate acquisition of daily living skills and functional vocational evaluation. | Student has successfully completed not less than the equivalent of two units of study in: <ul style="list-style-type: none"> • CTE courses (SED or locally approved); and/or • Work-based learning experiences |

Requirement to Develop an Exit Summary:

Before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for FAPE, the district must provide the student with:

- a summary of the student's academic achievement and functional performance, and
- recommendations on how to assist the student in meeting his or her post-secondary goals.

Employability Profile(s):

Within one year prior to a student's exit from high school, at least one work skills employability profile for the student that documents:

- student's employability skills and experiences,
- attainment of each of the commencement level CDOS learning standards, and
- attainment of technical knowledge and work-related skills, work experiences, performance on industry-based assessments and other work-related and academic achievements.



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April 2012

Special Education Field Advisory

From: James P. DeLorenzo

Subject: Skills and Achievement Commencement Credential for Students with Severe Disabilities

Sections 100.5, 100.6, 100.9 and 200.5 of the Regulations of the Commissioner of Education have been amended to replace, beginning with the 2013-14 school year and thereafter, the New York State (NYS) individualized education program (IEP) diploma with a Skills and Achievement Commencement Credential for students with severe disabilities who are eligible to take the New York State Alternate Assessment (NYSAA).

In this context, students with severe disabilities means students who have limited cognitive abilities combined with behavioral and/or physical limitations and who require highly specialized education, social, psychological and medical services in order to maximize their full potential for self-fulfillment and meaningful participation in society. Students with severe disabilities may experience significant speech, language, and/or perceptual-cognitive impairments, and evidence challenging behaviors that interfere with learning and socialization

opportunities. These students may also have extremely fragile physiological conditions and may require personal care, physical/verbal supports and assistive technology devices.

The Skills and Achievement Commencement Credential will provide this group of students who are exiting school after attending at least 12 years, excluding kindergarten, with a commencement certificate similar in form to the diploma issued by the school district. The Skills and Achievement Commencement Credential must be accompanied by documentation of the student's skills and strengths and levels of independence in academic, career development and foundation skills needed for post-school living, learning and working.

Skills and Achievement Commencement Credential: Requirements

The Board of Education or trustees of a school must (and the principal of a nonpublic school may) issue a Skills and Achievement Commencement Credential to each student with a severe disability in accordance with the following rules.

1. Only students with disabilities who have been instructed and assessed on the alternate performance level for the State learning standards are eligible for this credential award.
2. The credential may be awarded any time after such student has attended school for at least 12 years, excluding kindergarten or received a substantially equivalent education elsewhere; or at the end of the school year in which a student attains the age of 21.
3. The credential would not be considered a regular high school diploma in accordance with State standards or for federal accountability purposes.
4. The credential must be similar in form to the diploma issued by the school district or nonpublic school, except that there shall appear on the credential a clear annotation to indicate the credential is based on achievement of alternate academic achievement standards (see Attachment 1).
5. The credential must be issued together with a summary of the student's academic achievement and functional performance (Student Exit Summary – see State Developed Model Form Attachment 2) and must include documentation of the student's:
 - ⌚ achievement against the Career Development and Occupational Studies (CDOS) learning standards <http://www.p12.nysed.gov/cte/cdlearn/>;
 - ⌚ level of academic achievement and independence as measured by NYSAAC;
 - ⌚ skills, strengths, interests; and
 - ⌚ as appropriate, other achievements and accomplishments.
6. For students less than 21 years old, the credential must be provided with a written assurance that the student continues to be eligible to attend the public schools of the school district in which the student resides without payment of tuition until the

student has earned a regular high school diploma or until the end of the school year in which the student turns age 21, whichever occurs first.

Skills and Achievement Exit Summary Model Form

The Department has, with extensive stakeholder participation, developed a recommended model form for districts to use to meet the documentation requirements that must accompany an award of a Skills and Achievement Commencement Credential. For students with severe disabilities, use of this form would also meet the federal and State requirement for the summary of academic achievement and functional performance that must be provided to a student with a disability upon exit from school. The model Exit Summary form includes those competencies/skills identified as important for postsecondary living, learning and working. Use of this form would ensure consistency in documentation across the State for students exiting with this credential.

Whether the district uses the State-developed model form or a locally-developed form, it must include specific documentation of the student's:

1. level of achievement and independence for each of the CDOS standards, including, but not limited to:
 - career development;
 - integrated learning; and
 - universal foundation skills including:
 - ③ basic skill in reading, writing, listening, speaking, math and functional math;
 - ③ thinking skills;
 - ③ personal qualities;
 - ③ interpersonal skills;
 - ③ use of technology;
 - ③ managing information and resources; and ③ systems skills.
2. academic skills, as measured by the State assessment for students with severe disabilities (i.e., NYSAA); and
3. strengths and interests and, as appropriate, other student achievements and accomplishments.

Instruction to Prepare Students for the Skills and Achievement Commencement Credential

In order for students to develop the competencies that must be documented with the credential award, students must be provided instruction in CDOS learning standards and be provided opportunities, as appropriate, to engage in instructional and work preparation experiences, both in school and, whenever possible and appropriate, in the community. Schools are encouraged to review their curriculum instruction for students with severe disabilities to ensure that such students have maximum opportunities to achieve their highest academic and career development potentials.

The Learning Standards for CDOS include key ideas, performance indicators describing expectations for students, and sample tasks suggesting evidence of progress toward the standards (see <http://www.p12.nysed.gov/cte/cdlearn/documents/cdoslea.pdf>). The *Career Development and Occupational Studies (CDOS) Resource Guide with Core Curriculum* is a companion document to the CDOS learning standards. It further develops the core content for each learning standard and career major. The document is also rich with teacher developed classroom activities that help students achieve the CDOS standards (see <http://www.p12.nysed.gov/cte/cdlearn/cdosresourceguide.html>).

Transition Planning and Services

To appropriately prepare a student for the Skills and Achievement Commencement Credential, the school must develop an individual transition plan documented in the student's IEP. Beginning with post-secondary goals projected for the student, the IEP transition plan identifies the needs of the student to meet those post-secondary goals and recommends annual goals and services to incrementally prepare the student to meet his/her post-secondary goals for living, learning and working. Individualized transition planning must begin as early as possible, but not later than the school year in which a student turns age 15. The coordinated set of transition activities must be focused on improving both the academic and functional achievement of the student with a disability to facilitate his/her movement from school to post-school activities.

High school transition planning includes exploring post-secondary opportunities and employment options and should include connecting with the adult service agencies that may provide the student with services when he or she is no longer eligible for a free appropriate public education after the age of 21. For additional information on transition planning, see <http://www.p12.nysed.gov/specialed/publications/transitionplanning2011.htm>.

To guide instruction and planning, educators are strongly encouraged to use the State's model Student Exit Summary form (Attachment 2), beginning very early in a student's educational years, for transition planning, goal setting and annual progress reporting purposes.

Training and Resources for Technical Assistance on the Skills and Achievement Commencement Credential

In the coming year, additional training and guidance regarding the Skills and Achievement Commencement Credential will be available through the State's Regional Special Education Technical Assistance Support Centers and the Department's website. Questions regarding this memorandum and the credential should be submitted to skillscred@mail.nysed.gov.

Attachments

STUDENT EXIT SUMMARY**ATTACHMENT 2***For Students Eligible for the New York State Alternate Assessment (NYSAA)*

| | | |
|----------------------|----------------|--------------|
| Student: | School: | ID#: |
| Completed by: | Title: | Date: |

STUDENT SKILLS, STRENGTHS AND INTERESTS

COMMUNITY/WORK-BASED LEARNING EXPERIENCES (INCLUDING SCHOOL- AND COMMUNITY- BASED CAREER EXPLORATION, ASSESSMENT, TRAINING AND/OR SERVICE LEARNING OPPORTUNITIES)

ACADEMIC PERFORMANCE: AS MEASURED BY NYSAA

ENGLISH LANGUAGE ARTS: MATH:
SOCIAL STUDIES:
SCIENCE:

OTHER ACHIEVEMENTS, AWARDS AND HONORS

STUDENT EXIT SUMMARY**ATTACHMENT 2***For Students Eligible for the New York State Alternate Assessment (NYSAA)*

| Key for Levels of Independence (with the use of assistive technology and accommodations as appropriate) | |
|--|--|
| 1: Not Applicable | Student has not had an opportunity or been observed to attempt or complete task. |
| 2: Extensive Support | Student requires ongoing assistance (verbal, physical, visual prompts) and close supervision to complete task. |
| 3: Moderate Support | Student requires frequent assistance (verbal, physical, visual prompts) and periodic supervision to complete task. |
| 4: Minimal Support | Student requires occasional assistance (verbal, physical, visual prompts) and intermittent supervision to complete task. |
| 5: Independent | Student completes task without assistance/supervision. |

COMPETENCIES

| Career Development: Knowledgeable about the world of work, career options, personal skills, aptitudes, and abilities relating to future career decisions. | | |
|---|-----------------------|----------|
| Skills/Abilities | Level of Independence | Comments |
| Exhibits and/or expresses specific interests | | |
| Demonstrates abilities related to specific interests | | |
| Demonstrates awareness of opportunities for employment and/or other post-secondary activities related to specific interests | | |
| Identifies skills needed for post-secondary success | | |
| Identifies accommodations needed for post-secondary success | | |
| | | |
| | | |
| Integrated Learning: Application of academic knowledge and skills to school, community, and home settings. | | |
| Skills/Abilities | Level of Independence | Comments |
| Uses basic academic skills in community/work-based learning experiences (e.g., applies math skills to purchasing items, applies alphabetizing skills to sorting mail) | | |

STUDENT EXIT SUMMARY

ATTACHMENT 2

For Students Eligible for the New York State Alternate Assessment (NYSAA)

| | | |
|---|--|--|
| Demonstrates skills learned in school in a variety of settings (e.g., home, community, workplace) | | |
| | | |
| | | |

| Universal Foundation Skills | | |
|--|-----------------------|----------|
| Basic Skills: Ability to read, write, listen, speak and perform arithmetical and mathematical functions. | | |
| Skills/Abilities | Level of Independence | Comments |
| Reading: Identifies and understands texts and symbols (e.g., stop, exit, and restroom signs) | | |
| Reading: Identifies vocabulary associated with various jobs (e.g., matches tools to words) | | |
| Writing: Creates pictures, symbols and objects and writes words and sentences to communicate information | | |
| Listening: Follows one step directions to complete a given task | | |
| Listening: Follows two or more step directions to complete a given task | | |
| Speaking: Uses language to interact with others (e.g., expresses needs, demonstrates understanding, and interacts socially with others). May include use of augmentative communication, as appropriate. | | |
| Math: Demonstrates basic math skills, including counting with one-to-one correspondence, matching similar objects, and understanding concepts of quantity (e.g., more, less, etc.) | | |
| Functional Math: Applies basic math skills to daily living (e.g., tells time, manages money) | | |
| Thinking Skills: Ability to use ideas and information to make decisions and solve problems. | | |
| Skills/Abilities | Level of Independence | Comments |

STUDENT EXIT SUMMARY

ATTACHMENT 2

For Students Eligible for the New York State Alternate Assessment (NYSAA)

| | | |
|--|--|--|
| Recognizes that there is a problem and requests assistance | | |
| Solves routine problems in daily life (e.g., indicates choice from menu of items, dresses for the weather) | | |
| Solves less common problems, such as contacting emergency services (e.g., dial 911) | | |
| Demonstrates understanding of cause and effect (e.g., burned when touches hot stove; consequences of inappropriate behavior) | | |
| Uses similar skills across a variety of settings (e.g., identifies building exits in different settings) | | |

| Personal Qualities: Ability to self-manage, plan, organize, and take independent action. | | |
|--|-----------------------|----------|
| Skills/Abilities | Level of Independence | Comments |
| Communicates preferences and needs | | |
| Self-regulates during transitions (e.g., waits appropriately, engages in appropriate self-soothing activity in stressful situations) | | |
| Transitions appropriately between activities | | |
| Manages health (e.g., makes personal and health needs known) | | |
| Performs personal care skills | | |
| Uses unstructured time appropriately | | |
| Interpersonal Skills: Ability to work independently or as part of a team and relate to different people across settings. | | |
| Skills/Abilities | Level of Independence | Comments |
| Asks for help when faced with difficult situations and individuals | | |
| Self-advocates (e.g., seeks out and uses supports and accommodations) | | |
| Accepts direction from authority figures | | |
| Works independently | | |

