

Victor Central School
Board of Education
PROPOSED AGENDA
Regular Meeting, Thursday, September 12, 2019 – 7:15 PM
Early Childhood School Boardroom

It is expected that, upon opening the meeting, a motion will be made to adjourn to executive session and that the regular meeting will begin at 7:15 PM

✓ *Board Action Expected*

1. Meeting Called to Order by President Deborah Palumbo-Sanders

A. Moment of Silence

B. Pledge to the Flag

C. Greetings to Visitors

D. Reading of Fire Evacuation Procedure

(In case of a fire, would everyone please follow the EXIT signs to the outside of the building. Please stay completely clear of the building to provide space for any Fire Department vehicles. Thank you!)

✓ **2. Approval of the Agenda**

3. Presentations/Recognitions:

- **None at this time**

4. Public Participation: The Board of Education invites you, members of the school community, to feel comfortable in sharing matters of interest or concern that you might have with us. Although the Board's work is open to the public, this is not a meeting with the public. All matters brought to the attention of the Board during the public session may be taken under consideration for future response or action. If you wish to speak, please sign-up at the table where you entered the Boardroom. The Chair will be happy to recognize those of you who wish to speak. When you approach the podium/microphone please identify yourself before presenting your thoughts.

(Individual comments will be limited to 3 minutes and the total time for this portion of the agenda will be limited to 15 minutes.)

As a matter of courtesy, we ask that issues related to specific School District personnel or students be brought to the attention of the Superintendent of Schools privately. Thank you for this consideration.

✓ **5. Acceptance of Consent Items (5 min.)**

A. Minutes of the regular meeting of August 8, 2019;

B. Treasurer's Report for the month ending July 31, 2019;

C. Personnel Agenda;

D. Recommendations of the Committee on Special Education from the meetings of May 10, 15, 16, 28, 2019, June 10, 20, 2019, July 12, 25, 26, 2019, August 12, 13, 14, 15, 22, 28, 2019, September 3, 4, 5, 2019 and of the Committee on Preschool Special Education from the meetings of August 12, 14, 15, 2019, September 3, 2019;

E. Board Members to attend standing committee meetings;

Victor Central School
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PROPOSED AGENDA

- F. Declare the following as surplus:**
- Elmo TT-02 with VCS tag #s 010397, 011868;
 - NEC Projector with VCS tag # 02636;
 - Apple iPads with VCS tag #s 010303, 014261, 014264;
 - Hewlett Packard T310 computers with VCS tag #s 013216, 013247;
 - Smartboards with VCS #s 010514, 010522, 010539, 010565, 010803, 010820, 012117, 014213;
- G. Approve the following donations:**
- \$15,000 from an anonymous donor to the Victor Central School District in support of the Junior High Musical;
 - \$1,400.00 from the Victor Girls Swim Booster Club to the Victor Central School District Athletic Department;
- H. District Plan of Service for Special Education;**
- I. Appoint Kathryn Lew, Class of 2005, and Grace Rydzynski, student representative, as members of the Graduates of Distinction Committee for two-year terms 2019-2020 and 2020-2021;**

6. A. Campus News

B. Athletic Branding Presentation (*Duey Weimer; 15 min.*)

C. Proposed 2020 Capital Project (*Chris Marshall, Ben Maslona, Dave Phelps, 45 min.*)

- ✓ **D. Rescind the following trip:**
- Global Competence Certificate Club to the Dominican Republic from the beginning of spring break 2020 through the end of spring break 2020;

- ✓ **E. Approve the following trip:**
- Global Competence Certificate Club to San Juan, Puerto Rico from the beginning of spring break 2020 through the end of spring break 2020;

7. Meeting Reports

- ✓ **A. Monroe County School Boards Association Committee Reports**
- ✓ **B. NYSSBA Annual Convention Business Meeting Voting Delegate**
- C. Standing Committee Updates**

- 8. Public Comment:** The Board of Education invites you, members of the school community, to feel comfortable in sharing matters of interest or concern that you might have with us. Although the Board's work is open to the public, this is not a meeting with the public. All matters brought to the attention of the Board during the public session may be taken under consideration for future response or action. If you wish to speak, please sign-up at the table where you entered the Boardroom. The Chair will be happy to recognize those of you who wish to speak. When you approach the podium/microphone please identify yourself before presenting your thoughts.

(Individual comments will be limited to 3 minutes and the total time for this portion of the agenda will be limited to 15 minutes.)

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9. Upcoming Events

- A. Special Board Meeting; Monday, September 30, 2019 at 7:00 PM in the Early Childhood School Boardroom;**
- B. Regular Board of Education Meeting, Thursday, October 10, 2019 at 7:15 PM in the Early Childhood School Boardroom;**

✓ **10. Adjourn**

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**
Unapproved Minutes of the Regular Meeting of August 8, 2019
Early Childhood School Boardroom
953 High Street
Victor, New York 14564

- CALL TO ORDER** President Debbie Palumbo-Sanders called the meeting to order at 5:34 PM.
- Members Present** Karen Ballard, Tim DeLucia, Chis Eckhardt, Kristin Elliott, Debbie Palumbo-Sanders, Christopher Parks, Mike Vistocco
- ENTER EXECUTIVE SESSION** A motion was made by K. Elliott, seconded by K. Ballard, to enter executive session at 5:34 PM to discuss the employment history of a specific individuals, matters involving personnel, safety. The motion was carried. 7 yes 0 no
- REGULAR SESSION** A motion was made by M. Young, seconded by C. Eckhardt, to return to regular session at 7:20 PM. The motion was carried. 7 yes 0 no
- APPROVE AGENDA** A motion was made by C. Eckhardt, seconded by M. Vistocco, to approve the revised agenda for the meeting. The motion was carried 7 yes 0 no.
- PERSENTATIONS /RECOGNITIONS** Board President Debbie Palumbo-Sanders presented Karen Ballard and Kristin Elliott New York School Boards Association (NYSSBA) Certificates for earning Board Achievement Award Level 1. NYSSBA's recognition program is comprised of four achievement levels, which are reached by accumulating points for participating in NYSSBA training activities.
- PUBLIC PARTICIPATION** None at this time.
- CONSENT ITEMS**
Motion by T. DeLucia, seconded by C. Parks, to approve upon recommendation of the Superintendent the following consent items:
- MINUTES** Minutes of the regular meeting of July 11, 2019;
- FINANCIAL STATEMENTS** Treasurer's Report for the month ending June 30, 2019;
- PERSONNEL** The following personnel items:
All appointments on these pages are made in compliance with New York State Education Law relating to criminal history background clearances for new employees. Conditional clearances under that law have been requested for all new employees.

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

Instructional **Probationary** **Appointments:**

The probationary appointment of **Sarah Miller**, who has Certification as a School Psychologist Kindergarten-Grade 12, to a probationary position as a School Psychologist effective on or about August 1, 2019, at an annual salary of \$60,608 (Step 9M+44 and Counselor's Index), leading toward tenure as a School Psychologist.

The probationary appointment of **Gretchen Judge**, who has Certification in Music Kindergarten-Grade 12, to a probationary position as a Music Teacher effective September 1, 2019, at an annual salary of \$50,050 (Step 9M), leading toward tenure in Music Education.

The probationary appointment of **Lauren Spitaliere**, who has Certification in Music Kindergarten-Grade 12, to a probationary position as a Music Teacher effective September 1, 2019, at an annual salary of \$50,050 (Step 9M), leading toward tenure in Music Education.

The probationary appointment of **Kristina Back**, who has Certifications in Early Childhood Education Birth-Grade 2, Childhood Education Grades 1-6, Students with Disabilities Birth-Grade 2, and Students with Disabilities Grades 1-6, to a probationary position as an Elementary Teacher effective September 1, 2019, with Jarema Credit for 2017-2018 and 2018-2019 LTS assignment, at an annual salary of \$45,500 (Step 3M+18), leading toward tenure in Elementary Education.

The probationary appointment of **Erin Lamborn**, who has Certifications in Childhood Education Grades 1-6 and Students with Disabilities Grades 1-6, to a probationary position as a Special Education Teacher, effective September 1, 2019, at an annual salary of \$53,650 (Step 9M+54), leading towards tenure in Special Education.

Part Time **Appointments:**

The appointment of **Adriana Kulakowski**, who has Certification in Business Education, to a part-time (.4fte) position as an Business Teacher effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$20,020 (Step 9M).

Leaves of Absence:

Pursuant to the Uniformed Services Employment and Reemployment Rights Act (USERRA), the granting of paid military leave of absence for **Erin Hussey**, Physical Education Teacher, beginning September 1, 2018, and extending to September 20, 2019.

The granting of a maternity leave and subsequent childcare leave of absence for **Leah Daniels-Farren**, School Psychologist, effective approximately October 21, 2019, and extending to June 15, 2020.

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

Long Term Substitute Appointments: The appointment of **Kelly Congdon** who has Certifications in Childhood Education Grades 1-6, Early Childhood Education Birth-Grade 2, Students with Disabilities Grades 1-6, and Students with Disabilities Birth-Grade 2, to a long term substitute position as an Elementary Teacher, effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$49,700 (Step 8M+9).

Resignations: The resignation of **Amy Marino**, Special Education Teacher, effective August 7, 2019.

Co-Curriculars:	<u>Teacher Leaders</u>	<u>Name</u>
	School Psychologist (K-12)	Anne Clark
	Health Coordinator (K-6)	Laura Davis

Strand 1
Strand 4

Athletics:	<u>Position</u>	<u>Name</u>	<u>Level</u>	<u>Years</u>
Football	Volunteer	David Eisler	-	-
	Volunteer	Gina Potenza	-	-
	Volunteer	Mike Ruffalo	-	-
	Volunteer	Mik Szoczel	-	-
Volleyball – Boys	Head Varsity	Jake Martin	2	13
	JV	Mitchel Segbers	5	1
	Modified B	Carrie Ferreri	6	14
	Volunteer	James Linden	-	-
Volleyball – Girls	Volunteer	Freeman Fessler	-	-
Swimming – Girls	Head Varsity	Brett Leader	2	8

Certified Substitutes: The appointment of **Mark Mazzatti**, who has Certifications in Special Education Kindergarten-Grade 12 and School Counselor, to a short term substitute position as a Special Education Teacher, effective September 1, 2019, and ending approximately December 20, 2019, at a daily rate of \$208.

The appointment of **John Zappia**, to a position as a Consultant/Interim School Business Official, effective July 19, 2019, and ending approximately November 9, 2019, at a rate of \$39,000.

Per Diem Substitutes:	<u>Candidate</u>	<u>Area of Certification</u>
	Kendra Kosten	School Counselor
	Pamela Weimer	Elementary/Special Education
	Maureen Graham	Elementary/Special Education
	Toby Young	Music

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

Non-Instructional Appointments:

The appointment of **Camyron Natale**, Cleaner, effective July 22, 2019, at an hourly rate of \$12.18.

The appointment of **Joseph Kelly**, Cleaner, effective July 29, 2019, at an hourly rate of \$12.18.

The appointment of the following as Teacher Aides in the Extended School Year Program, effective July 8, 2019 and ending August 16, 2019, at their 2019/2020 rate of pay: **Scott Chizuk**.

The appointment of **Priscilla Vargas Rodriguez**, Food Service Helper, effective September 30, 2019, at an hourly rate of \$11.80.

The appointment of **Jennifer Kowal**, from Part Time Teacher Aide to Full Time Teacher Aide, effective September 1, 2019, at an hourly rate of \$11.90.

The appointment of **Nicole Snyder**, from Part Time Teacher Aide to Full Time Teacher Aide, effective September 1, 2019, at an hourly rate of \$12.20.

Resignations:

The resignation of **Joseph Kelly**, Cleaner, effective August 1, 2019.

The resignation of **Shana Mundorff**, Part Time Teacher Aide, effective July 31, 2019.