STUDENT EXIT SUMMARY

ATTACHMENT 2

For Students Eligible for the New York State Alternate Assessment (NYSAA)

| | | |
|---|------------------------------|-----------------|
| Works as part of a team | | |
| Respects the space and property of others | | |
| Demonstrates appropriate behavior across settings | | |
| Interacts appropriately with peers and others | | |
| Participates in leisure/recreation activities | | |
| Technology: Ability to use different types of technology and resources to satisfy personal and societal needs and wants. | | |
| Skills/Abilities | Level of Independence | Comments |
| Identifies the correct tool/technology necessary to complete a given task | | |
| Uses basic tools safely and appropriately (e.g., microwave, eating utensils, televisions, assistive technology) | | |
| Managing Information: Ability to access and use information. | | |
| Skills/Abilities | Level of Independence | Comments |
| Uses information to make simple decisions (e.g., responds to safety alarms, follows traffic safety rules) | | |
| Accesses information from a variety of sources (e.g., internet, grocery ads, orders from a menu) | | |
| Managing Resources: Ability to apply financial and human resources and manage time and materials to successfully carry out a planned activity. | | |
| Skills/Abilities | Level of Independence | Comments |
| Selects the appropriate resources to complete a task | | |
| Initiates tasks | | |
| Remains on task | | |
| Completes tasks within existing time limits | | |
| Manages household/environmental tasks (e.g., prepares meals, cleans room, does laundry) | | |
| Systems: Ability to understand how a system operates and identify where to obtain information and resources within that system. | | |

STUDENT EXIT SUMMARY

ATTACHMENT 2

For Students Eligible for the New York State Alternate Assessment (NYSAA)

| Skills/Abilities | Level of Independence | Comments |
|---|-----------------------|----------|
| Navigates the community (e.g., walking, public transportation) | | |
| Demonstrates understanding of who to ask for help | | |
| Uses appropriate health and safety practices | | |
| Follows daily schedule and routines | | |
| Adapts to new situations | | |
| Understands and follows rules | | |
| Other Universal Foundation Skills: Additional competencies student demonstrates that support post-school living, learning and working. | | |
| Skills/Abilities | Level of Independence | Comments |
| | | |

| Recommendations to Assist Student to Meet Post-secondary Goals | | |
|--|------------------|---|
| Education/Training Goal: | Employment Goal: | Independent Living Goal (if appropriate): |
| Supports | Recommendations | |
| Accommodations | | |
| Assistive Technology/ Adaptive Equipment | | |

STUDENT EXIT SUMMARY**ATTACHMENT 2**

For Students Eligible for the New York State Alternate Assessment (NYSAA)

| | |
|--|--|
| Environmental Supports | |
| Further Skill Development | |
| Adult Agencies Referrals/Contacts | |
| Other | |

Eligibility and Participation Criteria - NYSAA

Definition of a Student with a Severe Disability (Section 100.1 of the Regulations of the Commissioner of Education)

“Students with severe disabilities” refers to students who have limited cognitive abilities combined with behavioral and/or physical limitations and who require highly specialized education and/or social, psychological, and medical services in order to maximize their full potential for useful and meaningful participation in society and for selffulfillment. Students with severe disabilities may experience severe speech, language, and/or perceptual-cognitive impairments and challenging behaviors that interfere with learning and socialization opportunities. These students may also have extremely fragile physiological conditions and may require personal care, physical/verbal supports, and assistive technology devices.

NYSAA Eligibility

The process of determining eligibility begins with the Committee on Special Education (CSE). The CSE determines on an individual basis whether the student will participate in:

- the State’s general assessment with or without accommodations;
- the State’s alternate assessment with or without accommodations; or
- a combination of the State’s general assessment for some content areas and the State’s alternate assessment for other content areas.

The CSE ensures that decisions regarding participation in the State testing program are not based on:

- category of disability,
- language differences,
- excessive or extended absences, or
- cultural or environmental factors.

The CSE ensures that each student has a personalized system of communication that addresses his/her needs regarding disability, culture, and native language so the student can demonstrate his/her present level of performance.

Tests and other assessment procedures are conducted according to the requirements of section 200.4(b)(6) of the Regulations of the Commissioner of Education and section 300.320(a)(6) of the Code of Federal Regulations.

**NYSAA
Participation
Criteria**

Only students with severe cognitive disabilities are eligible for the New York State Alternate Assessment (NYSAA). The CSE determines whether a student with a severe cognitive disability is eligible to take the NYSAA based on the following criteria:

- the student has a severe cognitive disability and significant deficits in communication/language and significant deficits in adaptive behavior; **and**
- the student requires a highly specialized educational program that facilitates the acquisition, application, and transfer of skills across natural environments (home, school, community, and/or

1

workplace); **and**

- the student requires educational support systems, such as assistive technology, personal care services, health/medical services, or behavioral intervention.

For information see <http://www.p12.nysed.gov/apda/nysaa/>



Diploma/Credential Requirements

The following charts outline the diploma and credential requirements currently in effect. The chart is intended to provide an overview of the requirements and identify the student populations that have access to each type of diploma and non-diploma high school exiting credential. Websites are provided to offer specific regulatory requirements and more detailed information regarding the requirements for each diploma or credential.

| Diploma Type | Available to | Requirements |
|--|-------------------------|--|
| Regents | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 Language other than English (LOTE), 2 Physical Education, 3 ½ Electives • Assessment: 5 required Regents exams with a score of 65 or better as follows: 1 Math, 1 Science, ELA, Global History and Geography, US History and Government http://www.p12.nysed.gov/part100/pages/1005.html#regentsdiploma |
| Regents (through appeal) | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. • Assessment: 4 required Regents exams with a score of 65 or better and 1 Regents exam with a score of 62-64 for which an appeal is granted by the local district per Commissioner's Regulation 100.5(d)(7) as follows: 1 Math, 1 Science, ELA, Global History and Geography, US History and Government http://www.p12.nysed.gov/part100/pages/1005.html#regpasscore |
| Regents with Honors | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 Language other than English (LOTE), 2 Physical Education, 3 ½ Electives • Assessment: 5 required Regents exams with a computed average score of 90 or better as follows: 1 Math, 1 Science, ELA, Global History and Geography, US History and Government http://www.p12.nysed.gov/part100/pages/1005.html#diplomaHonors |
| Regents with Advanced Designation | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. In addition, a student must earn an additional 2 units of credit in LOTE or a 5 unit sequence in the Arts or CTE. These credits can be included in the 22 required credits. • Assessment: 8 required Regents exams with a score of 65 or better as follows: 3 Math, 2 Science, ELA, Global History and Geography, US History and Government; and either a locally developed Checkpoint B LOTE examination or a 5 unit sequence in the Arts or CTE http://www.p12.nysed.gov/part100/pages/1005.html#regentsAD |

| | | |
|--|-------------------------|--|
| Regents with Advanced Designation with an annotation that denotes Mastery in Math | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. In addition, a student must earn an additional 2 units of credit in LOTE or a 5 unit sequence in the Arts or CTE. These credits can be included in the 22 required credits. • Assessment: Meets all assessment requirements for the Regents with Advanced Designation (see above) and, in addition, scores 85 or better on each of 3 Regents Examinations in Mathematics See 100.5(b)(7)(x) http://www.p12.nysed.gov/part100/pages/1005.html#regentsAD |
| Regents with Advanced Designation with an annotation that denotes Mastery in Science | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. In addition, a student must earn an additional 2 units of credit in LOTE or a 5 unit sequence in the Arts or CTE. These credits can be included in the 22 required credits. • Assessment: Meets all assessment requirements for the Regents with Advanced Designation (see above) and, in addition, scores 85 or better on each of 3 Regents Examinations in Science See 100.5(b)(7)(x) http://www.p12.nysed.gov/part100/pages/1005.html#regentsAD |
| Regents with Advanced Designation with Honors | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. In addition, a student must earn an additional 2 units of credit in LOTE or a 5 unit sequence in the Arts or CTE. These credits can be included in the 22 required credits. • Assessment: 8 required Regents exams with a computed average score of 90 or better as follows: 3 Math, 2 Science, ELA, Global History and Geography, US History and Government; and either a locally developed Checkpoint B LOTE examination with a score of 65 or a 5 unit sequence in the Arts or CTE http://www.p12.nysed.gov/part100/pages/1005.html#diplomaHonors |

| | | |
|---|---|--|
| Local | Students with disabilities with an individualized education program or section 504 Accommodation Plan | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. • Assessment: Low Pass Safety Net Option¹: 5 required Regents exams with a score of 55 or better as follows: 1 Math, 1 Science, 1 ELA, 1 Global History and Geography, 1 US History and Government; http://www.p12.nysed.gov/part100/pages/1005.html#assessment or; • Regents Competency Test (RCT) Safety Net Option for students entering grade 9 prior to September 2011: passing score on corresponding RCT if student does not achieve a score of 55 or higher on the Regents examination http://www.p12.nysed.gov/specialed/publications/localdiplomaoptions-may2011.htm; or • Compensatory Safety Net Option: scores between 45-54 on one or more of the five required Regents exams, other than the English language arts (ELA) or mathematics exam, but compensates the low score with a score of 65 or higher on another required Regents exam. Note: a score of at least 55 must be earned on both the ELA and mathematics exams. A score of 65 or higher on a single examination may not be used to compensate for more than one examination for which a score of 45-54 is earned. http://www.p12.nysed.gov/specialed/publications/safetynetcompensatoryoption.html |
| Local Diploma (through Appeal) | All Student Populations | <ul style="list-style-type: none"> • Credit: 22 units of credit distributed as follows: 4 ELA, 4 Social Studies, 3 Science, 3 Mathematics, ½ Health, 1 Arts, 1 LOTE, 2 Physical Education, 3 ½ Electives. • Assessment: 3 required Regents exams with a score of 65 or better and 2 Regents exams with a score of 62-64 for which an appeal is granted by the local district per Commissioner's Regulation 100.5(d)(7) as follows: 1 Math, 1 Science, ELA, Global History and Geography, US History and Government http://www.p12.nysed.gov/part100/pages/1005.html#regpasscore |
| Local Diploma, Regents Diploma, Regents Diploma with Advanced Designation (with or without Honors), with a Career and Technical Education Endorsement | All Student Populations | <ul style="list-style-type: none"> • Credit: Completes all credit requirements as listed above for specific diploma types and completes an approved career and technical education program. • Assessment: Achieves a passing score on State assessments as listed above for specific diploma types and successfully completes the technical assessment designated for the particular approved career and technical education program which the student has completed. http://www.p12.nysed.gov/part100/pages/1005.html#carteched |

Non-diploma High School Exiting Credentials

| Credential Type | Available to | Requirements |
|-----------------|--------------|--------------|
|-----------------|--------------|--------------|

| | | |
|---|---|--|
| Career Development and Occupational Studies Commencement Credential | Students with disabilities other than those who are assessed using the NYS Alternate Assessment (NYSSA) | <ul style="list-style-type: none"> Completes a career plan; demonstrates attainment of the commencement level Career Development and Occupational Studies (CDOS) learning standards in the area of career exploration and development, integrated learning and universal foundation skills; satisfactorily completes the equivalent of 2 units of study (216 hours) in Career and Technical Education coursework and work-based learning (including at least 54 hours of work-based learning); and has at least 1 completed employability profile; OR <ul style="list-style-type: none"> Student meets criteria for a national work readiness credential <p>Credential may be a supplement to a regular diploma, or, if the student is unable to meet diploma standards, the credential may be awarded as the student's exiting credential provided the student has attended school for not less than 12 years, excluding Kindergarten. http://www.regents.nysed.gov/meetings/2013Meetings/April2013/413p12accesa1Revised.pdf</p> |
| Skills and Achievement Commencement Credential | Students with severe disabilities that are assessed using the NYS Alternate Assessment (NYSAA) | <p>All students with severe disabilities who attend school for not less than 12 years, excluding Kindergarten exit with this credential which must be accompanied by a summary of the student's levels of achievement in academic and career development and occupational studies. http://www.p12.nysed.gov/specialed/publications/SACCMemo.htm http://www.p12.nysed.gov/part100/pages/1006.html</p> |

1

Note: the low pass (55-64) option for general education students to earn a local diploma has been phased out and students who entered high school in 2008 and thereafter no longer have access to this option. There are still students in our K-12 system that entered grade 9 in 2007 or earlier and still have access to this option.

Seal of Bi-Literacy – Requirements to be determined

PLP Checklist

I. **ACADEMIC** – Address current levels of knowledge and development in subject and all skills areas, including activities of daily living, level of intellectual functioning, adaptive behavior, expected rate of progress in acquiring skills, and information and learning style. Articulate how the disability impacts performance in General Education Curriculum.

| | In Place | Ability | Need | N A |
|---|----------|---------|------|-----|
| Learning Rate / Amount of Time to Process | | | | |
| Intellectual – verbal and performance discrepancies | | | | |
| Average, High, Delayed, Longer than Average | | | | |
| Acquisition of Skills | | | | |
| Learning Styles | | | | |
| Visual | | | | |
| Auditory | | | | |
| Kinesthetic | | | | |
| Multi-Sensory | | | | |
| Current Academic Level and Skills | | | | |

| | | | | |
|---|--|--|--|--|
| Math | | | | |
| <input type="checkbox"/> Conceptual level (Readiness, whole number, fractions, money, time, measurement, higher order concepts) | | | | |
| <input type="checkbox"/> Computational level (basic operations, word problems, application of money, time, or measurement, and higher order concepts) | | | | |
| Social Studies (strengths/needs, retention of information) | | | | |
| Science (strengths/needs, retention of information) | | | | |
| NYS Alternate Assessment (specific academic areas/all) | | | | |
| Writing | | | | |
| <input type="checkbox"/> Writing Fluency | | | | |
| <input type="checkbox"/> Print Awareness | | | | |
| <input type="checkbox"/> Spelling | | | | |
| <input type="checkbox"/> Grammar | | | | |
| <input type="checkbox"/> Handwriting | | | | |
| <input type="checkbox"/> Composition | | | | |
| <input type="checkbox"/> Motivation to Write | | | | |
| <input type="checkbox"/> Note Taking | | | | |
| Memory Skills | | | | |
| Listening Skills | | | | |
| Reading | | | | |
| <input type="checkbox"/> Phonologic and Phonemic Awareness | | | | |
| <input type="checkbox"/> Print Awareness | | | | |
| <input type="checkbox"/> Alphabet Recognition | | | | |
| <input type="checkbox"/> Decoding / Sight Words | | | | |
| <input type="checkbox"/> Background Knowledge & Vocabulary Development | | | | |
| <input type="checkbox"/> Reading Fluency | | | | |
| <input type="checkbox"/> Comprehension Strategies | | | | |
| <input type="checkbox"/> Motivation to Read | | | | |
| | | | | |

| | In Place | Ability | Need | N A |
|--|----------|---------|------|-----|
| Higher Order Thinking/Processing | | | | |
| Concrete Problem Solving | | | | |
| Abstract Problem Solving | | | | |
| Able to Make Inferences | | | | |
| Generalizations | | | | |
| Rote Learning | | | | |
| Communications Mode | | | | |
| Verbal | | | | |
| Sign Language | | | | |
| Total Communication | | | | |
| Lip Reading | | | | |
| Gestures | | | | |
| Communication Board/Device | | | | |
| Other Dominant Language (ELL/LEP) | | | | |
| Receptive Language | | | | |
| Generally Aware | | | | |
| Localizes and Searches | | | | |
| Interprets Non-verbal Cues/Body Language | | | | |
| Attends and Maintains Eye Contact | | | | |
| Responds to Stimuli | | | | |
| Attends and Plays Appropriately | | | | |
| Follows Commands | | | | |
| Identifies Objects and Pictures | | | | |
| Answers Questions | | | | |
| Identifies Pictures and Functions | | | | |
| Identifies Pronouns and Possessives | | | | |
| Understands Number Concepts and Plurals | | | | |
| Understands Size Concepts and Adjectives | | | | |
| Identifies Prepositions and Actions | | | | |
| Understands Verb Tense | | | | |
| Follows Commands in Sequence | | | | |
| Expressive Language | | | | |
| Vocalizes | | | | |
| Babbles | | | | |
| Responds to Stimuli | | | | |
| Participates in Vocal Play | | | | |
| Produces Consonants and Syllables | | | | |
| Gestures | | | | |
| Imitates | | | | |
| Signals Meaningfully | | | | |
| Initiates Interactions and Describes | | | | |

| | In Place | Ability | Need | N A |
|---|----------|---------|------|-----|
| Adaptive Behavior | | | | |
| Being Prepared | | | | |
| Being Organized | | | | |
| Uses Study Skills | | | | |
| Student's Ability to Perform Everyday Tasks | | | | |
| Participation / Motivation | | | | |
| Time Management | | | | |
| Adaptive Daily Skills Living | | | | |
| Toileting | | | | |
| Hygiene | | | | |
| Dressing | | | | |
| Feeding | | | | |
| Hair Care | | | | |
| Shopping Skills | | | | |
| Money Management | | | | |
| Answers Questions | | | | |
| Imitates Signal Sequences | | | | |
| Combines Signals | | | | |
| Uses Pronouns and Expresses Possessions | | | | |
| Uses Prepositions, Quantifiers, and Demonstrators | | | | |
| Asks Questions | | | | |
| | | | | |

II. **SOCIAL DEVELOPMENT** – Describe the student's strengths, needs, relationships with peers and adults, feelings about self, social adjustment to school and community, and behavior which may impede learning.

| | In Place | Ability | Need | N A |
|---|----------|---------|------|-----|
| Feelings About Self | | | | |
| Awareness of others | | | | |
| Anxiety, Fear | | | | |
| Confident, self-determined, advocates for support | | | | |
| Level of maturity | | | | |
| Frustration / Triggers | | | | |
| Sensitive, Shy or Quiet in nature | | | | |
| Aggressive/Anger Mgmt or Coping Skills | | | | |
| Behaviors | | | | |
| Impulsive | | | | |
| Hostile | | | | |
| Self-abusive / Injurious | | | | |
| Perseverance | | | | |
| Hyperactivity | | | | |
| Lethargic / Non Responsive | | | | |
| Limited Attention Span | | | | |

| | | | | |
|--|-----------------|----------------|-------------|------------|
| Distractibility | | | | |
| Responsible/dependable | | | | |
| Relationship With Peers | | | | |
| Leadership – initiates, shares, coordinates | | | | |
| Manipulative | | | | |
| Has Several Friends | | | | |
| Has One or No Friends | | | | |
| Aggressive | | | | |
| Provocative | | | | |
| Works in Group Setting/Team Player | | | | |
| Relationships With Adults | In Place | Ability | Need | N A |
| Response to Direction / Authority | | | | |
| Response to Correction / Criticism / Discipline | | | | |
| Prefers Adult Interaction | | | | |
| Attention Seeking | | | | |
| Contact Initiation Verbal or Physical | | | | |
| Social Adjustment to School/Community | | | | |
| Adjustment to School Community | | | | |
| Adjustment After Short Breaks / Holidays | | | | |
| Adjustment After Vacations | | | | |
| Adjustments After Family Visitations | | | | |
| Adapting to New Adults | | | | |
| Adapting to New Setting | | | | |
| Responsibility for Personal Property | | | | |
| Responsibility for Property of Others | | | | |
| Initiates/uses Community Services | | | | |
| Adjustment to Environment | | | | |
| Lighting Conditions | | | | |
| Ability to Follow Routine | | | | |
| Noise | | | | |
| Room Size | | | | |
| Uses Visual Landmarks/Directionality/Transitions | | | | |
| Requires Adaptations/Access | | | | |
| Prefers Small Group / # Students | | | | |

III. **PHYSICAL** – Describe the student’s motor and sensory development needs, health, and physical skills or limitations that perform to the learning process.

| | | | | |
|---------------------------------------|-----------------|----------------|-------------|------------|
| Motor Development | In Place | Ability | Need | N A |
| Gross Motor | | | | |
| <input type="checkbox"/> Coordination | | | | |
| <input type="checkbox"/> Reflexes | | | | |
| <input type="checkbox"/> Balance | | | | |

| | | | | |
|---|-----------------|----------------|-------------|------------|
| <input type="checkbox"/> Non-Locomotor | | | | |
| <input type="checkbox"/> Locomotor | | | | |
| <input type="checkbox"/> Receipt & Propulsion | | | | |
| Fine Motor | | | | |
| <input type="checkbox"/> Bilateral Coordination (uses both hands) | | | | |
| <input type="checkbox"/> Grasping | | | | |
| <input type="checkbox"/> Hand Use | | | | |
| <input type="checkbox"/> Eye – Hand Coordination | | | | |
| <input type="checkbox"/> Manual Dexterity | | | | |
| Sensory Development | | | | |
| Visual Acuity | | | | |
| Visual Tracking | | | | |
| Visual Perception | | | | |
| Auditory Acuity | | | | |
| Auditory Processing | | | | |
| | In Place | Ability | Need | N A |
| Olfactory Sensitivity (smell) | | | | |
| Tactile/Kinesthetic (touch) | | | | |
| Gustatory Sensitivity (taste) | | | | |
| Oral Motor | | | | |
| Sensory Integration (Response to Environmental Stimuli) | | | | |
| Spatial Concepts | | | | |
| Health (MUST Impact Learning to be Discussed) | | | | |
| General Health (past and current) | | | | |
| Diagnosed Medical Condition if documented | | | | |
| Orthopedic Status | | | | |
| Neurological Development | | | | |
| Effects of Medications (do not list specific medication) | | | | |
| Physical Skills or Limitations | | | | |
| Are the student's physical skills adequate for learning in the classroom environment? | | | | |
| Gross Motor Skills, physical endurance, strength, posture, balance and coordination | | | | |
| Fine Motor Skills – grasp, manipulation, prehension, handwriting, use of scissors/ tools, eye-hand coordination | | | | |
| Oral Motor Skills – articulation, feeding, adaptive utensils | | | | |

IV. **MANAGEMENT** - Describe the nature and degree to which environmental modifications, accommodations, and/or human or material resources are required to address **academic, social, and physical** needs and supports for school personnel.