Per Diem and Substitute Positions:

<u>Candidate</u>	<u>Position</u>
Grover Chanthapheuy	Cleaner
Jennifer Bishop	School Bus Monitor (Driver Monitor Rate)
John Borsa	School Bus Monitor (Driver Monitor Rate)
Linda Buwalda	School Bus Monitor (Driver Monitor Rate)
Barry Johnson	School Bus Monitor (Driver Monitor Rate)
Duane LaPlant	School Bus Monitor (Driver Monitor Rate)
Jack Potter	School Bus Monitor (Driver Monitor Rate)
Kenneth Sitterley	School Bus Monitor (Driver Monitor Rate)
Michelle Tullock	School Bus Monitor (Driver Monitor Rate)
Ruby Verstreate	School Bus Monitor (Driver Monitor Rate)
David Welsh	School Bus Monitor (Driver Monitor Rate)
Shana Mundorff	Teacher Aide
Lisa Arbore	Registered Professional Nurse

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**

**BOARD MEMBER
COMMITTEE
MEETINGS**

Board members to attend standing committee meetings;

**CSE/CPSE
RECOMMENDATIONS**

Recommendations of the Committee on Special Education from the meetings of February 7, 13, 27, 28, 2019, March 1, 11, 12, 13, 14, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 2019, April 5, 8, 9, 10, 11, 12, 22, 23, 24, 25, 29, 30, 2019, May 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 16, 20, 21, 22, 23, 29, 2019, June 14, 18, 20, 24, 25, 26, 28, 2019, and July 9, 11, 12, 16, 17, 18, 23, 29, 2019 and from the Committee on Preschool Special Education from the meetings of May 2, 16, 21, 28, 2019, June 13, 27, 2019, and July 11, 23, 2019;

**SCHOOL TAX RATE
FOR 2019-2020**

WHEREAS, the Board of Education has been authorized by the voters at the Annual School Meeting to raise for the current budget of the 2019-2020 school year a sum not to exceed \$45,920,459 (including \$3,028,893 STAR est. exemption funds);

THEREFORE BE IT RESOLVED, that the Board fix the equalized tax rates by towns and confirm the extension of the taxes as they appear on the following tax roll: Victor, 15.906451; Farmington, 15.906525; East Bloomfield, 15.906392; Macedon, 15.892386; and Perinton, 15.381847;

AND BE IT HEREBY DIRECTED the tax warrant of this Board, duly signed shall be affixed to the above-described tax rolls authorizing the collection of said taxes to begin September 1, 2019 and end October 31, 2019 giving the tax warrant an effective period of sixty-one 61 days at the expiration of which time the tax collector shall make an accounting in writing to the Board;

AND IT IS FURTHER DIRECTED THAT the delinquent tax penalties shall be fixed as follows: 1st month free period, 2nd month interest of 2 percent added.

**VICTOR
FARMINGTON
LIBRARY TAX RATE
FOR 2019-2020**

WHEREAS, the Board of Education will continue to collect taxes for the Victor Farmington Library for the current budget of the 2019-2020 school year a sum not to exceed \$629,368;

THEREFORE BE IT RESOLVED, that the Board fix the equalized tax rates by towns and confirm the extension of the taxes as they appear on the following described tax roll: Victor, .217719; Farmington, .217720; East Bloomfield, .217718; Macedon, .226789; and Perinton, .217721;

AND BE IT HEREBY DIRECTED the tax warrant of this Board, duly signed shall be affixed to the above-described tax rolls authorizing the collection of said taxes to begin September 1, 2019 and end October 31, 2019 giving the tax warrant an effective period of sixty-one 61 days at the expiration of which time the tax collector shall make an accounting in writing to the Board;

AND IT IS FURTHER DIRECTED THAT the delinquent tax penalties shall be fixed as follows: 1st month free period, 2nd month interest of 2 percent added.

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**

**ANNUAL
PROFESSIONAL
PERFORMANCE
REVIEW (APPR)
PRINCIPAL LEAD
EVALUATOR
RESOLUTION**

BE IT RESOLVED THAT, Dennis Ford is hereby certified as a Qualified Lead Evaluator of Principals having successfully completed the training requirements prescribed in 8 NYCRR§30-2.9(b), including:

- 1) The New York State Teaching Standards, and their related elements and performance indicators/the Leadership Standards and their related functions;
- 2) Evidence-based observation techniques that are grounded in research;
- 3) Application and use of the student growth percentile model and the value-added growth model as defined in 8 NYCRR§30-2.2;
- 4) Application and use of the State-approved Principals rubric selected by the Victor Central School District for use in the evaluation of Principals, including training on the effective application of such rubric to observe a Principal's practice;
- 5) Application and use of the assessment tools that the Victor Central School District utilizes to evaluate its Principals, including but not limited to evidence-based observation, evidence-based observation, evidence-based school visits, artifact collection and review and professional goals;
- 6) Application and use of the State-approved locally selected measures of student achievement used by the Victor Central School District to evaluate its Principals;
- 7) The scoring methodology utilized by the Department and the Victor Central School District to evaluate Principals under 8 NYCCR Subpart 30-2, including
 - a) How scores are generated for each subcomponent and the composite effectiveness score of Principals, and
 - b) Application and use of the scoring ranges prescribed by the Commissioner for the six designated rating categories used for the overall rating of Principals and their subcomponent ratings;
- 8) Specific considerations in evaluating Principals of English language learners and students with disabilities; and
- 9) The Superintendent of Schools has received the aforementioned training.

**PURCHASING
AGENT**

Appoint Interim Business Official, John Zappia, as Purchasing Agent;

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

BONDING OF PERSONNEL	\$500,000 bonding coverage from faithful performance bonds for Accounts Payable Clerk, Payroll Clerk, Assistant Superintendent for Business/Interim School Business Official;																											
CERTIFY PAYROLL	Authorization for the Assistant Superintendent for Business/Interim School Business Official to certify the payroll;																											
PETTY CASH ACCOUNTS	<p>Authorization for the Assistant Superintendent for Business/Interim School Business Official to establish the following Petty Cash Accounts:</p> <table><tr><td>Account</td><td>Amount</td><td>Custodian</td></tr><tr><td>Senior High School.....</td><td>\$50.00.....</td><td>Senior High Principal</td></tr><tr><td>Junior High School.....</td><td>\$50.00.....</td><td>Junior High Principal</td></tr><tr><td>Intermediate School.....</td><td>\$50.00.....</td><td>Intermediate School Principal</td></tr><tr><td>Primary School.....</td><td>\$50.00.....</td><td>Primary School Principal</td></tr><tr><td>Early Childhood School....</td><td>\$50.00.....</td><td>Early Childhood School Principal</td></tr><tr><td>District Office.....</td><td>\$50.00.....</td><td>Assistant Superintendent for Business /Interim School Business Official</td></tr><tr><td>Transportation Office.....</td><td>\$50.00.....</td><td>Director of Transportation</td></tr><tr><td>Event Admissions(competition start-up cash)..<td>\$2500.00</td><td></td></td></tr></table>	Account	Amount	Custodian	Senior High School.....	\$50.00.....	Senior High Principal	Junior High School.....	\$50.00.....	Junior High Principal	Intermediate School.....	\$50.00.....	Intermediate School Principal	Primary School.....	\$50.00.....	Primary School Principal	Early Childhood School....	\$50.00.....	Early Childhood School Principal	District Office.....	\$50.00.....	Assistant Superintendent for Business /Interim School Business Official	Transportation Office.....	\$50.00.....	Director of Transportation	Event Admissions(competition start-up cash).. <td>\$2500.00</td> <td></td>	\$2500.00	
Account	Amount	Custodian																										
Senior High School.....	\$50.00.....	Senior High Principal																										
Junior High School.....	\$50.00.....	Junior High Principal																										
Intermediate School.....	\$50.00.....	Intermediate School Principal																										
Primary School.....	\$50.00.....	Primary School Principal																										
Early Childhood School....	\$50.00.....	Early Childhood School Principal																										
District Office.....	\$50.00.....	Assistant Superintendent for Business /Interim School Business Official																										
Transportation Office.....	\$50.00.....	Director of Transportation																										
Event Admissions(competition start-up cash).. <td>\$2500.00</td> <td></td>	\$2500.00																											
CHECK SIGNING	<p>Authorization for the following individuals to sign checks on behalf of the School District for the accounts designated:</p> <ul style="list-style-type: none">• <u>General and School Lunch, Special Aid, Capital Funds:</u> Assistant Superintendent for Business/Interim School Business Official, District Treasurer, Deputy District Treasurer;• <u>Payroll Account:</u> Assistant Superintendent for Business/Interim School Business Official, District Treasurer, Deputy District Treasurer;• <u>Extra-Curricular Account:</u> Treasurer-Extra Classroom Activities Account, Assistant Superintendent for Business/Interim School Business Official, District Treasurer, Deputy District Treasurer, and Senior High School Guidance Secretary;																											
WIRE TRANSFERS	Authorization for the Assistant Superintendent for Business/Interim School Business Official, District Treasurer or Deputy District Treasurer to execute wire transfers of District funds;																											
INVEST	Authorization of the Superintendent and the Assistant Superintendent for Business/Interim School Business Official, District Treasurer or Deputy District Treasurer to jointly confer, and then invest – if deemed appropriate – such portions of the District money available for time deposit accounts, certificates of deposit, short term government securities, or other investments permitted by law;																											

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

CIVIL SERVICE

Authorization for Assistant Superintendent for Personnel, or (alternate)
Assistant Superintendent for Business/Interim School Business Official to
sign Civil Service Reports of Personnel Change.

DONATIONS

The following donations:

- \$1,319.36 from PTSA to Junior High School Student Council;
- Spieth Anderson Pommel Horse and Classic Adjustable Balance Beam in the amount of \$4,000 from Don and Linda Dillman to the Victor Central School District;
- \$10,000 from Fazzi Associates to the Victor Central School District in Support of the Boys and Girls Soccer Teams;

Mrs. Elliott extended a huge thank you to the community and organizations and private groups that continue to donate and support the great work.

SURPLUS

The following surplus:

- Hewlett Packard Scanjet G4010 Scanners with VCS tag #s 012083, 012084;
- Hewlett Packard Scanjet 4850 Scanner with VCS tag # 02496;
- Epson DS-6500 Scanner with VCS tag # 013700;
- Apple iPads with VCS tag #s 014240, 014241, 014242, 014245, 014247, 014252, 014253, 014257;
- Hewlett Packard PB6460 Laptops with VCS tag #s 012898, 012907, 012908, 012911, 012922, 012926, 012928, 012931, 012932, 012935, 012937, 012940, 012944, 012947, 012954, 012956, 012958, 012961, 012965, 012967, 012977,
- Hewlett Packard PB6470 Laptops with VCS tag #s 013374, 013376, 013377, 013378, 013379, 013381, 013384, 013385, 013386, 013388, 013389, 013390, 013391, 013392, 013394, 013396, 013397, 013399, 013400, 013401, 013402, 013403, 013405, 013406, 013408, 013409, 013410, 013411, 013416, 014216, 014217, 014219, 014220;
- Acer11 Chromebooks with VCS tag #s 014722, 014723;
- Hewlett Packard HP11 Chromebooks with VCS tag #s 11285, 11290, 11291, 11292, 11293, 11296, 11298, 11306, 11309, 11310, 11311, 11313, 11322, 11325, 11327, 11330, 11340, 11342, 11345, 11349, 11353, 11356, 11357, 014527, 014530, 014532, 014533, 014558, 014560, 014561, 014562, 014563, 014564, 014566, 014567, 014569, 014570, 289792, 289797, 289798, 289802, 289809, 289811, 289828, 289845, 289846, 289864, 289869, 289874, 289875, 289876, 289877, 289879, 289880, 289883, 294267, 294268, 297271, 294272, 294273, 294277, 294281, 294282, 294284, 294285, 294286, 294291, 294293, 294297, 294300, 294302, 294303, 294305, 294306, 294307, 294308, 294310, 328950;
- Dell 11 Chromebooks with VCS tag #s 014275, 014276, 014277, 014278, 014279;
- Samsung303C Chromebooks with VCS tag #s 014502, 014503, 014504;

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**

- Lenovo Thinkpad11e Chromebook with VCS tag # 014715;
- NEC Projector with VCS tag # 02648;

RESERVE FUNDS

Transfer funds to reserves according to the memo submitted by John Zappia to Dennis Ford dated 8/1/19;

**SCHOOL
RESOURCE
OFFICER
CONTRACT**

The School Resource Officer Contract as submitted for the 2019-2020 school year;

AWARD BID

Award the 2019-20 Painting Services bid to Nowak Painting as the lowest responsible bidder meeting specifications;

CURRICULUM

Approve the following curriculum:

- Grade 2 English Language Arts
- Grade 8 English Language Arts
- Journalism
- Chemistry

The motion was carried. 7 yes 0 no (*end of consent items*)

CAMPUS NEWS

VCS administrators summarized campus news and events at this time.

**CONSTRUCTION
UPDATE**

Director of Facilities Chris Marshall and George Spinaris from Campus Construction provided a construction update. Mr. Spinaris went over the 2017 Capital Improvement Project. He talked about the approved referendum of \$25,000,000. Out of that, \$4,000,000 is for the energy performance contract, \$3,255,000 is the incidental budget, \$954,525 is the adjusted construction contingency budget, there is an approved change order total of \$582,223 so the remaining contingency budget is \$372,302. The construction project is approximately 84% complete. He then provided a project status update. At the Early Childhood School the site restoration work and interior renovations have been completed. Change order work is ongoing. At the Primary School countertop modification work is ongoing. Fin tube and roof top units have been installed. Mechanical systems wiring is ongoing. Flooring is being completed in miscellaneous areas. Site work at the Intermediate School includes excavation to regrade the existing slope area. Storm lines have been installed. The gymnasium work has been completed. The punch out work and miscellaneous painting is ongoing. All work has been completed for the music room and surrounding areas. Roof detail work is ongoing. At the Junior/Senior High School all contract work has been completed. The change order work is ongoing. Dr. Parks said the Early Childhood School playground the gradient drop off is really steep. Is there any safety piece or a fence that could be placed around it? Mr. Marshall said there is nothing in this project that covers it. He said he will check with the building administration to see if it is acceptable or not.

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

SECONDARY END OF THE YEAR REPORT

Senior High School Principal Brian Siesto presented the Secondary End-of-the-Year Report. He said generally speaking student performance is very consistent. The graduation rate for the Class of 2019 who earned a Regents Diploma with Advanced Designation went up a few percentage points. Half of those students earned Advanced Designation with Honors. Mr. Siesto then talked about the post-graduation plans for the Class of 2019. He said there was a little bit of a bump in the students who went directly into employment and he gives some of that credit to the BOCES Program. Many students are going into trades and full-time employment. Mr. Siesto went over the Advanced Placement (AP) results. There were 430 students who took 1,010 AP exams. This year was the highest performance ever at 85% who scored a 3 or higher. There will be an English Language Arts (ELA) Review during the 2020 school year. The focus area in ELA will be to improve learning experiences by including more diversity in literature selection, offering greater student choice in writing and increasing rigor in research. He then went over the mathematics results. The focus areas will be Algebra and Algebra II. Algebra I is the cornerstone course for all secondary mathematics. He said they are hoping to ensure that a high percentage of students meet mastery in this course. They are looking to create more inquiry based lessons, similar to what K-8 students are experiencing. For Algebra II the Math Lab will be supported from a Title IV Grant. He said they are looking to improve student achievement to improve the percentage of students graduating with a Regents Diploma with Advanced Designation with Honors. The SAT includes concepts taught in math through Algebra II. The greater percentage of students mastering Algebra II, the more likely they are to be successful on the SATs. Mr. Siesto then went over the Science results. The focus in the Science area is to add Science Phenomenon to units and labs. A Phenomenon is simply an observable event. Students observe, wonder and question first before learning scientific concepts. In looking at the Social Studies results the focus will be on Global this year and US History next year. The 7-12 department has been working on assessment design and instructional strategies focusing on the historical thinking skills. There were only five students who earned the International Baccalaureate Diploma this year. Mr. Vistocco asked if there has been a decrease in the number of students taking the IB courses over the years. Mr. Siesto said yes, it is trending down. Mr. Vistocco asked if there was an advantage for the students who are taking IB. Are those students getting into better colleges? Mr. Siesto said the students are getting into great colleges regardless of IB. IB works on a cohort system and AP is more of a buffet. They are different philosophies. IB can pigeonhole you into a schedule over the two years. Mrs. Elliott asked if there is a post graduate IB survey that is done after graduation or even a year later where the District could stay in contact to ask how the students feel IB supported them where they are. Mr. Siesto said they do complete a survey over the summer.

VICTOR CENTRAL SCHOOL BOARD OF EDUCATION

BOARD COMMITTEES

After discussion, Board members agreed to the following committee assignments for the 2019-2020 school year:

Advocacy Sub-Committee	T. DeLucia, M. Vistocco
Athletic Hall of Fame Committee	C. Parks
Audit Committee	C. Eckhardt, K. Elliott
	D. Palumbo-Sanders
BOCES Liaison and (Alternate)	T. DeLucia (M. Vistocco)
Campus Improvement Committee	K. Elliott, C. Parks
District-wide School Safety Team	M. Vistocco
Graduates of Distinction Committee	K. Elliott
Inquiry Program Committee	D. Palumbo-Sanders
Monroe County SBA Information	T. DeLucia (M. Vistocco)
Exchange Committee (Alternate)	
Monroe County SBA Labor Relations	T. DeLucia
Committee (Alternate)	
Monroe County SBA Legislative	T. DeLucia (M. Vistocco)
Committee (Alternate)	
NYSSBA Legislative Liaison and	T. DeLucia (C. Parks)
(Alternate)	
Policy Sub-committee	D. Palumbo-Sanders, C. Parks
Technology Committee	K. Ballard
Visual and Performing Arts Hall	C. Parks (K. Elliott)
of Fame	

POLICY REVIEW Second and Final

A motion was made by T. DeLucia, seconded by C. Parks, to approve the following policy:

- School-wide Pre-referral Approaches and Interventions; Policy 4321.2
- The motion was carried. 7 yes 0 no

First Reading

The following policies were brought to the Board as a first read:

- Special Education Personnel; Policy 4321.14
- Districtwide and Statewide Assessments of Students with Disabilities; Policy 4321.7

Mrs. Palumbo-Sanders recommended a change to policy 4321.14, Special Education Personnel. In the second paragraph she would like to replace the word "Board" with the word "District". The Board agreed to this change.

MEETING REPORTS

Mr. DeLucia spoke about attending a Wayne-Finger Lakes BOCES meeting this morning. The meeting was to approve personnel hires and change orders for construction.

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**

PUBLIC COMMENT None at this time.

UPCOMING EVENTS New teacher orientation will take place on Monday, August 19, 2019 from 8:00 AM – 8:30 AM in the Early Childhood School Boardroom.

Superintendent’s Conference Day (opening day for staff), Wednesday, August 28, 2019 from 8:00 – 9:00 AM in the JH/SH Performing Arts Center.

Next regular Board meeting will take place on Thursday, September 12, 2019 at 7:15 PM in the Early Childhood School Boardroom.

ADJOURN A motion was made by C. Parks, seconded by M. Vistocco, to adjourn the meeting at 8:56 PM. The motion was carried. 7 yes 0 no

Respectfully submitted,

Maureen A. Goodberlet
District Clerk

RESOLUTION

TREASURER'S REPORTS

RESOLVED That, upon the recommendation of the Superintendent, the following Treasurer's reports for the month ending July 31, 2019 be accepted.

- I. GENERAL FUND
- II. EXTRACLASS ACTIVITY REPORT
- III. SCHOOL LUNCH FUND
- IV. TRUST & AGENCY FUND
- V. SPECIAL AID FUND
- VI. CAPITAL FUND - SMART SCHOOLS BOND ACT
- VII. CAPITAL FUND - CAMPUS IMPROVEMENT PROJECT

JB
9/6/19

TREASURER'S REPORT

GENERAL FUND

I.

7/1/2019

12,048,844.64

RECEIPTS:

ACCOUNTS RECEIVABLE	41,419.31	
TAXES (INCLUDING LIBRARY TAX)	0.00	
STATE AID	10,223.94	
INTEREST & PENALTIES ON TAXES	0.00	
ADMISSIONS	30.00	
IN LIEU OF TAXES	0.00	
INTEREST AND EARNINGS	17,121.34	
BUILDING USE	0.00	
USE OF BUSES	0.00	
INSURANCE RECOVERY	0.00	
BOCES AID	0.00	
MISC.	0.00	
DUE FROM OTHER FUNDS	21,997.11	
TRANSFER CAPITAL RESERVE FROM CAPITAL TO GENERAL	2,312,035.57	
REFUND PRIOR YEARS EXPENSE	3,228.84	
MONROE CO. SALES TAX	0.00	
WAYNE CO. SALES TAX	0.00	
MEDICAID	10,223.93	
TOTAL RECEIPTS		<u>2,416,280.04</u>
TOTAL RECEIPTS & BAL.		14,465,124.68
DISBURSEMENTS		<u>4,090,807.03</u>
BAL. ON HAND 7/31/19		<u>10,374,317.65</u>
BANK RECONCILIATION		
BAL./BANK STATEMENT		1,386,492.08
IN TRANSIT		3,375.00
BANK ERROR		0.00
LESS CHECKS OUTSTANDING		1,358,787.85
RETURNED CHECKS		0.00
DEPOSIT IN TRANSIT		<u>0.00</u>
BAL. IN NOW ACCOUNT/CDGA NAT.		24,329.23
BAL. IN CERTIFICATES/MM		10,349,988.42
IN TRANSIT		0.00
IN TRANSIT		0.00
TOTAL BALANCE	7/31/2019	<u>10,374,317.65</u>

LYNNE LUBASZEWSKI
DISTRICT TREASURER

EXTRACLASS TREASURER'S REPORT

II.

7/31/2019

0.00

ACTIVITIES	BEG. BAL.	RECEIPTS	TOTAL	DISBURSMTS	END. BAL.
CLASS OF 2019	0.00	0.00	0.00	0.00	0.00
CLASS OF 2020	9,685.96	1,000.00	10,685.96	0.00	10,685.96
CLASS OF 2021	2,401.53	0.00	2,401.53	0.00	2,401.53
CLASS OF 2022	2,148.28	0.00	2,148.28	0.00	2,148.28
CLASS OF 2023	0.00	0.00	0.00	0.00	0.00
AQUATIC L.	1,734.75	0.00	1,734.75	30.00	1,704.75
ART CLUB	308.36	0.00	308.36	0.00	308.36
BUSINESS CLUB	2,980.26	0.00	2,980.26	0.00	2,980.26
DRAMA CLUB	12,156.85	0.00	12,156.85	0.00	12,156.85
FRENCH CLUB	7,633.18	0.00	7,633.18	0.00	7,633.18
GO GREEN GARDEN TEAM	96.27	0.00	96.27	0.00	96.27
GLOBAL COMPETENCY	715.74	0.00	715.74	0.00	715.74
INTERNATIONAL CLUB	253.02	0.00	253.02	0.00	253.02
J.H. MUSICAL	22,364.40	0.00	22,364.40	0.00	22,364.40
J.H. STORE	2,212.65	0.00	2,212.65	0.00	2,212.65
J.H. ST. CO.	2,133.10	1,319.36	3,452.46	0.00	3,452.46
J.H. YEARBOOK	1,078.14	0.00	1,078.14	1,020.05	58.09
KEYCLUB	2,791.39	0.00	2,791.39	0.00	2,791.39
MANUFACTURING SYSTEMS	0.26	0.00	0.26	0.00	0.26
MEDICAL EXPLORERS	160.75	0.00	160.75	0.00	160.75
MENTORING CLUB	4,755.20	10,740.00	15,495.20	0.00	15,495.20
N.H.S.	2,236.59	10.00	2,246.59	0.00	2,246.59
OUTDOOR ACTIVITY	136.48	0.00	136.48	0.00	136.48
POSITIVE SCHOOL CLIMATE	6,096.51	0.00	6,096.51	0.00	6,096.51
SALES TAX	0.00	0.00	0.00	0.00	0.00
SEAS	617.00	0.00	617.00	0.00	617.00
S.H. ORCHESTRA	9,825.87	0.00	9,825.87	0.00	9,825.87
SH SCHOOL STORE	3,127.97	0.00	3,127.97	0.00	3,127.97
S.H. ST. CO.	7,140.77	9.81	7,150.58	0.00	7,150.58
SH YEARBOOK	2,915.07	6,585.00	9,500.07	0.00	9,500.07
SPANISH CLUB	2,419.28	0.00	2,419.28	0.00	2,419.28
TRI-M HONOR SOCIETY	1,287.50	0.00	1,287.50	0.00	1,287.50
VICTOR CARES	8,613.16	0.00	8,613.16	1,000.00	7,613.16
TOTALS	120,026.29	19,664.17	139,690.46	2,050.05	137,640.41
BAL/BANK	139,120.71				
CKS OUT	1,559.85		7/31/2019		137,640.41
INT. NOT POSTED	10.45				
BANK ERROR	0.00				
RETURNED CHECKS	90.00				
IN TRANSIT	0.00				
BAL. 7/31/2019	137,640.41				

Betty Post, Extraclass Treasurer

TREASURER'S REPORT

SCHOOL LUNCH

III.