| | | | | |
|------------------------------------|-----------------|----------------|-------------|------------|
| | In Place | Ability | Need | N A |
| Environmental Modifications | | | | |

| | | | | |
|--|--|--|--|--|
| Adaptive Equipment/Seating/Accommodations | | | | |
| Use of Time-Out Room | | | | |
| Movement Breaks/Fidget Objects | | | | |
| Modified Schedule/ Routine | | | | |
| Transition Time / Navigate between Settings | | | | |
| Environmental Accommodations | | | | |
| Preferential Seating – Front/ Side/ Back of Room | | | | |
| Teacher Close Proximity | | | | |
| Minimal Distraction – visual/auditory | | | | |
| High or Minimal Lighting | | | | |
| Behavior Plan (FBA/BIP) | | | | |
| Use of Time Out Room | | | | |
| Collection and Analysis of Data/ Anecdotal Information | | | | |
| Behavior Interventions/Strategies Identified | | | | |
| Classroom Management Plan | | | | |
| BIP Completed / Implemented | | | | |
| Human Resources | | | | |
| Adult Assistance, Supervision for (behaviors, ADL's, etc.) | | | | |
| Notetaker / Scribe | | | | |
| Interpreter | | | | |
| Peer Tutor | | | | |

| | In Place | Ability | Need | N A |
|---|----------|---------|------|-----|
| Verbal Prompts/Cues | | | | |
| Access to Counselor/Social Worker/Nurse | | | | |
| Material Resources | | | | |
| Instructional Methodologies/Strategies | | | | |
| Access to Wheelchair, Walker, etc | | | | |
| Special or Extra Paper | | | | |
| Special Writing Utensil/Pencil Grip | | | | |
| Braille | | | | |
| Large Print | | | | |
| Calculator | | | | |
| Spell Check Device | | | | |
| Alternate Instructional Materials | | | | |
| Assistive Technology Devices | | | | |
| Adaptations/Aids | | | | |
| Glasses/Contacts | | | | |
| Hearing Aids | | | | |
| FM System | | | | |
| Headphones to Block Sound | | | | |
| Tape Recorder | | | | |

| | | | | |
|---|-----------------|----------------|-------------|------------|
| Word Processor/Software/Modified Keyboard/Mouse | | | | |
| Switches | | | | |
| Testing Accommodations | | | | |
| Flexible Scheduling | | | | |
| <input type="checkbox"/> Time Extension (specify amount of time) | | | | |
| <input type="checkbox"/> Test Duration (specify length of time to work before a break, length of break) | | | | |
| <input type="checkbox"/> Multiple Day Administration physical or management needs – need 3 month prior notification to SED) | | | | |
| Flexible Setting | | | | |
| <input type="checkbox"/> Individually in Separate Location | | | | |
| <input type="checkbox"/> Small Group in Separate Location | | | | |
| <input type="checkbox"/> Special Lighting | | | | |
| <input type="checkbox"/> Adaptive or Special Equipment | | | | |
| <input type="checkbox"/> Special Acoustics | | | | |
| <input type="checkbox"/> Minimal Distractions | | | | |
| Revised Test Format | | | | |
| <input type="checkbox"/> Braille | | | | |
| <input type="checkbox"/> Large Print | | | | |
| <input type="checkbox"/> Increase Size, Shape or Location of space for answers | | | | |
| <input type="checkbox"/> Increase Size of Answer Bubbles | | | | |
| <input type="checkbox"/> Arrange Items in Vertical Format with answer bubble next to choice | | | | |
| <input type="checkbox"/> Reduce the Number of Test Items per Page | | | | |
| <input type="checkbox"/> Record the Answers in Booklet | | | | |
| <input type="checkbox"/> Omit Items in Unusual Circumstances (State determines if an item CANNOT be reformatted for Braille) | | | | |
| Revised Test Directions | In Place | Ability | Need | N A |
| <input type="checkbox"/> Rewrite Directions in Simple Language | | | | |
| <input type="checkbox"/> Underlining Key Words in Directions | | | | |
| <input type="checkbox"/> Provide Cues / Clarify | | | | |
| <input type="checkbox"/> Read and/or Reread the Directions | | | | |
| Use of Aids | | | | |
| <input type="checkbox"/> Tape Recorder – The Student Must Provide All Information Including Spelling of Difficult Words, Punctuation, Grammar, and Paragraphing | | | | |
| <input type="checkbox"/> Amanuensis (Scribe) – Student Dictates; Scribe Writes Everything Word for Word. The Student Must Provide All Information Including Spelling of Difficult Words, Punctuation, Grammar, and Paragraphing | | | | |
| <input type="checkbox"/> Word Processor | | | | |

| | | | | |
|---|--|--|--|--|
| <input type="checkbox"/> Spell Check Device – Student is Accountable for Spelling Accuracy, the IEP Cannot Have the Use of Spell Check Device AND Deletion of Spelling Requirements | | | | |
| <input type="checkbox"/> Grammar Check Device – Student Cannot Use a Thesaurus or Dictionary or Use a Teacher-Made Word Bank | | | | |
| <input type="checkbox"/> Calculator – Specify Type and Functions, Do Not Specify Brand Name, (disability affects ability to memorize or compute basic math facts) | | | | |
| <input type="checkbox"/> Spelling Exempt | | | | |
| <input type="checkbox"/> Grammar Exempt | | | | |
| <input type="checkbox"/> Abacus | | | | |
| <input type="checkbox"/> Arithmetic Tables – No Formula Tables Allowed for State Tests | | | | |
| <input type="checkbox"/> Visual Magnification Devices | | | | |
| <input type="checkbox"/> Auditory Magnification Devices | | | | |
| <input type="checkbox"/> Auditory Tape of Questions, Items, and Passages, (Student can rewind the tape and listen multiple times) | | | | |
| <input type="checkbox"/> Repeat Oral Comprehension Items – Indicate the Number of Times to Repeat | | | | |
| <input type="checkbox"/> Markers to Maintain Place | | | | |
| <input type="checkbox"/> Test Passages, Questions, Items, and Multiple Choice Responses Signed to Student | | | | |
| <input type="checkbox"/> Items and Multiple Choice Responses Signed or Read to Student | | | | |
| <input type="checkbox"/> Record Answers in Booklet | | | | |
| | | | | |
| Testing Modifications | | | | |
| Changes made to the testing process, content of the exam, or provision of certain adaptive technologies; affect the constructs being measured by the exam; may invalidate the student's score; may affect the provision of services | | | | |

| | | GROUPING, CLASS SIZE and CASELOAD | Provided By |
|---|--|---|--|
| IEP must specify the duration of each related services session. | IEP must specify location where services will be provided | May be provided individually or in a group. Maximum group size is 5. Exception for NYC) <u>Speech and language therapy</u> maximum caseload is 65. | Appropriately certified providers. |
| Minimum- two hours per week, in any combination of direct and/or indirect CT services | <u>Direct:</u> MUST be provided in the classroom, NOT pull out. IEP must identify the class subject (s) where consultant teacher service will be provided. <u>Indirect:</u> The general education class taught by the teacher receiving the consultation | Individual or group basis based on similarity of need). Caseload- 20 students Can request variance for over 20. | Certified Special Education Teacher Certified Reading Teacher for students grouped and in Resource Room for reading needs |

| SERVICE PURPOSE FREQUENCY DURATION LOCATION | <p>IEP must specify how often each service will be provided during a particular time period- e.g. number of times per day, or week</p> | <p>IEP must specify how often service will be provided during a particular time period- e.g. number of times per day, or week</p> |
|---|--|---|
|---|--|---|

SCHOOL-AGE CONTINUUM OF SERVICES SYNOPSIS

| | |
|--|---|
| | |
| Related Services | <p>Developmental, corrective and other supportive services. Common related services include, but are not limited to: speech-language, counseling, occupational therapy, physical therapy, assistive technology services, school health services, interpreting services, school nurse services, audiology services</p> <p>Does <u>not</u> include a medical device that is surgically implanted, optimization of that device's functioning, maintenance or replacement of the device</p> <p>May provide more than one related service, or related services in combination with other regular or special education programs</p> |
| Consultant Teacher Direct or Indirect | <p><u>Direct</u> to aid the student to benefit from the general education class instruction</p> <p><u>Indirect</u> to assist the general education teacher in adjusting the learning environment and/or modifying his/her instructional methods to meet the individual needs of the student with a disability who attends the general education class</p> |

For additional information see: 1-Section 200.6, <http://www.p12.nysed.gov/special/publications/lawsandregs/sect2006.htm> ;
2-Continuum of Special Education Services for School-Age Students with Disabilities, April 2008 Memorandum, <http://www.p12.nysed.gov/special/publications/policy/schoolagecontinuum.html>

| | | | |
|--|--|---|---|
| Minimum- three hours per week Combination Resource Room and Consultant Teacher) | Consultant Teacher- same as above Resource Room | Consultant Teacher- same as above Resource Room- instruction group maximum size of 5 students. (Exception for NYC) Total caseload- Grades 1-6, 20 students Grades 7-12, 25 students | Certified Special Education Teacher |
| | | GROUPING, CLASS SIZE and CASELOAD | Provided By |
| Minimum- three hours per week Maximum- % of school day | Resource Room or push-in to the general education classroom, provided that the resource room teacher provides supplemental instruction (see “purpose” column) | Students grouped by similarity of need. Instructional group maximum of 5 students. Exception for NYC) Total caseload- Grades 1-6, 20 students Grades 7-12, 25 students | Certified Special Education Teacher Certified Reading Teacher for students grouped in Resource Room for reading needs |
| May be provided for all or part of the school day e.g., a class period) | General education class(s) where integrated co-teaching will be provided. | Students grouped based on similarity of needs. Maximum number of students with disabilities on the class roster for integrated co-teaching is the roster of 12 students includes any student with a disability in that class regardless whether all 12 are recommended for | Certified General Education Teacher and certified Special Education Teacher One of the teachers must be highly |

| | | |
|---|---|--|
| <p>IEP must specify how often service will be provided during a particular time period- e.g. number of times per day, or week</p> | <p>PURPOSE FREQUENCY DURATION LOCATION</p> | <p>IEP must specify how often service will be provided during a particular time period- e.g., number of times per day, or week.</p> <p>Does not have to be daily (e.g., 3 days per week)</p> |
|---|---|--|

| | |
|---|--|
| Consultant Teacher in combination with Resource Room | To meet the needs of a student who could benefit from the two types of services, but who does not need two hours per week of Consultant Teacher and three hours per week of Resource Room. |
| SERVICE | |
| Resource Room | To provide specialized supplementary small group instruction. This supplementary instruction is provided in addition to the general education or special education classroom instruction that the student receives. It is not provided in place of the student's regular instruction. |
| Integrated Co-Teaching (optional) | <p>To provide academic and specially designed instruction in the general education setting to an integrated group of students. The responsibility for planning, delivering and evaluating instruction for all students is shared by the general and special education teachers.</p> <p>Districts <u>may</u> choose to offer Integrated Co-teaching. It is not mandatory to offer it. This is the</p> |

| | | | | |
|---|---------------------------------------|---|--|---|
| | | | <p>integrated co-teaching. No regulatory maximum number of non disabled students, but the number of non-disabled students should be more than or equal to the number of students with disabilities. Variance procedures available to temporarily exceed maximum number of students to 14; noted in regulations (Dec 2010).</p> | <p>qualified in the core academic area.</p> |
| <p>IEP must specify how often service will be provided during a particular time period- e.g. number of times per day, or week</p> | <p>All or part of the school day.</p> | <p>Special Class NOT in the general education classroom.</p> | <p>Grouped based on similarity of needs. Must include class size ratio of 1:1 1:12-15. Instructional Management needs interfere with Instructional process mandated to provide management needs multiple disabilities :1+ (3:1) <u>Age Range in Special Class</u> • For students less than 16 years of age the age range shall not exceed 18 months • Age 16 and over and age range limitation. 12:1 Age range variances can be requested.</p> | <p>Certified Special Education Teacher Certified Reading Teacher for students grouped for similar needs.</p> |

| | |
|----------------------|--|
| | only continuum option that is not mandated to be available to all students with disabilities. |
| Special Class | To provide primary instruction that is specially designed to meet the similar needs of a group of students in a self-contained setting, separate from their non-disabled peers |

SCHOOL-AGE CONTINUUM OF SERVICES SYNOPSIS

For additional information see: 1-Section 200.6, <http://www.p12.nysed.gov/special/publications/lawsandregs/sect2006.htm> ;
 2-Continuum of Special Education Services for School-Age Students with Disabilities, April 2008 Memorandum,
<http://www.p12.nysed.gov/special/publications/policy/schoolagecontinuum.html>



THE STATE EDUCATION DEPARTMENT
THE UNIVERSITY OF THE STATE OF NEW YORK
ALBANY, NY 12234
Office of P-12 Education
Office of Special Education

QUALITY INDICATOR REVIEW AND RESOURCE GUIDES for LITERACY

- 1. Systemic Support**
- 2. Early Literacy Instructional Practice**
- 3. Adolescent Literacy (Middle Level)**
- 4. Adolescent Literacy (High School)**
- 5. Specially Designed and Intensive Reading for Students with Disabilities**

The Regional Special Education Technical Assistance Support Center (RSE-TASC) network is one of the New York State Education Department's (NYSED) primary resources for school improvement in New York State. This *Quality Indicator Review and Resource Guide* is one of a series that has been developed for use by the RSE-TASC network to guide their work in assessment of programs and provision of professional development, support and technical assistance to districts and schools to improve results for students with disabilities.