BALANCE ON HAND 7/1/2019 722,287.36

RECEIPTS:

ACCOUNTS RECEIVABLE	635.00
A LUNCHES	0.00
A BREAKFAST	0.00
OTHER SALES	0.00
SALES TAX	0.00
INTEREST POSTED	47.97
DUE FROM OTHER FUNDS	0.00
MISC	0.00
STATE AND FEDERAL AID	<u>39,795.00</u>

TOTAL RECEIPTS 40,477.97

TOTAL RECEIPTS AND BAL. 762,765.33

DISBURSEMENTS 67,393.01

BALANCE ON HAND 7/31/2019 695,372.32

BANK RECONCILIATION

BAL. PER BANK STATEMENT 7/31/2019 AND CD'S 695,702.88

IN TRANSIT	0.00
BANK ERROR	0.00
IN TRANSIT ON LINE PAYMENTS	0.00
RETURNED CHECK	0.00
OUTSTANDING CHECKS (6509, 6577, 6585, 6588, 6604, 6606, 6611)	<u>330.56</u>

BALANCE IN SCHOOL LUNCH FUND 695,372.32

LYNNE LUBASZEWSKI
DISTRICT TREASURER

BALANCE ON HAND 7/01/2019	245,446.65
TOTAL RECEIPTS:	<u>1,290,701.53</u>
TOTAL RECEIPTS AND BAL.	1,536,148.18
DISBURSEMENTS:	<u>1,112,037.14</u>
ENDING BALANCE 7/31/2019	<u><u>424,111.04</u></u>

BANK RECONCILIATION

BAL. PER STATEMENT	TRUST & AGENCY ACCOUNT	478,417.69
P/R INTEREST-CNB		0.73
P/R INTEREST-FIVE STAR		6.15
RETURNED CHECK		0.00
OUTSTANDING CHECKS		53,528.26
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		236.32
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		1,374.30
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		2,046.35
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		503.30
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		0.00
IN TRANSIT (BENEFIT RESOURCE PAYMENTS)		0.00
IN TRANSIT		<u>3,375.00</u>
BAL. IN T & A ACCOUNT	7/31/2019	<u><u>424,111.04</u></u>

PAYROLL ACCOUNT...BAL. PER BANK STATEMENTS	32,325.04
LESS INTEREST NOT POSTED	0.73
IN TRANSIT	0.00
DEPOSIT IN TRANSIT	496.37
BANK ERROR	<u>0.00</u>
BALANCE IN PAYROLL ACCOUNT	<u><u>32,820.68</u></u>

OUTSTANDING CHECKS IN PAYROLL ACCOUNT	<u><u>32,820.68</u></u>
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LYNNE LUBASZEWSKI
DISTRICT TREASURER

TREASURER'S REPORT

SPECIAL AID FUND

V.

BALANCE ON HAND	7/1/2019	277,030.88
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RECEIPTS:

INTEREST	21.52
DUE FROM OTHER FUNDS	0.00
STATE OF NY	229,494.00
MISC.	<u>0.00</u>

TOTAL RECEIPTS	<u>229,515.52</u>
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TOTAL RECEIPTS AND BALANCE	506,546.40
DISBURSEMENTS	<u>39,216.03</u>

BAL. ON HAND 7/31/2019	<u><u>467,330.37</u></u>
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BANK RECONCILIATION

<u>BAL./BANK STATEMENT</u>	468,657.97
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OUTSTANDING CHECKS (5607, 5609)	1,327.60
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IN TRANSIT	<u>0.00</u>
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BALANCE IN NOW/MM ACCOUNT 7/31/2019	<u><u>467,330.37</u></u>
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LYNNE LUBASZEWSKI
DISTRICT TREASURER

TREASURER'S REPORT

CAPITAL FUND-SMART SCHOOLS BOND ACT

VI.

BALANCE ON HAND	7/1/2019	4.57
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RECEIPTS:

INTEREST	0.00
AID	0.00
DUE TO OTHER FUNDS	<u>0.00</u>

TOTAL RECEIPTS	<u>0.00</u>
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TOTAL RECEIPTS AND BALANCE	4.57
DISBURSEMENTS	<u>0.00</u>

BAL. ON HAND 7/31/2019	<u><u>4.57</u></u>
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BANK RECONCILIATION

<u>BAL./BANK STATEMENT</u>	4.57
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LESS CHECKS OUT	0.00
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DEPOSIT IN TRANSIT	<u>0.00</u>
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BALANCE IN CHECKING ACCOUNT	<u>4.57</u>
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BALANCE IN CERTIFICATES OF DEPOSIT/MONEY MARKET	0.00
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IN TRANSIT	<u>0.00</u>
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BALANCE IN CAPITAL SMART SCHOOLS BOND ACT 7/31/2019	<u><u>4.57</u></u>
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LYNNE LUBASZEWSKI
DISTRICT TREASURER

TREASURER'S REPORT

CAPITAL FUND-CAMPUS IMPROVEMENT PROJECT

VII.

BALANCE ON HAND	7/1/2019	4,550,973.57
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RECEIPTS:

INTEREST	2,853.44
BAN FUNDS & PREMIUM	0.00
DUE TO OTHER FUNDS	<u>0.00</u>

TOTAL RECEIPTS	<u>2,853.44</u>
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TOTAL RECEIPTS AND BALANCE	4,553,827.01
DISBURSEMENTS	<u>618,261.63</u>

BAL. ON HAND 7/31/2019	<u><u>3,935,565.38</u></u>
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BANK RECONCILIATION

<u>BAL./BANK STATEMENT</u>	8,606.58
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LESS CHECKS OUT (2278)	3,985.00
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DEPOSIT IN TRANSIT	<u>0.00</u>
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BALANCE IN CHECKING ACCOUNT	4,621.58
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BALANCE IN CERTIFICATES OF DEPOSIT/MONEY MARKET	3,930,943.80
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IN TRANSIT	<u>0.00</u>
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BALANCE IN CAPITAL CAMPUS IMPROVEMENT PROJECT 7/31/2019	<u><u>3,935,565.38</u></u>
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LYNNE LUBASZEWSKI
DISTRICT TREASURER

**VICTOR CENTRAL SCHOOL
BOARD OF EDUCATION**
Personnel Agenda, September 12, 2019

All appointments on these pages are made in compliance with New York State Education Law relating to criminal history background clearances for new employees. Conditional clearances under that law have been requested for all new employees.

Instructional

**Probationary
Appointments:**

The probationary appointment of **Sarah Annlee**, who has Certification as a School Social Worker, to a probationary position as a BOOST Teacher effective August 19, 2019, at an annual salary of \$58,270 (Step 9M+9 and Counselor's Index), leading toward tenure as a School Social Worker.

The probationary appointment of **Sean Johnson**, who has Certifications in Students with Disabilities Grades 7-12 Mathematics and Mathematics Grades 7-12, to a probationary position as a Special Education Teacher effective September 30, 2019, at a prorated annual salary of \$51,650 (Step 9M+24), leading toward tenure in Special Education.

The probationary appointment of **Megan Mancini**, who has Certifications in English to Speakers of Other Languages, Childhood Education Grades 1-6, and Mathematics Grades 7-12, to a probationary position as an English Language Learners Teacher effective August 28, 2019, at an annual salary of \$44,800 (Step 4B+31), leading toward tenure in English Language Learners.

**Part Time
Appointments:**

The appointment of **Katrina Beckman**, who has Certification in Students with Disabilities Grades 1-6, to a part-time (.5fte) position as a Special Education Teacher effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$24,650 (Step 8M).

The appointment of **Stacey Born**, who has Certifications in Students with Disabilities Grades 7-12, Students with Disabilities Grades 5-9 extension, English/Language Arts Grades 7-12, and English/Language Arts Grades 5-9 extension, to a part-time (.5fte) position as a Special Education Teacher effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$23,825 (Step 5M+24).

The appointment of **Tayler Kochan**, who has pending Certification in Music, to a part-time (.4fte) position as a Music Teacher effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$16,600 (Step 1B).

Appointments: The appointment of **Chuck Loray**, who holds Certifications in Students with Disabilities-Social Studies Grades 7-12 and Social Studies Grades 7-12, to a Student Support Services TOSA position, effective August 28, 2019, and ending June 30, 2020.

Long Term Substitute Appointments: The appointment of **Linda Hunt**, who has pending Certification in Students with Disabilities Grades 7-12, to a long term substitute position as a Special Education Teacher, effective September 1, 2019, and ending June 30, 2020, at an annual salary of \$50,050 (Step 9M).

Leaves of Absence: The granting of a maternity leave and subsequent childcare leave of absence for **Kathryn Ward**, Elementary Teacher, effective approximately November 10, 2019, and extending to May 18, 2020.

The granting of a maternity leave and subsequent childcare leave of absence for **Stephanie Schlueter**, Social Studies Teacher, effective approximately December 23, 2019, and extending to April 2, 2020.

Resignations: The resignation of **Kendra Kosten**, Short Term Substitute School Counselor, effective September 6, 2019.

Athletics:	<u>Position</u>	<u>Name</u>	<u>Level</u>	<u>Years</u>
Swimming – Girls	Modified B	Gina Potenza	4	

Athletics:

Resignations: The resignation of **Christine Judge**, Modified B Girls Swim Coach, effective September 5, 2019.

Co-Curriculars:

<u>Clubs & Advisors</u>	<u>Name</u>	<u>Group</u>
Tri-M Honor Society Co- Advisor	Gretchen Judge	1
Sr. High Victor Cares Co-Advisor	Colleen Collier	2
Sr. High Victor Cares Co-Advisor	Matthew Mayne	2
Jr. High Student Council Advisor	Sara Kutter	3

Resignations: The resignation **LeeAnne Birkemeier**, Sr. High Victor Cares Club Advisor, effective September 1, 2019.

The resignation **Katherine Potter**, Jr. High Student Council Advisor, effective September 1, 2019.

Per Diem Substitutes:	<u>Candidate</u>	<u>Area of Certification</u>
	Toby Young	Music
	Colette Hironimus	Uncertified
	Carter Bunce	Uncertified
	Lori Kohl	Uncertified

Nancy Standinger	Elementary
Peter Carrier	Uncertified
Meredith Krumholz	Literacy
Mitchel Segbers	Physical Education

Non-Instructional

Appointments:

The appointment of **Patricia Anderson**, Food Service Helper, effective September 1, 2019, at an hourly rate of \$11.80.

The appointment of **Ashley Holbrook**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Catherine Wiseman**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Evon Williams**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Shannon Toombs**, Cleaner, effective September 4, 2019, at an hourly rate of \$12.18.

The appointment of **Regina Bush**, from Part Time Library Clerk and Full Time Library Clerk, effective August 28, 2019, at an hourly rate of \$16.23.

The appointment of **JoAnn Bobzien**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Mark Kuzia**, Cleaner, effective September 3, 2019, at an hourly rate of \$12.18.

The appointment of **Edna Stewart**, School Bus Monitor, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Sylvia Barnes**, School Bus Monitor, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Pratima Purcell**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Teresa Fitzpatrick**, Part Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Kathleen Jokinen**, Part Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Lynne Oddo**, Part Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Margaret Lynch**, Part Time Teacher Aide to Full Time Teacher Aide, effective August 28, 2019.

The appointment of **Sallieann Orlando-Cataldi**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.90.

The appointment of **Ashley Masters**, Full Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Kristi Patton**, Part Time Teacher Aide, effective September 6, 2019, at an hourly rate of \$11.80.

The appointment of **Dana Peterson**, Full Time Teacher Aide to Part Time Teacher Aide, effective August 28, 2019.

The appointment of **Trina Viggiano**, Part Time Teacher Aide, effective August 28, 2019, at an hourly rate of \$11.80.

The appointment of **Deepa Gajul**, Part Time Teacher Aide, effective August 29, 2019, at an hourly rate of \$11.80.

The appointment of **Trang Cointot**, Part Time Teacher Aide, effective September 4, 2019, at an hourly rate of \$11.80.

The appointment of **Adria Posman**, Food Service Helper, effective September 4, 2019, at an hourly rate of \$11.80.

The appointment of **Ricky Markgraf**, from Substitute School Bus Driver to Full Time School Bus Driver, effective August 29, 2019, at an annual rate of \$13,595.

The appointment of **Ruby Verstrete**, from Substitute School Bus Driver to Full Time School Bus Driver, effective August 29, 2019, at an annual rate of \$13,595.

Resignations:

The resignation of **Jennifer Nguyen**, Nutritionist, effective August 30, 2019.

The resignation, due to retirement, of **Sharon Schmaltz**, Full Time Teacher Aide, effective August 8, 2019.

The resignation of **Jomary Gomez Rosario**, Food Service Helper, effective August 20, 2019.

The resignation of **Tricia Shutter**, Cleaner, effective August 13, 2019.

The resignation of **Ashley Masters**, School Bus Monitor, effective August 27, 2019.

The resignation of **Scott Ellmaker**, School Bus Driver, effective August 27, 2019.

The resignation of **Shari Schmidt**, Part Time Teacher Aide, effective September 4, 2019.

The resignation of **Choen Johnston**, Full Time Teacher Aide, effective August 27, 2019.

The resignation, due to retirement, of **Marie Vara**, Typist, effective September 6, 2019.

Substitute Rate:	<u>Position</u>	<u>2019-2020</u>
	Bus Driver Trainee	\$11.10 per hour (\$11.80 per hour 12/30/2019)

Per Diem and Substitute Positions:	<u>Candidate</u>	<u>Position</u>
	Korey Bartron	School Bus Monitor
	Cassandra Hammond	School Bus Driver Trainee
	Camilla Engert	Typist
	Debra Jacoby	Typist
	Liam Culhane	Lifeguard

**VICTOR CENTRAL SCHOOL
DISTRICT
DISTRICT PLAN OF SERVICE FOR SPECIAL
EDUCATION
2019-2022**

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

APPROVED BY THE BOARD OF EDUCATION ON: _____

STATEMENT OF ASSURANCES

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

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

By action of the Board of Education at a regularly scheduled meeting, the Board has adopted the Special Education District Plan.

ADOPTED: _____

 President of the Board of Education Date

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OVERVIEW

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8	Implementation of School Wide Approaches and Pre-Referral Interventions
9	Definitions
10	Special Education Programs and Services: Overview
13	Provision of Appropriate Special Education Services to Enable Involvement and Progress in the General Education Curriculum
14	CPSE and CSE

COMMITTEE ON PRESCHOOL SPECIAL EDUCATION

17	CPSE Membership
17	Definition “Preschool Student with a Disability”
18	CPSE Procedures
21	Continuum of Services

COMMITTEE ON SPECIAL EDUCATION

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25	CSE Subcommittee Membership
26	Definitions of Classifications
28	CSE Procedures
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41	Declassification of Students with Disabilities
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44	Extended School Year (CPSE/CSE)
45	Assistive Technology Devices and Services
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46	Transition Planning
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49	Aging out Guidelines for Students with Severe Disabilities
49	Diploma and/or Credential Options for Students with Disabilities

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53	Prior Written Notice

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55	Revocation of Parental Consent
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58	Special Education Mediation
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59	Appointment of Impartial Hearing Officers
60	Guardian Ad Litem

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ACCESSIBILITY

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72	Access to Programs and Extracurricular Activities
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OVERVIEW

SPECIAL EDUCATION PROGRAM OBJECTIVES

The Victor Central 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 program objectives:

- 1. To ensure the establishment of plans and policies for implementing school-wide approaches and pre-referral interventions in order to remediate a student's performance prior to referral to special education.*
- 2. To provide a free appropriate public education in the least restrictive environment for resident students between the ages of three and twenty-one or until a regular high school diploma has been achieved by the student, whichever shall occur first.*
- 3. To ensure that students with disabilities have the opportunity to participate in school district programs, to the maximum extent appropriate to the needs of each student, including access to general education curriculum, extracurricular programs and activities which are available to other students enrolled in the public schools of the district.*
- 4. To establish a Committee on Preschool Special Education (CPSE), a Committee on Special Education (CSE) and appropriate Subcommittees on Special Education or the purpose of evaluating students suspected of having disabilities and for placement of students with disabilities in appropriate programs. The CPSE and CSE will monitor the progress of all students with disabilities and will report annually to the Board of Education.*
- 5. To ensure effective communication and collaboration between the CPSE, CSE, school staff and school district administrators, parents and community.*
- 6. To ensure that parents are advised of their due process rights and to establish procedures in this regard.*
- 7. To ensure that each preschool student with a disability residing in the district has the opportunity to participate in an appropriate preschool program or services.*
- 8. To provide for the establishment of administrative practices and procedures to ensure that parents have received and understand the request for Prior Written Notice and Consent for Evaluation of a preschool or school age student.*
- 9. To ensure the establishment of administrative policies, practices and procedures to implement the provisions of Section 200.6(a) of the Commissioner's Regulations and to provide special services or programs, to the extent appropriate to the needs of the student, to enable the student to be involved in and progress in the general education curriculum.*

10. *To provide the human and material resources necessary for the implementation of a full continuum or programs and services to meet the academic, social, physical and management needs of students with disabilities.*
11. *To provide to the greatest extent appropriate adaptation, and/or modification of instruction and materials to enable students with disabilities to benefit from instruction within the general education setting, whenever appropriate.*
12. *To ensure that students with disabilities have access to the full range of general education programs and services to the extent appropriate to their individual needs and to provide them appropriate opportunities to earn a high school diploma in accordance with Section 100.5 of the Regulations of the Commissioner of Education.*
13. *To ensure that a Code of Conduct for student behavior is in place while protecting the rights to continuity of appropriate education for students with disabilities.*
14. *To ensure confidentiality of personally identifiable data, information or records pertaining to the student with a disability. Such personally identifiable information will not be disclosed except in accordance with the Regulations.*
15. *To ensure that adequate and appropriate space is made available to meet the needs for preschool and school age students with disabilities.*
16. *To provide professional development for all personnel who work with students with disabilities in order to assure that they have the knowledge and skills necessary to meet the unique needs of these students.*
17. *To ensure the establishment of plans and policies for appropriate declassification of students with disabilities.*
18. *To ensure that all instructional materials will be made available in a useable alternative format for students with disabilities at the same time such instructional materials are available to non-disabled students.*
19. *To ensure that students receive the protection of all other applicable State and Federal regulations.*

IMPLEMENTATION OF SCHOOL-WIDE APPROACHES AND PRE-REFERRAL INTERVENTIONS

In accordance with the IDEA and Part 200 of the Commissioner's Regulations, the District must develop and implement a plan to establish pre-referral interventions to assist a student's educational progress before consideration of referral to the Committee on Special Education (CSE). In keeping with this policy, it is the responsibility of the schools' principal and building level teams 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 limited to, Academic Intervention Services, Response to Intervention and Educationally Related Support Services. These services must afford to all students who do not meet the minimum designated standards on State Assessment, and to students who are English Language Learners (ELL) who do not achieve the annual performance standards. A description of these services will be approved by the Board of Education and reviewed periodically. Supplemental instruction in English, language arts, math, social studies and science as well as support services to deal with barriers to student progress such as attendance, discipline, health, family, nutrition and transient issues will be afforded to students. All school-wide approach to provide remediation activities for at risk students will be considered prior to making referrals to the CSE. These approaches may also include but are not limited to extra teachers or professional support, student or volunteer tutorial assistance, counseling support, computer assisted programs. The principal or principal's designee shall notify each student's parents whenever Academic Intervention Services (AIS) or Response to Intervention Services are provided and shall ensure that written quarterly progress reports are provided in the native language of the parents. These school-wide approaches shall serve as pre-referral interventions prior to consideration of special education program through the Committee on Special Education (CSE).

The referral form to the CSE used by the district staff will describe in writing intervention services, programs or instructional methodologies used to remediate the student's performance prior to the referral, including any supplementary aides or support services provided, or the reason why no such attempts have been made. The principal and/or building team 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 10 days of receipt of a referral to the CSE, the building administrator(s) may request a meeting with the parent or person in parental relationship, the student, and the referring person, to determine whether the student would benefit from additional general education support services to an alternate to special education. These services may include but are not limited to Speech and Language Improvement Services, Occupational Therapy Workshop, Academic Intervention Services, Response to Intervention 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 the provision of additional general education support services the referral is unwarranted, the referral shall be deemed withdrawn and the building administrator shall provide a copy of this agreement to the Chairperson of 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 timeline 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.

DEFINITIONS

Students with disabilities are those whose special needs are significant enough to warrant the provision of special education services in accordance with an Individualized Education Program. Effective October 30, 1990, Congress substituted the term “student with disabilities” for the term “handicapped student” in the Federal Law establishing access to fair procedures and appropriate placements.¹ Hereafter, the terms “students with disabilities” and “students with handicapping conditions” will be used interchangeably.

The following statutory and regulatory definitions are controlling:

The term “student with a disability” means a student with a disability who has not attained the age of twenty-one prior to September 1st and who is entitled to attend public schools pursuant to Section 3202 of New York State 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. 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 instruction in reading or math or limited English proficiency.

The term “all students” applies to every student listed on the registry of the District.

- **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.
 - Such instruction includes but is not limited to that conducted in classrooms, homes, hospitals, institutions and in other settings.
 - Such instruction includes specially designed instruction in physical education, including adapted physical education.
- **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 education curriculum, so that he or she can meet the educational standards that apply to all students.

The term “**special services or programs**” may include:

- Special classes, transitional support services, resource room, consultant teacher services, integrated co-teaching 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).
- Appointment by the Commissioner to 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.
- 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 Department of Education.
- **Related Services** means developmental, corrective and other supportive services as required to assist a student with a disability and include 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, parent counseling and training, school nurse services, school social work, assistive technology services, other appropriate developmental or corrective support services, appropriate access to recreation, including therapeutic recreation, and other appropriate support services and included the early identification and assessment of disabling conditions of 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 the replacement of such device.
- Contracts for residential or non-residential placements with a special act school district in Chapter 566 of the Laws of 1967.
- Contracts with New York State approved and funded schools (Article 89).

Additional Definitions:

- **Change in placement** means a transfer of a student to or from a public school, BOCES, or schools enumerated in Articles 81, 85, 87, 88 or 89 of the Education Law or graduation from high school with a local high school or Regents diploma. For purposes of removal of a student from the student's current educational placement under Education Law 3214, change of placement is defined in Part 201 of the Commissioner's Regulations.
- **General Curriculum** means the same general education curriculum as for students without disabilities.
- **Individual Education Program (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 needs of a student with a disability.

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 placement of students on the basis of similarity of individual needs.

SCHOOL CALENDAR

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

School days mean calendar days unless otherwise indicated as the school day or business day.

1. School day means any day, including a partial day that students are in attendance at school for instructional purposes. The term school day has the same meaning for all students in school, 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.

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

LEAST RESTRICTIVE ENVIRONMENT

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

- Placement shall be based on the student’s Individualized Education Program and determined at least annually.
- Placement shall be as close as possible to the student’s home, and unless the student’s individualized education program requires some other arrangement, the student shall be educated in the school her or she would attend if not disabled.
- In selecting the least restrictive environment, consideration must be given to any potential harmful effect the student or on the quality of services that he or she needs; and
- A student with a disability must not be removed from education in age-appropriate general education classrooms solely because of needed modifications in the general education curriculum.

PROCEDURES TO IMPLEMENT LRE REQUIREMENTS

- The student will receive a comprehensive, unbiased, individual evaluation in the student’s dominant language or other mode of communication, unless it is clearly not feasible to do so, to determine his/her education needs. In making a determination of a student’s eligibility, the CSE shall not determine a student to be a student with a disability if the determination factor is lack of instruction in reading or math or limited English proficiency. The CSE must review evaluation information to determine whether any additions or modifications to special education services are needed to enable the student to participate, as appropriate in the general education curriculum.
- Prior to placement in special education, the CSE will ensure that the appropriateness of the resources of the general education program, such as Educationally Related Support Services, Academic Intervention Services and Response to Intervention have been considered.
- A student's educational program will be developed with the meaningful involvement of the student's parent or guardian and teacher and the student, when appropriate. The Committee will include persons knowledgeable about the student, the meaning of the evaluation data, and the continuum of placement options. IDEA requires that not less than one of the student’s general education teachers must be a member of the Committee (if the student is, or may be, participating in the general education environment). In addition, the representative of the school district qualified to provide or supervise the provision of special education services must be knowledgeable about the general education curriculum and the availability of resources of the school district. The individual knowledgeable about the evaluation data must be able to interpret the instructional implications of the evaluation results.

- The Committee on Special Education or Committee on Preschool Special Education will first consider placement in general education with appropriate support for the student and the student's teachers. The IEP must include statements of the student's present levels of academic achievement and functional 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 student's participation in appropriate activities.
- Measurable annual goals, including benchmarks or short-term objectives only for preschool students and students eligible for New York State Alternate Assessment, must be related to meeting the student's needs that result from the disability to enable the student to be involved in and progress in the general education curriculum and meeting each of the student's other educational needs that result from the disability.
- Alternative placements, such as, special classes, special schools or other removal from the general education environment, will be considered only when the CPSE/CSE determines that a student's education cannot be satisfactorily achieved even with the use of supplementary aids and services.
- The IEP of the student will include an explanation of the extent to which the student will not participate with students who do not have disabilities.
- The CPSE/CSE must indicate developmental levels and the corresponding goals and objectives for the student in the areas of academic achievement and functional performance and learning characteristics, social development, physical development and management needs.
- The CPSE/CSE 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 the policy of placing students in the least restrictive environment consistent with their needs. The District provides a 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:

- **Academic Achievement, Functional Performance and Learning Characteristics** – 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.
- **Social Development** – The degree and quality of the student's relationships with peers and adults, feelings about self, and social adjustment to school and community environments.
- **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.