The Guides are intended to be used to support a process that includes:

- Assessing the quality of a school district's instructional programs and practices in the areas of literacy, behavioral supports and interventions; and delivery of special education services;
- Determining priority need areas; and
- Prescribing and planning activities to change practices and improve outcomes for students with disabilities.

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LITERACY: EARLY LITERACY



Key Questions:

- What is the sequence of phonological awareness skills identified in the curriculum?
- What portion of the instructional block is dedicated to the development of phonological awareness?

| Indicator: Early Literacy | | |
|--|--|-------------------|
| Component: Phonological Awareness | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Students are evaluated for phonological awareness. ➤ A sequence of phonemic awareness skills is taught explicitly: <ul style="list-style-type: none"> <i>Phoneme identification</i> <i>Phoneme discrimination</i> <i>Phoneme substitution</i> <i>Phoneme addition</i> <i>Phoneme deletion</i> <i>Phoneme isolation</i> <i>Phoneme segmentation</i> <i>Phoneme blending</i> ➤ Daily time is scheduled during the instructional block for phonemic awareness instruction. ➤ No more than 2 phonemic awareness skills are taught at one time. ➤ Individual documentation of students' skill achievement is present. | <ul style="list-style-type: none"> ➤ Teacher modeling manipulation of sounds ➤ Students manipulating phonemes without accompanying print ➤ Think Aloud practice to share what to attend to when manipulating phonemes ➤ Guided Practice in small and large groups ➤ Corrective Feedback ➤ Say it-Move It Activities, Elkonin boxes, tokens/manipulatives, tapping or finger spelling are used for students to isolate the individual phonemes in words ➤ Students counting the number of phonemes they hear in a word ➤ Benchmarks and progress monitoring for phonological awareness ➤ Benchmarks and progress monitoring for phonemic awareness ➤ Kindergarten screening that has a phonological awareness component | |

Phonological Awareness focuses on recognizing and manipulating phonemes as it relates to speech sounds. A good site for understanding and ideas is:

<http://www.phonologicalawareness.org/>.

Corrective feedback is used during reading instruction and intervention to identify errors, provide additional instruction, and allow the student to develop internal thinking skills to utilize when reading independently. The process is meant to be dynamic and student focused. A link of interest is:

<http://www.studydog.com/SDsystematic.asp>.

Phonemic Awareness is a reader's ability to recognize that spoken language is made up of a series of individual sounds.

Think Aloud is a reading strategy wherein the teacher explicitly models the thinking skills being used as a text is approached. A sample lesson plan can be found at:

http://www.readwritethink.org/lessons/lesson_view.asp?id=139.

Phoneme is the smallest contrastive unit in the sound system of a language.

Elkonin boxes are an instructional tool to assist children in understanding the segmenting and blending of phonemes. For a better understanding and example of their use see:

http://bogglesworldesl.com/elkonin_boxes.htm.

LITERACY: EARLY LITERACY



Key Questions:

- How are word attack skills taught and practiced?
- What scope and sequence is used to teach the phonetic elements of the English language?

| Indicator: Early Literacy | | |
|---------------------------|----------|-------------------|
| Component: <i>Phonics</i> | | |
| Quality Indicators | Look For | Comments/Evidence |

| | | |
|--|--|--|
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Phonics instruction is explicit and systematic (a sequence of skills is followed). ➤ Speech to print correspondence, and letter recognition activities are incorporated daily into the instructional block. ➤ Daily practice reading and writing by mapping sounds to letters to read text occurs. ➤ Decodable text aligns with the sequence of previously taught skills and phonetically irregular sight words. ➤ Individual documentation of students' skill achievement. | <ul style="list-style-type: none"> ➤ Teachers who can describe the scope and sequence that is followed ➤ Students reviewing letter-sound previously taught ➤ Teacher identifying the new skill to be learned (letter to sound, sound to letter) ➤ Students practicing reading and writing words, phrases, sentences and connected text with the new skill ➤ Students reading words with previously taught skills ➤ Students reading decodable sentences and text ➤ Orthography of English spelling being taught along with phonics ➤ Students spelling words and sentences from dictation ➤ Phonetically irregular words being taught/practiced to mastery ➤ Students mastering the spelling of phonetically irregular sight words ➤ Students moving from controlled text to uncontrolled text as they become more proficient ➤ Reference Charts that are posted to show the sounds that the elements make ➤ Word analysis or word study activities ➤ Students doing more reading than the teacher ➤ Benchmark and progress monitoring of Nonsense Word Fluency, advanced phonics skills and Oral Reading Fluency | |
|--|--|--|

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LITERACY: EARLY LITERACY

Indicator: Early Literacy

Component: Phonics

Decoding readers use their knowledge of letter-sound relationships to identify words. Decoding is automatic for good readers who identify most words rapidly, even good readers use decoding skills with unfamiliar word.

<http://www.nifl.gov/partnershipforreading/publications/html/mcshane/index.html>

Orthographic or Orthography is a complete writing system for a language or languages. Orthographies include the representation of word boundaries, stops and pauses in speech, and tonal inflections. Source: <http://www.sedl.org/reading/framework/glossary.html>

Phonics is the understanding that there is a pattern and relationship between the sounds (phonemes) of spoken language and the letters and spellings (graphemes) that represent those sounds in written text.

Word Analysis or Word Study is an activity conducted during instructional reading time wherein the sounds and patterns learned during phonics instruction are utilized in reading words and text.

QUALITY INDICATOR REVIEW AND RESOURCE GUIDE LITERACY: EARLY LITERACY



Key Questions:

- How many high utility vocabulary words are targeted for explicit instruction and practiced weekly? ➤
- What strategies are students taught to construct meaning of unknown words while reading?
- How is vocabulary development assessed?

Indicator: Early Literacy

Component: Vocabulary

| Quality Indicators | Look For | Comments/Evidence |
|--|---|-------------------|
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Vocabulary instruction is explicit and systematic. ➤ Multiple opportunities to learn and utilize the new words are incorporated throughout the school day. ➤ Vocabulary instruction is focused on high utility words that mature readers and writers use. ➤ Grade level curricula identify specific academic vocabulary to be learned. ➤ Continuous practice/exposure to previously taught words in a variety of contexts is provided. ➤ Individual students' skill achievement is documented. ➤ Contextual methods of vocabulary instruction are used to verify comprehension. | <ul style="list-style-type: none"> ➤ Specific words being taught ➤ Students using new words independently ➤ Visual Aids /concrete models for learning new words ➤ Academic and high utility vocabulary lists are available ➤ Students identifying synonyms, homonyms, antonyms of new words ➤ Word Boxes ➤ Multiple meanings of words being taught ➤ Co build dictionary for kids, Personal dictionaries, Word Journals, Longman Dictionary ➤ Charts or word walls ➤ Instruction in word meaning, grammatical features, examples, non-examples & visual representation ➤ Integrated vocabulary instruction in reading, writing, listening and speaking ➤ Modeling the correct use of new words ➤ The interrelationship between and among words being explored (use of semantic webs) ➤ Deliberate integration of words to be learned being evident in a variety of activities ➤ Benchmark/progress monitoring of vocabulary skills | |

Direct vocabulary instruction refers to students learning vocabulary when they are explicitly taught both individual words and word-learning strategies. Direct vocabulary instruction aids reading comprehension. **Vocabulary** means the words we must know to communicate effectively http://www.nifl.gov/partnershipforreading/publications/reading_first1vocab.html.

High Utility Words are words that are found often in print but not specific to content areas.

Academic Vocabulary is the vocabulary that allows students to understand the concepts that are taught. A good site to understand this is <http://www.u-46.org/roadmap/files/vocabulary/acadvoc-over.pdf>.

LITERACY: ADOLESCENT LITERACY



Key Questions:

- What tools are used to measure and monitor students' baseline skills in vocabulary, spelling and phonics?
- How is the instruction of phonics, vocabulary and spelling integrated so it is meaningful for students with disabilities?

| Indicator: Adolescent Literacy (Grades 4-8) | | |
|---|--|-------------------|
| Component: <u>Word Study</u> | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Language skills and content concepts are in meaningful context. ➤ Vocabulary is introduced in a variety of contexts. ➤ Instruction emphasizes word elements and structural analysis. ➤ A variety of independent word study strategies are used to teach unfamiliar words. ➤ Teacher leads regular discussions about words and how they work. ➤ Instruction capitalizes upon the reciprocal relationship between reading and spelling ➤ Students are provided a systematic way to study spelling words. ➤ Syllable types and division rules are taught in decoding and encoding words. | <ul style="list-style-type: none"> ➤ Relevant and age-appropriate word building activities ➤ Word walls ➤ Use of dictionary, thesaurus ➤ Questioning related to vocabulary ➤ Use of think aloud strategies ➤ Evidence of multiple exposures to new vocabulary words ➤ Concept attainment activities ➤ Opportunities to practice unfamiliar words ➤ Word analysis activities (root word, prefixes, suffixes) ➤ Conversations about words ➤ Frequent practice reading and writing commonly used words ➤ Word consciousness ➤ Syllable division rules being used independently to identify and spell unknown words | |
| <p>Word Study research based approach to teaching phonics, vocabulary and spelling. For further information see http://www.meadowscenter.org/vgc/downloads/primary/booklets/Word_Study.pdf</p> <p>Word Analysis is using the relationships between spelling and pronunciation at the letter, syllable, and word levels to figure out unfamiliar words http://www.sedl.org/cgi-bin/mysql/buildingreading.cgi?showrecord=21&l=description.</p> <p>Word Consciousness is a curious and playful interaction with words. A student is word conscious when they are interested in words and gain enjoyment and satisfaction from using them well and from seeing or hearing them used well by others. http://www.textproject.org/franklyfreddy/word-consciousness</p> | | |

QUALITY INDICATOR REVIEW AND RESOURCE GUIDE LITERACY: ADOLESCENT LITERACY

Key Questions:

- What approach is used to increase the vocabulary skills of students with disabilities?
- What instructional strategies or approaches are used to enable students with disabilities to decode unfamiliar words independently?

| Indicator: Adolescent Literacy (Grades 9-12) | | |
|--|---|--------------------------|
| Component: Vocabulary | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Grade level curriculum for high utility and academic vocabulary is established for all students. ➤ Teachers provide direct instruction in the structural analysis of words. ➤ Teachers model independent word-learning strategies (through context, affix and root word instruction and application). ➤ Teachers provide direct, explicit instruction, in word meanings. ➤ Teachers introduce vocabulary in a variety of contexts. ➤ Teachers spend time reading aloud to students. ➤ Students connect vocabulary to new concepts and new concepts to previously learned words. ➤ Students are expected to learn words, use words and remember words for the long-term. ➤ Students gain vocabulary through indirect means by having the opportunity to read and listen to a wide variety of material. | <ul style="list-style-type: none"> ➤ Direct instruction of academic and high utility vocabulary within and across curricula in a variety of contexts ➤ Displays of academic and high utility vocabulary ➤ Use of dictionary and/or thesaurus ➤ Use of poems, puns, riddles, anagrams ➤ Word sorts and categorization ➤ Materials written at a range of readability levels ➤ Use of graphic organizers to create connections of words ➤ Instruction in morphemic analysis including prefixes, suffixes, root words, synonyms, antonyms, multiple meaning words ➤ Consistently scheduled time for reading aloud to students ➤ Students represent new words using visual symbols ➤ Use of response logs and journals ➤ Questioning relating to vocabulary ➤ Use of think aloud strategies ➤ Evidence of multiple exposures to new vocabulary words | |