- **Management Needs** – The nature of and the 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 INVOLVEMENT AND PROGRESS IN THE GENERAL EDUCATION CURRICULUM

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

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

The Victor Central School District will ensure equal access to a diploma for all students with disabilities through its establishment of Regents classes and special education classes that provide equivalent instruction. Appropriate Academic Intervention Services (AIS) and Response to Intervention Services shall also be considered and determined by the AIS/Instructional Support Building Team to assist students with disabilities in meeting their academic goals. These services shall be in addition to the special education services deemed appropriate by the CSE. No student, by virtue of designation as a student with a disability, shall be precluded from receiving equivalent instruction unless the CSE has determined that the student requires Credential program (Career Development and Occupational Studies (CDOS) or Skills and Achievement Commencement Credential (SACC). If the student has the potential to achieve a regular High School diploma but requires a restrictive environment outside the District, the CSE will seek placement in a program that provides equivalent instruction.

The Victor Central School District will also ensure equal access for students with disabilities to after school activities such as clubs, sports, or evening activities and will provide, if indicated, appropriate services to enable this participation. Students who are receiving an education in out of District facilities, as recommended by the CSE, shall also have an equal opportunity to participate in these activities, as deemed appropriate to meet their individualized needs.

CPSE AND CSE

APPOINTMENT AND TRAINING

To implement its commitment to the education of students with disabilities, the Board of Education annually appoints a Committee on Preschool Special Education (CPSE), a Committee on Special Education (CSE) and Subcommittees on Special Education. 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 established for the first time during the 1989/90 school year. Major functions of the CPSE and CSE include:

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

RESPONSIBILITIES

The Committees have the responsibility to insure that all necessary procedures for the identification, diagnosis, placement and annual review of the status and progress of every student with a disability are carried out in accordance with federal and state laws and regulations. Subcommittees are authorized to perform the function of the Committee on Special Education except when a student is considered for a more restrictive environment or initial placement in:

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

Upon a written request from a parent or person in parental relationship of a student, the subcommittee must immediately refer to the CSE any matter in which the parent disagrees with the recommendation of the

subcommittee regarding a modification or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the student.

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

TRAINING CPSE/CSE MEMBERS

The district is committed to ensuring that all members of the CPSE and CSE are appropriately trained for their responsibilities on their respective committees. Committee members are made aware of their responsibilities to insure 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:

- arranging for attendance at meetings of the Special Education Office regarding CPSE/CSE issues;
- conducting district based training on a regular basis;
- providing copies of written guidelines pertaining to district practices and procedures for referring and evaluating preschool and school-age students suspected of having a disability.
- participating in annual CPSE/CSE training provided by the New York State Education Department.
- disseminating the Guidebook for Committees on Special Education in New York State, Part 200 of the Commissioner's Regulations, all amendments to the Regulations of the Commissioner, and informational bulletins and pamphlets, including memorandum from SED, to all committee members;
- scheduling workshops and training sessions in the district;
- inviting committee members to annual site visits of special education placements to familiarize them with placement options available to resident special education students;
- utilizing Monroe #1 BOCES RSE-TASC as a training resource;
- utilizing the district's attorney as a resource person, if needed, to interpret specific information for the committee members.

PROFESSIONAL DEVELOPMENT

As part of an ongoing effort to assist special education and general education teachers to better understand the needs of students with special needs, professional development plays a critical role in preparing teachers to work with diverse learners.

At the beginning of each school year, the special education teacher will meet with general education teachers to discuss each student's IEP and review the modifications and adaptations that may need to be made for each particular student. All teachers will be knowledgeable of each student's area of disability, testing modifications, special needs with regard to specialized equipment and any other special accommodations as stipulated in the IEP. Teachers will also have access to the student's Individual Education Program through SchoolTool.

***COMMITTEE ON PRESCHOOL
SPECIAL EDUCATION***

CPSE MEMBERSHIP

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

- the student's parent;
- not less than one general education teacher of the student if the student is, or may be, participating in the general education environment;
- not less than one special education teacher or special education service provider of the student;
- a representative(s) of the district who is qualified to provide, or supervise the provision of, specially-designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general education curriculum and about the availability of the resources of the local educational agency;
- 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;
- an additional parent member of a preschool or elementary school age student 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 requests that the additional parent member not participate;
- for a student in transition from early intervention programs and services, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child;
- an appropriately licensed or certified professional from the municipality is invited but not required for a quorum;
- 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.

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 CPSE meetings is provided to parents at least five days in advance of the meeting date. Meetings of the CPSE are held in the Special Education Office on a regular basis to review referrals throughout the school year and during the summer months.

DEFINITION "PRESCHOOL STUDENT WITH A DISABILITY"

"Preschool Student with a Disability" refers to a preschool student who has been identified by the Committee on Preschool Special Education (CPSE) who is eligible to receive preschool programs and services, and is not entitled to attend the public schools of the district. To be identified as having a disability, a preschool student shall either exhibit a significant delay or disorder in one or more functional areas related to cognitive, language and communicative, adaptive, social-emotional or motor development which adversely affects the student's ability to learn. Such delay or disorder shall be documented by the results of the individual evaluation which is provided in the student's native language, not dependent on a single procedure and administered by a multidisciplinary team. The evaluation 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 student development, indicate:

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

“First Eligible for Services” is the earliest date on which a student becomes eligible for services as defined in current regulations.

- A student shall be first eligible for preschool programs and services on January 2nd of the calendar year such student becomes three years of age if the student’s birthday falls before July 1st of the calendar year, otherwise the student shall be first eligible on July 1st of the calendar year.
- Students in Early Intervention may, if the parent so chooses, continue to receive such services through August 31st of the calendar year in which the student first becomes eligible to receive services under Section 4410.
- A student can be considered a preschool student with a disability through the month of August of the school year in which they first become eligible to attend kindergarten.

CPSE PROCEDURES

REFERRAL

The Committee on Preschool Special Education (CPSE) is responsible for arranging for 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 either:

- the student’s parent or person in parental relationship
- a professional staff member of the school district in which the student resides or the public or private school the student legally attends
- a staff member of a preschool program approved pursuant to Section 4410
- a licensed physician or judicial officer
- the commissioner or designee of a public agency with responsibility for the welfare, care or education of students
- a staff member of the Early Childhood Intervention Council of Monroe County (ECICMC)

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 contact the parent, describing the evaluation procedures and requesting 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 consent is not provided, the Committee shall implement the district's practices for ensuring that the parents have received and understood the request for consent.

EVALUATION AND RECOMMENDATION

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

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

- a physical examination;
- an individual psychological examination, except when a school psychologist determines after an assessment that further evaluation is unnecessary;
- an observation;
- a social history; and
- other appropriate assessments or evaluations as necessary to ascertain the physical, mental and emotional factors which 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 are 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. If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the report.

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 evaluation and summary statement prior to the meeting. The results of the evaluation will be provided to the parent in their dominant language or other mode of communication. Reasonable measures will be made to ensure the parent attends the meeting. This means:

- A written notice is sent to the parent at least five days prior advising them of the meeting. Prior notice means written statements developed in accordance with section 200.5(a) of the Part 200 of the Commissioner's Regulations, and provided to the parents of a student with a disability a reasonable time before the school district proposes to or refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student.
- The parent and school district may agree to use alternative means of meeting participation such as conference telephone calls

A decision may be made by the CPSE without the involvement of the parent if the school is unable to obtain the

parent's participation in the decision. In this case, the school must have a detailed record of its attempts to ensure parental involvement, and the results of those attempts. Prior to making any recommendation in an approved program of the agency that conducted the initial evaluation, the Committee may, at its discretion, obtain a second evaluation from another approved evaluator.

The CPSE submits a recommendation to the Board of Education and to the parent of the preschool student within 30 school days. If the Committee determines the student is ineligible for special education, written notification is sent to the parent, indicating the reasons for the finding.

If the Committee determines that a student has a disability, an IEP (Individualized Education Program) is prepared which specifies the nature of the disability, the student's present levels of functioning including how the disability affects the student's participation in age 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

If the Board of Education agrees with the Committee's recommendation, the Board 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, he/she may request special education mediation or an impartial hearing review and may appeal the decision to the Commissioner of Education. Review of placement decisions will be conducted in accordance with the same rules of procedural due process applicable to the placement of school-aged students. Placement in an approved program will take place as soon as possible following Board approval. If the Board of Education disagrees with the Committee's recommendation, it may remand the recommendation to the Committee for further review.

ANNUAL REVIEW

An annual review is conducted for every preschool student who has been classified as having a disability. The purpose of the annual review is to determine continued eligibility and appropriateness of special education services being provided. The Committee reviews educational progress and achievement, the student's ability to participate in instructional programs in general education and eligibility for special education programs. The IEP is revised, as needed, to address changes to annual goals and objectives, the results of any reevaluation, information about the student provided to, or by, the parents and the student's anticipated needs. Parents will receive written notice at least five (5) days prior to the meeting that indicate the time, date, location and people expected to attend. The notice will also inform parents that they may invite other persons to attend the meeting who have knowledge or special expertise regarding the child; reasonable measures will be taken to ensure that the parent attends the meeting.

WITHDRAWAL OF REFERRAL

Written consent of the parent or guardian is required to conduct an initial evaluation for a student who has not previously been identified as having a disability. In the event that parental permission is withheld, such parent shall be given the opportunity to attend an informal conference with designated professionals most familiar with

the proposed evaluation. If at this meeting a decision is made that the referral is not warranted at this time, the referral shall be withdrawn.

CONTINUUM OF SERVICES

The CPSE must consider the appropriateness of services to meet students' needs in the least restrictive environment. The Victor Central School District provides the full continuum of services as defined in the Regulations of the Commissioner of Education, Section 200.6.

CONTINUUM OF SERVICES COMMITTEE ON PRESCHOOL SPECIAL EDUCATION

The Victor Central School District provides the full continuum of services as defined in the Regulations of the Commissioner of Education, Section 200.6.

PROGRAM RECOMMENDATIONS

The Committee on Preschool Education (CPSE) must consider the appropriateness of services to meet students' needs in the least restrictive environment in the following order:

- Related services only
- Special Education Itinerant Services only
- Related services in combination with Special Education Itinerant Services
- An Integrated Special Education Preschool Program
- A Self Contained Special Education Preschool Program

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

RELATED SERVICES:

Services defined in Section 4401 of the Education Law, including speech pathology, audiology, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling, orientation and mobility services, medical services as defined by regulation, parent counseling and training, school nurse services, school social work services, other appropriate developmental or corrective support services, appropriate access to recreation and other appropriate support services. Related Services are provided at a site determined by the CPSE and reviewed by the BOE including, but not limited to:

- An approved or licensed pre-kindergarten program
- The work site of the provider T
- The student's home
- A hospital
- A state facility

- A child care location as defined in Section 4410

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 BOE, including, but not limited to:

- An approved or licensed pre-kindergarten program
- A student's home
- A hospital
- A state facility
- A student care location 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:

- **Direct Service:** Specialized individual or group instruction to a preschool student to aid such student in benefiting from the Early Childhood Program.
- **Indirect Services:** Consultations provided by a certified special education teacher to assist the student's teacher in adjusting the learning environment and/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 not less than two hours per week, and the total number of students with disabilities assigned to the special education teacher should not exceed twenty (20). Related services shall be provided in addition to SEIT services in accordance with the student's IEP.

SPECIAL CLASS IN AN INTEGRATED SETTING:

No more than 16 preschool students staffed by at least one special education teacher and one paraprofessional. This class may be provided:

- In a class of no more than 16 preschool students which includes both students without disabilities and students with disabilities.
- In a class of no more than 16 preschool students with disabilities which is located in the same space as a preschool class with non-disabled students taught by another teacher.

SPECIAL CLASS (HALF DAY):

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

- Chronological age range shall not exceed 36 months.

- Maximum class size shall not exceed 12 preschool students with at least one teacher and one paraprofessional.
- Services are provided not less than 2-1/2 hours per day, 2 days per week.

RESIDENTIAL SPECIAL EDUCATION PROGRAMS AND SERVICES:

A residential program is defined as a restrictive setting for students with severe needs such that they cannot be met through any combination of the aforementioned services.

PRESCHOOL SPECIAL EDUCATION SERVICES

The Victor Central School District does not operate any preschool special education programs within the District. Preschool services are provided through outside agencies. Please refer to the attached list of New York State Education Department Approved Preschool Special Education Programs.