Morphemic analysis is being able to break words into the smallest units of meaning in a language.

http://www.litandlearn.lpb.org/strategies/strat_4morph.pdf

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LITERACY: EARLY LITERACY



Key Questions:

- How much daily time is dedicated to the development of fluency during the instructional block?
- How is student fluency assessed, recorded, and monitored systematically at grade level and at the instructional level?

| Indicator: Early Literacy | | |
|--|--|-------------------|
| Component: Fluency | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none">➤ Teachers monitor fluency at every level (letter name, letter sound, phonetically irregular high frequency words, phonetically regular words, phrases, sentences, passages).➤ Instructional materials are available on independent and instructional levels for all.➤ Fifteen minutes of daily oral reading practice is scheduled in the literacy block.➤ Daily practice of phonetically irregular high frequency words is scheduled in the literacy block.➤ Individual students' skill achievement is documented. | <ul style="list-style-type: none">➤ Students' fluency rates and rates of improvement being readily available➤ Repeated readings of lists of regular words➤ Drilling of high frequency phonetically irregular words➤ Buddy reading – buddies provide feedback➤ Repeated reading of text➤ Timed reading of words and passages➤ Whisper Reading➤ Echo reading➤ Reading modeled by teacher in many genres➤ Prosody is practiced at leisure reading levels➤ Use of poetry➤ Readers Theater➤ Benchmark and progress monitoring of oral reading fluency➤ Assessment of fluency at every level (letter name, letter sound, phonetically irregular high frequency words, phonetically regular words, phrases, sentences, passages) | |

Fluency is the ability to read a text accurately and quickly. When fluent readers read silently, they recognize words automatically. They group words quickly to help them gain meaning from what they read. Fluent readers read aloud effortlessly and with expression. Their reading sounds natural, as if they are speaking. Fluency = Accuracy + Rate + Expression Sources: http://www.nifl.gov/partnershipforreading/publications/reading_first1fluency.html and http://www.linkslearning.org/reading_links/readingmanuals/FLUENCYPARTICIPANT.pdf **Prosody** is using the features of rhythm, intonation, and phrasing when reading.

Repeated Reading is a strategy that involves student's reading a passage aloud or silently several times to improve fluency and correct errors. Related link: <http://www.sil.org/lingualinks/literacy/ImplementALiteracyProgram/UsingRepeatedReading.htm>

Whisper reading is a fluency strategy wherein all students are reading/whispering aloud at their own rate. The teacher monitors by walking around and listening.

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QUALITY INDICATOR REVIEW AND RESOURCE GUIDE

LITERACY: ADOLESCENT LITERACY



Key Questions:

- How are students' word recognition and decoding accuracy measured prior to providing fluency instruction? ➤ How is fluency measured and monitored over time?
- How much daily instructional time is provided for fluency development?

Indicator: Adolescent Literacy (Grades 4-8)

Component: Fluency

| Quality Indicators | Look For | Comments/Evidence |
|--------------------|----------|-------------------|
|--------------------|----------|-------------------|

| | | |
|--|--|--|
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Instruction in decoding and word recognition is provided for students whose accuracy is below 95% at grade level and the fluency rate is below the 50th percentile. ➤ Fluency instruction is not a stand alone intervention but is part of a total reading program. ➤ Accuracy, rate, prosody and endurance are taught and measured. ➤ Extensive practice in oral reading is provided with material and in activities that are of interest to the students. ➤ Students are expected to make more than one year's progress during one year of school ➤ Oral reading fluency instruction focuses on imitating oral language not just speed. ➤ Prosody is explicitly taught. | <ul style="list-style-type: none"> ➤ Word recognition accuracy in isolation and connected text being measured weekly ➤ The reading program containing all elements that students have not yet mastered ➤ Passages at the instructional level that are long enough to measure sustained reading for 45 minutes to measure endurance (accuracy/ rate over time) ➤ Students self-selecting books at their independent and instructional levels ➤ Reading materials that are varied in genres and background knowledge ➤ Paired reading opportunities ➤ Fluency data being used to modify the intervention to make it stronger ➤ Fluency instruction continuing until the student scores +or – 10 words correct per minute (wcpm) of the 50th percentile for his grade level ➤ Repeated, assisted reading practice (limited to 5 rehearsals) ➤ Reading to students, reading with students, and listening to students ➤ Students reading with correct expression using phrasing and attending to punctuation | |
| <p>Fluency is the ability to read a text accurately and quickly. When fluent readers read silently, they recognize words automatically. They group words quickly to help them gain meaning from what they read. Fluent readers read aloud effortlessly and with expression. Their reading sounds natural, as if they are speaking. Fluency = Accuracy + Rate + Expression Sources: http://www.linkslearning.org/reading_links/readingmanuals/FLUENCYPARTICIPANT.pdf Prosody is using the features of rhythm, intonation, and phrasing when reading.</p> <p>Repeated Reading is a strategy that involves student's reading a passage aloud or silently several times to improve fluency and correct errors. Related Link: http://www.sil.org/lingualinks/literacy/ImplementALiteracyProgram/UsingRepeatedReading.htm</p> | | |

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LITERACY: EARLY LITERACY



Key Questions:

- What portion of the instructional block is dedicated to explicitly teaching comprehension?

- How often and for how long during the instructional block do teachers planfully interact with students as they read?

| Indicator: Early Literacy | | |
|--|---|-------------------|
| Component: Reading and Listening Comprehension | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Reading comprehension strategies for specific purposes are planned for and explicitly taught. ➤ Students can articulate the characteristics of different texts and are taught how to read them. ➤ Background knowledge is considered and planned for in instructional areas. ➤ Connections to text (text to self, text to author, text to text, text to world) are planned for and explicitly taught. ➤ Idiomatic language is explored and explained. ➤ Sentence syntax is taught. ➤ Individual student's skill achievement is documented | <ul style="list-style-type: none"> ➤ Story Retell – identifying specific types of information to discuss when reading different types of text ➤ Dialogic Reading ➤ QARs ➤ Think Aloud ➤ Visualization ➤ Graphic organizers for specific purposes after reading ➤ Activating prior knowledge and establishing context ➤ Predicting ➤ Questioning (asking and answering) ➤ Prediction statements ➤ Text Talk ➤ Readers Theater ➤ Anchor charts ➤ Cloze activities ➤ Passage summaries ➤ Introduction of new vocabulary ➤ Making connections to text (e.g. pictures, journal writing, conversations-oral and/or written) ➤ Benchmark and progress monitoring of reading/listening comprehension skills | |

QUALITY INDICATOR REVIEW AND RESOURCE GUIDE

LITERACY: EARLY LITERACY

Indicator: Early Literacy

Component: Reading and Listening Comprehension

Comprehension is understanding a text that is read, or the process of "constructing meaning" from a text. Comprehension is a "construction process" because it involves all of the elements of the reading process working together as a text is read to create a representation of the text in the reader's mind.

www.nifl.gov/partnershipforreading/adult_reading/glossary/glossary.html

Idiomatic Language is defined as an expression that does not mean what it literally says. Hence, its meaning is often quite different from the word-for-word translation and this can impact a student's comprehension.

Story Retell is a classroom based strategy to check and monitor student comprehension of materials read. Story retells consist of a series of open ended questions that the student responds to (e.g. What happened at the beginning of the story?).

Think Aloud is a reading strategy wherein the teacher explicitly models the thinking skills being used as a text is approached. A sample lesson plan can be found at: http://www.readwritethink.org/lessons/lesson_view.asp?id=139.

QAR is a reading strategy in which students utilize where they found information to answer comprehension question and the relationship between the material read and the answer. A good site can be found at: <http://www.indiana.edu/~I517/QAR.htm>.

Anchor Charts are posters or visual aids created and posted within classrooms to illustrate and/or remind students of a skill or strategy and its use. **Dialogic Reading** an interactive method of reading picture books in which the child becomes the storyteller with assistance from the adult. A good [site to reference is](http://ies.ed.gov/ncee/wwc/reports/early_ed/dial_read/) http://ies.ed.gov/ncee/wwc/reports/early_ed/dial_read/.

Text Talk is a method in which young children talk about the text in order to improve comprehension and understand vocabulary. http://www.schools.utah.gov/curr/readingfirst/text_talk.htm



Key Questions:

- How does the literacy program transition students with disabilities as they move from “learning to read” to “reading to learn”? ➤ What do teachers demonstrate and scaffold students’ application of comprehension strategies? ➤ How is vocabulary taught across the curriculum?

| Indicator: Adolescent Literacy (Grades 4-8) | | |
|---|--|-------------------|
| Component: Comprehension | | |
| Quality Indicators | Look For | Comments/Evidence |
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Instruction and assessment addresses literal, inferential, critical and/or applied comprehension. ➤ A variety of comprehension strategies are taught (e.g., questioning, clarifying, inferring, predicting, making connections and summarizing). ➤ Instruction includes the use of graphic organizers for specific purposes. ➤ Metacognitive strategies such as comprehension monitoring are taught. ➤ Strategies are applied in multiple contexts. ➤ Vocabulary instruction is direct and extended with multiple exposures and opportunities for usage. ➤ Sentence syntax and semantics are elements of instruction. ➤ Teachers document individual student's skill achievement. ➤ Comprehension instruction includes the development of background knowledge, grammar and figurative language. | <ul style="list-style-type: none"> ➤ Direct instruction (teacher modeling, guided practice, independent practice) of strategies ➤ Explicit feedback by teacher ➤ Scaffolding ➤ Think Alouds ➤ Utilization of visual heuristics (graphic organizers, visual prompts) ➤ Directed Reading Thinking Activities(DRTA) ➤ Multi media resources ➤ Word walls (reflective of vocabulary instruction across the curriculum) ➤ Scope and sequence for grammar ➤ Evidence of teaching and activating background knowledge in lesson plans ➤ Benchmarking and progress monitoring of comprehension skills ➤ Writing and conversation about texts | |

QUALITY INDICATOR REVIEW AND RESOURCE GUIDE

LITERACY: ADOLESCENT LITERACY

Component: Comprehension

Explicit feedback is used during reading instruction and intervention to identify errors, provide additional instruction, and allow the student to develop internal thinking skills to utilize when reading independently. The process is meant to be dynamic and student focused. A link of interest is:

<http://www.studydog.com/SDsystematic.asp>

Directed Reading Thinking Activity (DRTA) are lessons designed by teachers to engineer stopping and thinking points in a text. A source is:

<http://www.learningpt.org/literacy/adolescent/strategies/drta.php>

Metacognition literally means "big thinking." You are thinking about thinking. Questioning, visualizing, and synthesizing information are all ways that readers can examine their thinking process.

Scaffold or Scaffolded instruction means that during instruction, teachers assist and guide students so that they can read, learn, and respond to text in ways they may not be able to do without support. A source is: <http://www.learner.org/channel/workshops/readingk2/front/keyterms3.html> **Think Aloud** is a reading strategy wherein the teacher explicitly models the thinking skills being used as a text is approached. **Visual heuristics** are learning aids with a graphic presentation. A definition can be found at: <http://m-w.com/dictionary/heuristic>



Key Questions:

- How does the literacy program transition students with disabilities as they move from learning to read to reading to learn?
- How are students with disabilities assisted in comprehending diverse texts?
- What criteria are used in selection of instructional materials and readings across the curricula?

Indicator: Adolescent Literacy (Grades 9-12)

Component: Comprehension

| Quality Indicators | Look For | Comments/Evidence |
|---|---|-------------------|
| <p>There is evidence that:</p> <ul style="list-style-type: none"> ➤ Texts written at a range of readability levels to access the curriculum in each discipline are available. ➤ Students read texts written at a range of readability levels in order to access the curriculum in each discipline. ➤ Students have many opportunities to apply comprehension strategies, in isolation and context, when reading for literal, inferential and critical understanding. ➤ Students use a variety of tools for learning the meaning of unknown vocabulary. ➤ Teacher documents individual student's skill achievement. | <ul style="list-style-type: none"> ➤ Conversations between teacher and students with probative questions, queries, and other critical thinking prompts (e.g. Authentic conversations) ➤ Diverse texts of varied genre available ➤ Texts written at a range of readability levels ➤ Application of learned comprehension strategies (e.g., reciprocal questioning, note-taking, paraphrasing, graphic organizers, making connections, and drawing conclusions) ➤ Use of definition maps, semantic mapping, semantic feature mapping, comparing and contrasting, and/or the teaching of word parts | |

Diverse text uses alternative resizing materials, short stories, songs, menus, recipes, advertisements, different levels of text, highlighted text. **Authentic conversations** are natural compelling conversations among students that result in increased information, encouragement and understanding is accomplished by asking simple, yet deep, questions that are meaningful to the students. Resources for this can be found at <http://www.compellingconversations.com/>

TEST ACCOMMODATIONS CHECKLIST

FLEXIBLE SCHEDULING:

___ **Extended Time** *

___ Early Start

___ Time and a half ___ Special acoustics/minimal noise ___ Double time ___ **Special**

lighting *

___ **Breaks** *

Time ___ min.

For each ___ min. test period

___ **Multiple Day Administration** * (prior SED approval required)

FLEXIBLE SETTING:

___ **Separate Location / Room** *

Indicate Reason:

___ Individual/small group # ___

___ Double time ___ **Special**

___ **Minimal distractions** *

___ **Adaptive or Special equipment** *

___ **Preferential Seating** *

*** REVISED TEST FORMAT:**

___ Increase size of print Font Size ___

___ Increase spacing between items

___ Change ___ size ___ shape ___ location
of answer space

Describe: _____

___ Multiple Choice items in vertical format

___ Increase size of bubble

___ Reduce # items on page

___ Transcribe to Braille

___ Items omitted/test prorated

Describe: _____

(Cannot be transcribed, interpreted, or signed accurately -
principal decides what items on State Assessments)

*** REVISED TEST DIRECTIONS:**

___ Directions read

___ Directions rewritten in simplified language

___ Key words underlined or highlighted

___ New directions for each new set of skills

___ Repeat directions (x ___)

___ Directions reread on each page

___ Provide cue on answer form

(arrow, symbols, circle, etc.)

___ Provide additional example

*** USE OF AIDS/ASSISTIVE TECHNOLOGY DEVICE**

TO INTERPRET TEST ITEMS:

Special Equipment or Assistance

___ Magnification device (specify type)

___ Amplification device (specify type)

___ Test items taped

___ Test items signed

___ Use of masks/markers to cover portions of the page

___ Use of masks/markers to keep student's place

___ Paper secured to work area by tape/magnets

___ Proctor Assistance:

___ **Provide on-task focusing prompts***

___ To have tests read *

TO RESPOND TO TEST ITEMS:

Need for Equipment or Assistance

to record answers:

___ On task focusing prompts

___ Computer / Word processor

___ Point to indicate response

___ Communication board

___ Adaptive writing equipment

___ **Additional paper** *

___ **Arithmetic tables** *

___ Manipulatives

___ **Use of Calculator** *

Describe: _____

___ Need to dictate responses

___ Tape recorder

___ **Use of Scribe** * ___ Essay format only

___ Child must provide all information
including spelling, punctuation,

(ALL passages, questions, multiple choice items,
math symbols, etc.)

___ Read "Listening Component"

_____ 1 _____ 2 additional items

_____ Accommodations for Physical Education
(see Test Accom. Manual – page 22)

NOTE: * As allowable on NYS Assessments

grammar, etc.

_____ **Spell – Check Device**
(responsible for spelling accuracy)

_____ **Grammar – Check Device ***

_____ **Waive Spelling Requirement ***

_____ **Waive Paragraphing Requirement ***

_____ **Waive Punctuation Requirement ***

_____ Record answers in test booklet

Source: Test Access & Accommodations for Students with Disabilities, Policy and Tools to Guide Decision-Making and Implementation, VESID – May 2006

BOLD - Drop Down Options on Model IEP Form

Step One: Assessments

- What am I interested in?
- What are my strengths?
- What activities do I prefer?
- What environments do I prefer?
- How do I learn best?
- What do I value?
- What skills do I have?
- What are my academic abilities?

Present Levels of Performance

- What are my goals for life after I exit?

- My levels of knowledge
- My skill development
- My intellectual development & experiences will I need?
- My rate of progress
- My learning styles
- My strengths, preferences, & interests

Measurable Post Secondary Goals

Use data and examples to describe:

Transition Needs & Course of Study

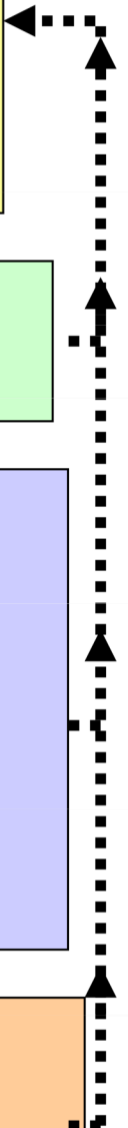
In reflection of Evals/PLPs/MPSGs:

- What skills should I learn? adaptive behavior

- What supports/linkages will I need?

- What self-advocacy skills will I need?

- What education will I need?



- My academic, functional, and developmental needs
- My needs & my parents concerns

Coordinated Set of Activities & Annual Goals

- How is the school going to help me this year so that I can reach my MPSGs?

Website Resources

1. NYSED Resources

- ▶ <http://www.p12.nysed.gov/specialed/timely.htm>
- ▶ <http://www.p12.nysed.gov/specialed/techassist/Qlcover.htm>
- ▶ <http://www.p12.nysed.gov/specialed/lawsregs/part200.htm>

2. Behavior

- ▶ www.pbis.org
- ▶ www.nyspbis.org
- ▶ www.disciplinehelp.com/teacher/
- ▶ www.successfulschools.org
- ▶ www.behavioradvisor.com/oldindex.html
- ▶ <http://cecp.air.org/fba/>

3. Literacy

- ▶ <http://reading.uoregon.edu/>
- ▶ <http://www.ohioliteracyalliance.org/>
- ▶ http://www.kde.state.ky.us/NR/rdonlyres/2D670309-9A31-427EA85E-712FD1F2BC15/0/CCSSO_ContentLiteracy.pdf
- ▶ <http://www.nationalreadingpanel.org/>
- ▶ <http://ies.ed.gov/ncee/wwc/topic.aspx?sid=8>
- ▶ <http://www.interventioncentral.org/academic-interventions>

4. General Special Education

- ▶ www.usu.edu/teachall
- ▶ <http://idea.ed.gov/>
- ▶ <http://ies.ed.gov/ncee/wwc/>
- ▶ <http://nichcy.org/>

5. Transition

- ▶ <http://www.acces.nysed.gov/vr/do/transition.htm>
- ▶ <http://www.betterhighschools.org>
- ▶ <https://careerzone.ny.gov/views/careerzone/index.jsf>
- ▶ <http://www.ddawny.org/ddawny/index.htm>
- ▶ <http://healthytransitionsny.org/site/view/152>
- ▶ <http://www.nasetalliance.org/index.htm>
- ▶ <http://www.ncset.org>
- ▶ http://www.ncwd-youth.info/who_Are_You/youth_and_Family/index.html
- ▶ <http://www.nsttac.org>
- ▶ <http://www.workreadiness.com/nwrcrd.html>
- ▶ <http://nichcy.org/schoolage/transitionadult>
- ▶ <http://www.parentnetworkwny.org/>
- ▶ <http://p21.org/>
- ▶ <http://transitionsource.org>
- ▶ <http://ies.ed.gov/ncee/wwc/>

6. Data Collection

- ▶ <http://www.studentprogress.org/>

- ▶ <http://dibels.uoregon.edu/>
- ▶ http://www.cast.org/publications/ncac/ncac_curriculumbe.ht ml#references

APPENDIX III

Mount Vernon Public Schools

Mount Vernon, New York

TEACHING ASSISTANT EVALUATION

Name _____ School: _____ Program Teach Asst Date: _____

Attendance

Ill _____ Personal _____ Tardy _____ Schl. Bus. _____ Other _____

I. CLASSROOM RESPONSIBILITIES

Rating

1. Knowledge and ability to communicate subject matter _____
2. Knowledge and creation of supportive materials and equipment _____
3. Effectiveness of presentation to small groups and individuals _____
4. Initiative in classroom _____
5. Effectiveness with individual student _____
6. Utilization of appropriate supplementary or enrichment material _____
7. Group, student, and program record keeping _____
8. Punctuality. Arrives at assigned classrooms on time _____
9. Begins lessons promptly _____
10. Knowledge of student strengths and weaknesses _____

SUBTOTAL _____

II. SUPERVISION OF CHILDREN

11. Effectiveness of control of children (individuals or small groups)_____
12. Responsiveness of children to Teaching Assistant _____
13. Attitude towards children during presentations and skill exercises _____
- SUBTOTAL _____

III. PROFESSIONAL RELATIONSHIPS

14. To Principal, Director, Supervisor/Coordinator and Teacher _____
15. Cooperation and willingness to follow directions and suggestions
relating to assigned program _____
16. Seeks assistance when problems arise _____
- SUBTOTAL _____

IV. MISCELLANEOUS AND ADMINISTRATIVE RESPONSIBILITIES

17. Punctuality (School Time Schedule, a.m. & p.m.) _____
18. Attendance (Other than approved absences) _____
19. Adherence to school regulations and program design _____
20. Improved knowledge and skills in program _____
- SUBTOTAL _____
- TOTAL RATING _____

APPENDIX III (continued)

USE NUMBERS FOR RATINGS:

5 = Outstanding

3.5 = Satisfactory

1 = Ineffectual

4 = Very Effective

2 = Inconsistent

TOTAL RATINGS SHALL BE DETERMINED AS FOLLOWS:

90 – 100 Outstanding

80 - 89 Very Effective

70 - 79 Satisfactory

Below 70 reflects an unacceptable performance

ADDITIONAL COMMENTS:

Supervisor and/or Principal's Signature _____

Teaching Assistant Comment or Response:

Teaching Assistant Signature

Recommended for another probationary year _____

Not recommended for another probationary year _____

Recommended for tenure _____

Not recommended for tenure _____

Is tenured _____

Recommended for summer school work should the employee apply _____

SECTION 14

APPENDIX

SCHOOL AGE PUPILS SERVED BY DISABILITY

| Disability (As of Snapshot Date) | Age as of October 3, 2018 | | | | | |
|--|---------------------------|-----------------------|------------------------|------------------------|------------------------|-------------------------|
| | Total Ages 4-5 | Total Ages 6-11 | Total Ages 12-13 | Total Ages 14-17 | Total Ages 18-21 | Grand Total for 2018 |
| Autism | <u>25</u> | <u>99</u> | <u>15</u> | <u>30</u> | <u>10</u> | <u>179</u> |
| Emotional Disturbance | <u>2</u> | <u>22</u> | <u>16</u> | <u>35</u> | <u>12</u> | <u>87</u> |
| Learning Disability | <u>3</u> | <u>97</u> | <u>68</u> | <u>151</u> | <u>35</u> | <u>354</u> |
| Intellectual Disability | <u>1</u> | <u>18</u> | <u>8</u> | <u>12</u> | <u>7</u> | <u>46</u> |
| Deafness | <u>0</u> | <u>1</u> | <u>1</u> | <u>1</u> | <u>1</u> | <u>4</u> |
| Hearing Impairment | <u>0</u> | <u>1</u> | <u>0</u> | <u>2</u> | <u>0</u> | <u>3</u> |
| Speech or Language Impairment | <u>61</u> | <u>260</u> | <u>74</u> | <u>95</u> | <u>23</u> | <u>513</u> |
| Visual Impairment (Includes Blindness) | <u>0</u> | <u>2</u> | <u>1</u> | <u>4</u> | <u>1</u> | <u>8</u> |
| Orthopedic Impairment | <u>0</u> | <u>1</u> | <u>0</u> | <u>4</u> | <u>0</u> | <u>5</u> |
| Other Health Impairment | <u>8</u> | <u>93</u> | <u>26</u> | <u>51</u> | <u>7</u> | <u>185</u> |

| | | | | | | |
|----------------------------------|------------|------------|------------|------------|------------|-------------|
| Multiple Disabilities | <u>3</u> | <u>23</u> | <u>8</u> | <u>21</u> | <u>10</u> | <u>65</u> |
| Deaf-Blindness | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> |
| Traumatic Brain Injury | <u>0</u> | <u>2</u> | <u>0</u> | <u>3</u> | <u>1</u> | <u>6</u> |
| <i>Total (Lines 1-13)</i> | <u>103</u> | <u>619</u> | <u>217</u> | <u>409</u> | <u>107</u> | <u>1455</u> |

* Discrepancies of plus or minus 10 students **and** 10 percent between October 3, 2018 and October 4, 2017 data are identified with asterisks in the Reasonability Check Column.