***COMMITTEE ON SPECIAL
EDUCATION***

CSE MEMBERSHIP

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

- the parents or persons in parental relationship to the student;
- not less than one general education teacher of the student if the student is, or may be, participating in the general education environment;
- not less than one special education teacher or special education service provider of the student;
- a school psychologist;
- a representative(s) of the district who is qualified to provide, or supervise the provision of, specially-designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general education curriculum and about the availability of the resources of the local educational agency, provided that the individual who meets these qualifications may also be the same individual appointed as the special education teacher or the special education provider of the student or the school psychologist. The representative of the school district shall serve as the chairperson of the committee.
- an individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the general or special education teacher or provider or district representative described above;
- the school physician, if specifically requested in writing by the parent or by a member of the school at least 72 hours prior to the meeting;
- an additional parent member of a student with a disability who resides in the district or a neighboring school district if specifically requested in writing by the parent or member of the school 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 that person shall be made by the party who invited the individual to be a member of the CSE;
- a building administrator from elementary and/or secondary level as appropriate; and whenever appropriate, the student with a disability;

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 are held in the Special Education Office and in the buildings throughout the calendar year.

CSE SUBCOMMITTEE MEMBERSHIP

The Board of Education shall appoint a Subcommittee on Special Education comprised of the following mandated members:

- the parents of the student;
- not less than one general education teacher of the student if the student is, or may be, participating in the general education environment;
- not less than one special education teacher or special education service provider of the student;
- a representative(s) of the district who is qualified to provide, administer, or supervise special

- education and who is knowledgeable about the general education curriculum and about the availability of the resources of the school district;
- 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;
- the student, if appropriate;
- a school psychologist, whenever a new psychological evaluation is reviewed.
- Such other persons having knowledge or special expertise regarding the student, including related service personnel as appropriate, as the committee or 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 CSE; and
- A parent representative will be appointed annually by the Board of Education. Attendance at subcommittee meetings will be arranged upon parent request.

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 are held in the buildings throughout the calendar year.

DEFINITIONS OF CLASSIFICATIONS

The term **“student with a disability”** includes the following classifications:²

Autism means a developmental disability significantly affecting verbal and nonverbal communication and social interaction, regularly evident before age 3, that 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 because the student has an emotional disturbance as defined in paragraph 4 of this subdivision. 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.

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.

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.

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:

- an inability to learn that cannot be explained by intellectual, sensory, or health factors;
- an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- inappropriate types of behavior or feelings under normal circumstances;
- a regularly pervasive mood of unhappiness or depression; or
- a tendency to develop physical symptoms or fears associated with personal or school problems.

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

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

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 as determined in accordance with 200.4 of this Part. The 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 mental retardation, of emotional disturbance, or of environmental, cultural or economic disadvantage. Deleted 50% discrepancy statement

Intellectual Disability means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

Multiply Disabilities means concomitant impairments (such as mental retardation-blindness, mental retardation-blindness, mental retardation-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.

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).

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

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.

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 or brain 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.

Visual Impairment Including Blindness means an impairment in vision that, even with correction, adversely affects a student's educational performance. The term includes both partial sight and blindness.

CSE PROCEDURES

INITIAL REFERRAL

In accordance with the New York Education Law Section 4402 and Part 200.2, 200.4 and 200.5 of the Commissioner's Regulations, the CSE is responsible for evaluating all school-age students thought to be disabled, identifying a disabling condition (or determining that no disabling condition exists), and recommending a type of placement. Referrals can be made at any time during the school year. Within 60 days of consent for evaluation, the Board of Education will approve and implement placement. This timeline begins when a written request for evaluation is made.

Any student suspected of having a disability may be referred for initial evaluation to determine if the student is a student with a disability by:

- student's parent or person in parental relationship;
- a designee of the school district in which the student resides, or the public school district the student legally attends or is eligible to attend
- the commissioner or designee of a public agency with responsibility for the education of the student; and/or
- a designee of an education program affiliated with a child care institution with Committee on Special Education responsibility pursuant to section 4002(3) of the Education Law

Others who may participate in the child find process and submit a written request for a referral of a student for an initial evaluation include:

- A professional staff member of the school district in which the student resides or the public or private school the student legally attends;
- Licensed physician or judicial officer;
- Professional staff member of a public agency with responsibility for the welfare, health or education of children;
- The student himself/herself, if such student is 18 years of age or older, or an emancipated minor, who is eligible to attend the schools in the district. All new entrants to the district are screened at the time of enrollment and such screening, if it indicates a possible disability condition, can lead to a CSE referral. All referrals are made to the building principal or the Chairperson of the Committee. The referral must be written and dated.

Except for requests for referrals submitted by the student or judicial officer, the referral must:

- State the reason(s) for referral and include any test results, records or reports upon which the referral is based;
- Describe in writing intervention services, programs or instructional methodologies used to remediate the student's performance prior to referral, including any supplementary aides or support services provided, or the reason why no such attempts have been made;
- Describe the extent of parental contact or involvement prior to the referral.

Upon receipt of a referral, the Chairperson of the Committee or a building representative of the public school will contact the parent or guardian and request consent for evaluation. A copy of A Parent's Guide to Special Education and Due Process Rights are given to the parent at this time. Translations are provided to assist parents as needed.

Referrals may be withdrawn under the following circumstances:

- The parent and the person submitting the referral agree to the withdrawal.
- The building administrator, upon receipt of a referral or copy of a referral, may request a meeting with the parent or person in parental relationship to the student, and the student, if appropriate, to determine whether the student would benefit from additional general education support services as an alternative to special education, including the provision of educationally related support services, speech and language improvement services, and academic intervention services. If the person making the referral is a professional staff member of the school district in which the student resides, that person shall attend such meeting. The building administrator shall ensure that the parent understands the proceedings of the meeting and shall arrange for the presence of an interpreter, if necessary. Any other person making a referral shall have the opportunity to attend such meeting. If at the meeting the parent or person in parental relationship and the building administrator agree in writing that, with the provision of additional general education support services, the referral is unwarranted, the referral shall be deemed withdrawn, and the building administrator shall provide the Chairperson of the Committee on Special Education, the person who made the referral if a professional staff member of the school district, the parent or person in parental relationship shall be in the native language of such person. Such agreement shall contain a description of the additional general education support services to be provided and the proposed duration of such program. A copy of the agreement shall also be placed in the student's cumulative education record file. The meeting:
 - (i) shall be conducted within 10 school days of the building administrator's receipt of the referral; and
 - (ii) shall not impede a Committee on Special Education from continuing its duties and functions under this Part.
- If the parent does not consent to the initial evaluation within thirty (30) days, the Chairperson will offer the parent an opportunity for an informal meeting with the person who made the referral, professionals most familiar with the proposed evaluation and counsel or an advisor of the parent's choice. The reasons for the referral will be discussed and if both the parent and the person submitting the referral agree in writing, the referral will be withdrawn. If the referral is not withdrawn and the parent continues to withhold consent, the chairperson will recommend that the Board appoint an impartial hearing officer to hear evidence and testimony on the need for evaluation.

- In all circumstances, the withdrawal agreement will be in writing and will be placed in the student's cumulative educational file, with copies given to all parties involved. The agreement will specify in writing any alternative methods suggested to resolve the student's difficulty and an opportunity for a follow-up conference within an agreed period of time to review the student's progress.

EVALUATION AND RECOMMENDATION

The initial evaluation will consist of procedures to determine whether a student is a student with a disability and to determine the educational needs of such a student. The evaluation will include a variety of assessment tools and strategies, including information provided by the parent to gather relevant functional and developmental information about the student and information related to enabling the student to participate and progress in the general education curriculum. The evaluation will be made by a multidisciplinary team including at least one teacher or specialist with certification or knowledge in the area of suspected disability. The individual evaluation will include the following at no cost to the parent:

- A physical examination;
- An individual psychological examination, except when a school psychologist determines after an assessment 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 will be reviewed by the Committee;
- An observation of the student in the current educational placement, or in the case of a student out of school, an environment appropriate for a student of that age to document the student's academic performance and behavior in the areas of difficulty;
- A social history;
- Other appropriate 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:

- 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.
- Test will be administered in the student's native 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.
- If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions must be included in the report.
- Assessments and other 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.
- No single procedure is used as the sole criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for a student.
- The evaluation will be sufficiently comprehensive in order 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.
- Students age 12 and those referred to special education for the first time that are age 12 and over, shall receive an assessment that includes a review of school records and teacher assessments and parent and student interviews to determine vocational skills, aptitudes and interests.
- No student shall be required to obtain a prescription for a drug or other substance as a condition of receiving an evaluation
- Assessments of students with disabilities who transfer from one school district in the same academic year are coordinated with the student's prior and subsequent schools as necessary and as expeditiously as possible to ensure prompt completion of full evaluations

Existing evaluation data on the student will be reviewed, including evaluations and information provided by the student's parents, current classroom-based assessments and observations, and teacher and related service providers' observations.

Specialized evaluations, where necessary, will be arranged for, 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.

ELIGIBILITY DETERMINATION

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

- A written notice will be sent to the parent at least five days prior advising them of the meeting.
- At least one additional attempt is made to notify the parents. This may be in the form of an additional written notice or telephone call.

A decision may be made by the CSE without the involvement of the parent if the school is unable to obtain the parent's participation in the decision. In this case, the school must have a detailed record of its attempts to ensure parental involvement, and the results of those attempts.

Parents are provided with copies of the evaluation reports and documentation of eligibility at the CSE meeting. The results of the evaluation will be provided to the parent in their native language or other mode of communication. The CSE reviews the results to determine eligibility. A student may not be determined to be eligible for special education if the determinant factor for the eligibility determination is lack of instruction in reading or math or limited English proficiency. In determining whether a student has a learning disability, the district may use a process that determines if the student responds to scientific, research based intervention as part of the evaluation procedures. The district is not prohibited from considering whether a student has a severe discrepancy between achievement and intellectual ability in oral expression, listening comprehension, written expression basic reading skills reading comprehension, mathematical calculation or mathematical reasoning. Effective July 1, 2012, a school district shall not use the severe discrepancy criteria to determine that a student in kindergarten through grade four has a learning disability in the area of reading. A student with a disability remains eligible to receive special education services even if the student is advancing from grade to grade.

If the Committee determines the student is **ineligible** for special education;

- Written notification including documentation of determination for ineligibility, procedural safeguards and a copy of the evaluation reports will be provided to the parent/guardian
- The Committee will provide a copy of the recommendation and appropriate evaluation information to the building administrator for consideration of educationally related support services to address the student's needs
- The Committee will submit a recommendation 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 needs** special education services and can be placed in a general education program on a full-time basis, the recommendation shall:

- Identify the Declassification Support Services as identified in Section 100.1(q), if any, to be provided to the student and/or the student's teachers.
- Indicate the projected date of initiation of the services, frequency of provision of services, provided that these services shall not continue for more than one year after the student enters the full-time general education program.

If the Committee determines that a student is **eligible** for special education an IEP (Individualized Education Program) will be developed with consideration of the results of the initial or most recent evaluation; the student's strengths; the concerns of the parents, the results of the student's performance on any regular, State or district-wide tests; and other factors unique to the student's disability. The IEP will specify the classification of the disability, recommended placement, class size and include:

- The student's present levels of performance and individual needs in the following areas: academic achievement and functional performance and learning characteristics, social development, physical development and management needs including how the disability affects student involvement and progress in the general education curriculum;
- Measurable annual goals, including academic and functional goals, related to enabling the student to be involved in and progress in the general education curriculum and meeting each of the student's other educational needs that result from the student's disability;
- Each annual goal shall include the evaluative criteria, evaluation procedures and schedules to be used to measure progress during the period beginning with placement and ending with the next scheduled review.
- The IEP shall identify when periodic reports on the progress the student is making toward the annual goals (such as through the use of quarterly or other periodic reports that are concurrent with the issuance of report cards) will be provided to the student's parents.
- For a student eligible for the New York State Alternate Assessment the IEP will include a description of the short term instructional objectives and/or benchmarks that are measurable immediate steps between the student's present level of performance and the measurable annual goal.
- Special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel in order for the student to advance appropriately toward attaining annual goals, to be involved and progress in general education curriculum, and to be educated and participate in activities with other students with and without disabilities;
- The extent, if any, to which the student will not participate with non-disabled students in the general education class and in other activities;
- If a student is not participating in a general physical education program, the extent to which the student

will participate in specially designed instruction in physical education including adapted physical education;

- Any individual testing accommodations to be used consistently by the student in the administration of State or district-wide assessments of student achievement and in accordance with the State Education Department policy, that are needed in order for the student to participate;
- If the Committee determines that the student will not participate in a particular State or district - wide assessment or part of such assessment, a statement of why the assessment is not appropriate and how the student will be assessed;
- The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications;
- How the student's progress towards the annual goals will be measured, how the student's parents will be regularly informed of their student's progress towards annual goals, and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year;
- Indicate the general education classes in which the student will receive consultant services; and
- A description of assistive technology devices or services needed for the student to benefit from education.