IDENTIFICATION OF NUMBER OF PUPILS SERVED LISTED BY AGE & SETTING

October 2018 SNAPSHOT

Report 14A: Report of School-Age Students with Disabilities Receiving Services on October 2018 **Ages 4-5**

| Table 1 CONTINUED: Least Restrictive Environment (LRE) Setting for Students with Disabilities, Ages 4-5, who Receive SCHOOL- AGE Special Education and Related Services | Educational Environment | Total |
|--|---|-------|
| 1 | Parentally placed in a nonpublic elementary school and receiving majority of hours of special education and related services in the regular classroom. | 2 |
| 2 | Parentally placed in a nonpublic elementary school and receiving majority of hours of special education and related services in some other location. | 0 |
| 3 | Parentally placed in a nonpublic elementary school and NOT receiving publicly funded special education and related services. | 0 |
| 4 | Attending a kindergarten, 1st grade or other regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in the regular early childhood program. | 14 |
| 5 | Attending a kindergarten, 1st grade or other regular early childhood program for 10 or more hours a week and receiving the majority of hours of special education and related services in some other location. | 85 |
| 6 | Attending a kindergarten, 1st grade or other regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related in the regular early childhood program. | 0 |

| Table 1 CONTINUED: Least Restrictive Environment (LRE) Setting for Students with Disabilities, Ages 4-5, who Receive SCHOOL- AGE Special Education and Related Services | Educational Environment | Total |
|--|---|--------------|
| 7 | Attending a kindergarten, 1st grade or other regular early childhood program for less than 10 hours a week and receiving the majority of hours of special education and related services in some other location. | 0 |
| 8 | Separate Class | 0 |
| 9 | Separate School | 2 |
| 10 | Residential Facility | 0 |
| 11 | Home | 0 |
| 12 | Service Provider Location or some other location that is not in any other code. | 0 |
| 13 | Total | 103 |

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

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

| Line Number | Time INSIDE Regular Classroom | Age Group | | | | Total |
|----------------|----------------------------------|------------|------------|------------|-----------|-------------|
| | | 6- 11 | 12- 13 | 14- 17 | 18- 21 | |
| 01 | 80% or more | 287 | 92 | 193 | 29 | 601 |
| 02 | 40% to 79% | 33 | 74 | 142 | 49 | 298 |
| 03 | Less than 40% | 252 | 20 | 29 | 9 | 310 |
| 04 | <i>Total</i> | 572 | 186 | 364 | 87 | 1209 |

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

| Line Number | Type of Setting | Age Group | | | | Total |
|-------------|-----------------------|-----------|-------|-------|-------|-------|
| | | 6-11 | 12-13 | 14-17 | 18-21 | |
| 01 | Separate School | 28 | 20 | 30 | 16 | 102 |
| 02 | Residential Facility | 2 | 0 | 0 | 2 | 4 |
| 03 | Hospital (In-patient) | 0 | 0 | 0 | 0 | 0 |
| 04 | Home Placement by CSE | 1 | 1 | 2 | 2 | 6 |
| 05 | <i>Total</i> | 31 | 21 | 40 | 20 | 112 |

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

| Line Number | Type of Setting | Age Group | | | | Total |
|-------------|--|-----------|-------|-------|-------|-------|
| | | 6-11 | 12-13 | 14-17 | 18-21 | |
| 01 | Incarcerated in County Correctional Facilities * | 0 | 0 | 0 | 0 | 0 |
| 02 | Home Schooled at Parental Choice | 0 | 0 | 0 | 0 | 0 |
| 03 | Parentally Placed in Nonpublic School-Receiving Special Education | 16 | 9 | 3 | 0 | 28 |
| 04 | Parentally Placed in Nonpublic School-Not Receiving Special Education Services | 0 | 1 | 2 | 0 | 3 |
| 05 | <i>Total</i> | 16 | 10 | 5 | 0 | 31 |

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

**DISTRIBUTION OF STUDENTS IN OUT-OF-DISTRICT PLACEMENTS
DISTRICT ENROLLMENT BY GRADE
OUT OF DISTRICT/CBO'S/YOUTH SHELTER/AMANI CHARTER**

| * includes ACTIVE STUDENTS only | |
|--|---------------------|
| Current Building Name | School Total |
| (CPSE) Referral/Determination | 23 |
| (Hawthorne Cedar Knolls UFSD) Linden Hill School | 2 |
| (Hawthorne Cedar Knolls UFSD) Little School | 3 |
| ACDS, Inc. | 5 |
| Alcott School | 7 |
| Amani Public Charter School (Regular Ed only) | 357 |
| Amani Public Charter School (Special Ed only) | 23 |
| ARC Inc of Westchester County | 1 |
| Blythedale Children's Hospital | 1 |
| BOCES CBI Perc | 1 |
| BOCES Hilltop School | 1 |
| BOCES Jesse Kaplan School | 2 |
| BOCES PNW - Lincoln Titus Elementary School | 1 |
| BOCES PNW - Somers Intermediate School | 2 |
| BOCES PNW - Somers Middle School | 1 |
| BOCES PNW Walden School | 2 |
| BOCES Putnam Northern Westchester Foxmeadow | 1 |
| BOCES Putnam Northern Westchester Pinesbridge School | 4 |
| BOCES Rockland | 3 |
| BOCES Rockland Hill Top Elementary School | 1 |
| BOCES Saint Matthews School | 4 |
| BOCES Southern Westchester | 1 |
| BOCES SW Center for Career Services | 7 |
| BOCES SW Collaborative H. S. Rye Lake Campus | 7 |
| BOCES SW Concord School | 1 |
| BOCES SW Farragut Middle School | 1 |
| BOCES SW Irvington High School | 2 |
| BOCES SW Pocantico Hills Elementary School | 2 |
| BOCES SW Post Road Elementary School | 1 |
| Boces SW Tappan Hill School Tarrytown | 12 |
| BOCES SW Trinity Elementary School | 1 |
| Bronx Charter School Better Learning | 7 |
| Bronxville Elementary School | 1 |
| Cardinal Spellman High School | 2 |
| Carol and Frank Biondi Educational Center | 5 |
| Cerebral Palsy of Westchester Inc. | 13 |
| Clark Academy | 2 |
| Clear View School (Briarcliff Manor) | 1 |

| | |
|--|-----|
| Devereux in NY | 2 |
| Dwight School (The) | 1 |
| Eastchester Senior High School | 2 |
| Emmanuel Children's Mission School (Special Ed only) | 3 |
| Family Services of Westchester Program | 2 |
| Ferncliff Manor for the Retarded | 5 |
| Fred Keller School | 10 |
| Friendship for Tots: CBO Pre-K | 119 |
| Gateway Academy/CBI BERC - BOCES ROCKLAND | 2 |
| GED-SW BOCES-AHSEP | 1 |
| Greenburgh Academy | 1 |
| Greenburgh Eleven High School (Special Ed only) | 2 |
| Greenburgh-North Castle Yonkers Campus | 1 |
| Guidance Center Theraputic Nursery | 13 |
| Hallen School | 2 |
| Hawthorne Country Day School | 19 |
| Immaculate Conception School | 3 |
| JCC of Mid-Westchester Nursery School | 4 |
| John A Coleman School | 7 |
| John Cardinal O'Connor School | 3 |
| Judge Rotenberg Educational Ctr., Inc | 1 |
| Lake Grove School | 1 |
| Lavelle School for the Blind | 1 |
| Leake and Watts | 1 |
| Lois Bronz Children's Center | 1 |
| Martin Luther King Jr High School | 3 |
| Montfort Academy (Special Ed only) | 12 |
| Mount Pleasant Cottage UFSD | 5 |
| Mount Pleasant-Blythedale School | 3 |
| New York Institute for Special Education | 2 |
| New York School for the Deaf | 3 |
| Orchard School - Andrus Child Home | 4 |
| Our Lady of Victory School (Special Ed only) | 7 |
| Our Lady of Victory: CBO Pre-K | 96 |
| Pelham Middle School | 1 |
| Promise Academy I Elementary School | 5 |
| Sacred Heart-Mt Carmel School for the Arts (Special Ed only) | 3 |
| The Milestone School | 7 |
| Toddler's Park: CBO Pre-K | 49 |
| Westchester - County of Westchester | 67 |
| Westchester Muslim Center | 2 |
| Westchester School for Special Children | 31 |
| WestCop (Mt Vernon Day Care): CBO Pre-K | 11 |
| Westcop:CAG CBO Pre-K | 8 |
| WestCop(Headstart) CBO Pre-K | 32 |
| Windward School (Special Ed only) | 1 |

| | |
|---|-------------|
| Woods School - Multi Handicapped (THE) | 1 |
| Youth Shelter Program of Westchester | 5 |
| Ziccolella Elementary/Middle School | 6 |
| Grade Total | 1082 |

**EDUCATIONAL PLACEMENT OF PRESCHOOL STUDENTS WITH
DISABILITIES**

October 2018 SNAPSHOT

Preschool LRE Setting Report

| Educational Environment | | A | B | C |
|---|--|--------------|--------------|--|
| | | Age 3 | Age 4 | Total # of Students Ages 3-4 (October 2018) |
| Attending a regular early childhood program for 10 or more hours a week | and receiving the majority of hours of special education and related services in the regular early childhood program | 0 | 1 | 1 |
| | and receiving the majority of hours of special education and related services in some other location. | 0 | 0 | 0 |
| Attending a regular early childhood program for less than 10 hours a week | and receiving the majority of hours of special education and related services in the regular early childhood program | 0 | 0 | 0 |
| | and receiving the majority of hours of special education and related services in some other location | 0 | 0 | 0 |
| Separate Class | | 0 | 3 | 3 |
| Separate School | | 34 | 49 | 83 |
| Residential Facility | | 0 | 0 | 0 |
| Home | | 25 | 29 | 54 |
| Service Providers Location | | 0 | 0 | 0 |
| (3.0) Total | | 59 | 82 | 141 |

AVAILABILITY OF COPIES OF THIS POLICY

The current Special Education District Plan is on file and available for review in the Office of Student Services. Special Education District Plan may also be viewed on the district's website at www.mtvernoncsd.org . A parent may request and receive a copy of the policy from the school district at any time. Requests should be made through the Special Education Office.