Beginning at age 15 (or younger, if determined appropriate by the Committee) the IEP must include;

- A statement of 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 post-secondary goals based upon age appropriate transition assessments relating to training, education, employment and where appropriate, independent living skills
- Statement of transition services needs focusing on the student's course 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
- A statement of the responsibilities of the school district and, when applicable, participating agencies for the provision of such services and activities that promote from school to post school opportunities or both before the student leaves the school setting.

Consideration of Special Factors:

- In the case of a student whose behavior impedes his or her learning or that of others, consider, when appropriate, strategies, including positive interventions, and supports to address that behavior;
- In the case of a student who is an English Language Learner (ELL), consider the language needs of the student as such needs relate to the student's IEP;
- In the case of a student who is blind or visually impaired, provide for instruction in Braille and
- The use of Braille unless the CSE determines after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;
- Consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct

communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;

- Consider whether the student requires assistive technology devices and services, including whether the use of school purchased assistive technology devices is required to be used in the student's home or in other settings in order for the student to receive a free appropriate public education; and
- 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 a student to receive a free appropriate public education.

IEP IMPLEMENTATION

Upon review of the Committee recommendations by the Board of Education, the parents will be notified of the decision. Placement of the student in the appropriate special education program or provision of appropriate services will take place within 60 school days of receipt of consent to evaluate a student not previously identified as having a disability or 60 school days of referral for review. If the recommendation is for placement in an approved in-state or out-of-state private school, programs and services shall be provided within 30 school days of the BOE receipt of the CSE recommendation. Initial placements require the written consent of the student's parent/guardian. The CSE ensures that 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 shall have a copy of the IEP; and each teacher and provider is informed of his or her specific responsibilities related to the implementation of the student's IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP. A copy of the IEP shall be 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 must make a good faith effort to assist the student to achieve the goals and objectives or benchmarks listed in the student's IEP.

If the Board of Education disagrees with the Committee's recommendation, it may remand the recommendation to the Committee for further review.

IEP DISTRIBUTION

The Victor Central School District shall ensure that the recommendations on a student's IEP, including changes to the IEP are implemented. The District will provide a paper or electronic copy of the IEP to each general education teacher, special education teacher, related services provider and/or other service provider who is responsible for the implementation of the IEP prior to the implementation of the IEP. The student's case manager will provide supplementary school personnel and each other provider responsible for assisting in the implementation of the student's IEP with the opportunity to review a copy of the student's IEP prior to the implementation of the program, ongoing access to a copy of the IEP. This may be the copy provided to the student's special education teacher or the teacher or related services provider under whose direction such personnel works. Each general education teacher, special education teacher, related services provider, other service provider and supplementary school personnel will be informed of his/her responsibilities to implement the recommendations, specific accommodations, program modifications, supports and/or other services in accordance with the IEP. A copy of the IEP will be provided to the student's parents, including a revised copy at the parent's request when amended, at no cost to the parent.

TRANSFER STUDENTS

Transfer within New York State. In the case of a student with a disability who had an IEP that was in effect in NYS and who transfers from one school district and enrolls in the Victor Central School District within the same academic year, the new school district shall provide such student with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district adopts the previously held IEP or develops, adopts and implements a new IEP.

Transfer 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 Victor Central School district and who had an IEP that was in effect in another State, the district shall provide the student with a free appropriate public education, including services comparable to those described in the previously held IEP, in consultation with the parents, until such time as the school district conducts an evaluation if determined to be necessary by the district, and develops a new IEP.

To facilitate the transition for a transfer student, the Victor Central School District shall 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.

ANNUAL REVIEW, REEVALUATION 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. Parents are notified by mail of the meeting; reasonable measures will be taken to ensure that the parent attends the meeting. The review is conducted to determine the student's present levels of performance and educational needs, continued eligibility and need for special education services and whether any modification or additions to the special education and related services are needed to enable the student to meet the measurable annual goals of the IEP and to participate, as appropriate, in general education. The annual review will consider: the strengths of the students; the concerns of the parents for enhancing the education of the child; the results of the most recent evaluations including, as appropriate the results of any general State of district wide assessment; the students' academic, developmental and functional needs; and the educational progress in instructional programs in general education and in the least restrictive environment.

The CSE must obtain informed parental consent prior to conducting any new test or assessment as part of a reevaluation of a student with a disability, except that informed parent consent need not be obtained if the district can demonstrate that it took reasonable measures to obtain consent and the student's parent failed to respond. Reasonable measures will be defined as at least one telephone contact attempted and one additional note sent home via mail or with the student. The school district must have a detailed record of its attempts to obtain consent.

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

- any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;
- the results of any reevaluation and any information about the student provided to, or by, the parent;
- the student's anticipated needs;
- or other matters, including a student's need for test accommodations and/or modifications.

As part of any reevaluation, a review of existing evaluation data, including evaluations and information

provided by the student's parents, current classroom-based assessments and observations, teacher and related service provider's observations, is conducted to determine what additional data, if any, is needed. The group may conduct its review without a meeting. If no additional data is needed to determine whether the student continues to be a student with a disability, the parents are notified of the determination and the reasons for it. Should a question arise regarding the eligibility of a student to receive special education services, the parent has the right to request an assessment.

A comprehensive reevaluation is conducted at least once every three (3) years by a multidisciplinary team or group of persons, including at least one teacher or other specialist with knowledge in the area of the student's disability. The reevaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the ability to participate in instructional programs in general education, the student's continued eligibility for special education, and to assess the appropriateness of classification, program and placement.

Amendments to an IEP made after annual review by the CSE may be made by rewriting the IEP or by developing a written document to amend or modify the student's current IEP. The parents shall receive prior written notice of any changes to the IEP as well as a copy of the document that amend or modify the IEP. Upon request, that parent will be provided with a revised copy of the IEP with the amendments incorporated.

Before determining that a student is no longer eligible to receive special education services, existing evaluation data, information provided by parents, current classroom based assessments, observations, related service provider assessments, and additional objective information will be considered. When the CSE determines that a student no longer needs special education services, the Committee may recommend declassification support services for no more than the first year in general education. Continuation of test accommodations upon declassification is based upon student need. The CSE may determine that test accommodations previously documented in a student's IEP must continue to be consistently provided to the student for the balance of his or her public school education. A school district is not required to conduct a reevaluation of a student before the termination of a student's eligibility due to graduation with a local high school or Regents diploma or exceeding the age eligibility for a free appropriate public education but is required to provide the student with a summary of his or her academic achievement and functional performance that includes recommendations on how to assist the student in meeting his or her post-secondary goals.

CONTINUUM OF SERVICES

COMMITTEE ON SPECIAL EDUCATION

The Committee on Special Education (CSE) must consider the appropriateness of services to meet students' needs in the least restrictive environment. The Victor Central School District provides the full continuum of services as defined in the Regulations of the Commissioner of Education, Section 200.6.

TRANSITIONAL SUPPORT SERVICES

When specified in a student's Individualized Education Program, transitional support services are provided to a teacher on a temporary basis to aid in the provision of an appropriate educational program to the student with a disability who is transferring to a general education program or to a less restrictive program or service. These services may be provided by the building psychologist, a special education teacher, a speech/language therapist, physical therapist, occupational therapist or other appropriate professionals who understand the specific needs of the student with a disability.

CONSULTANT TEACHER SERVICE

Consultant teacher services will be for the purpose of providing direct and/or indirect services to students with disabilities enrolled full-time in general education classes including career and technical education. Such services shall be recommended by the Committee on Special Education to meet specific needs of such students and shall be included in the student's individualized educational program (IEP).

Consultant teacher services shall be provided in accordance with the following provision:

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

Program Goals:

- To assist school staff in understanding different learning styles and modifying and adapting the general education curriculum as necessary to meet the needs of individual students.
- To strengthen students' organization and study skill application within the general education setting.
- To teach students techniques needed to compensate for areas of weakness.
- To introduce and strengthen student self-advocacy behaviors and independent functioning skills.
- To increase self-awareness and self-acceptance of students with disabilities and general education students through their understanding that all individuals benefit from additional assistance at times.
- To provide remedial instruction in math, reading, writing or other academic need areas specified on the IEP without removing the student from the general education setting.
- To provide testing modifications as needed.
- To assist parents in understanding their child's learning needs and to provide home support.

RELATED SERVICES

Related services means developmental, corrective, and other supportive services as are required to assist a student with a disability and includes speech and language pathology, audiology, interpreting services, psychological services, physical therapy, occupational therapy, counseling services, including rehabilitation counseling, orientation and mobility services, medical services as defined by regulations, parent counseling and training, school health services, school social work, assistive technology services, other appropriate developmental or corrective support services, appropriate access to recreation and other appropriate support services.

- The frequency, duration and location of each service shall be in the IEP, based on the individual student's need for the service.
- When the related service is provided to a number of students at the same time, the number of students in the groups shall not exceed five.
- For students with disabilities determined to need speech and language services such services shall be provided for a minimum of two thirty minute sessions each week.
- 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 general education program or with other special education programs and services.

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. Resource room services shall be provided in accordance with the following provisions.

- The instructional group in each Resource Room period does not exceed five students. Each resource room period is instructed by a certified special education teacher.
- Students shall spend a minimum of 3 hours per week and not more than 50 percent of the day in the Resource Room program.
- 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 composition of instructional groups shall be based on similarity of the individual needs of the students according to academic levels and learning characteristics, levels of social development, levels of physical development and the management needs of the students in the classroom.

INTEGRATED CO-TEACHING SERVICES

Integrated Co-Teaching Services provide specially designed instruction and academic instruction to a group of students with disabilities and non-disabled students.

- The maximum number of students with disabilities receiving Integrated Co-Taught Service in class shall not exceed 12 students.
- Each class shall minimally include a special education teacher and a general education teacher
- Additional personnel including supplementary school personnel assigned to such classes by the district may not serve as the special education teacher.

SPECIAL CLASS: (12:1:1, 8:1:1 and 12:1:3 class size)

A special class is defined as a class consisting of students with the same disabilities or with differing disabilities who have been grouped together because of similar individual needs for the purpose of being provided a special education program. The chronological age range of students who are less than 16 years of age will not exceed 36 months. A student with a disability shall be placed in a special class to the extent indicated in his/her IEP.

OUT-OF-DISTRICT PLACEMENT

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

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

HOME AND HOSPITAL INSTRUCTION

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

- Instruction for elementary school students will be provided a minimum of 5 hours per week;
- Secondary school students will receive a minimum of 10 hours of instruction per week, preferably 2 hours daily.
- Students who are awaiting placement may be assigned, on an interim basis and with their parent's consent, to alternate-site instruction. This instruction is identical to home teaching except that the actual instruction takes place outside the home.

DECLASSIFICATION SUPPORT SERVICES

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

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

- Identify the declassification support services,
- Indicate the projected date of initiation, and
- Indicate the frequency and duration of such services, not to be continued for more than one year.

***ADDITIONAL EVALUATION, IEP
AND PLACEMENT
CONSIDERATION***

ARRANGEMENT OF SPECIAL EDUCATION PLACEMENTS CPSE AND CSE

The Board of Education shall upon receipt of the Committee recommendations, arrange for programs and services to be provided to a student with a disability. Parent notification will occur once the Board of Education reviews the Committee recommendations.

For CPSE the Board shall arrange for the services commencing with the July, September or January starting date, unless such services are recommended by the CPSE less than 30 days prior to, or after, such appropriate starting date, in which case the services shall be provided no later than 30 days from the recommendation of the Committee.

For CSE, evaluation and placement shall be completed within 60 days of receipt of consent to evaluate a student not previously identified as having a disability or within 60 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 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 program/services prior to the Board of Education meeting.

If the Board disagrees with the recommendation of the CPSE/CSE, it will 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.

DECLASSIFICATION OF STUDENTS WITH DISABILITIES

The recommendation to declassify students with disabilities is the responsibility of the Committee on Preschool Education (CPSE) and Committee on Special Education (CSE). As declassification constitutes a significant change of identification and placement, CPSE and the CSE shall reevaluate the child prior to making this recommendation. The CPSE and 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 and CSE shall reevaluate the child without consent.

In order to determine the nature of this reevaluation, the school staff including members of the CPSE and CSE and other qualified professionals may review the existing evaluation data on the student including evaluations provided by the parents or guardians, current class assessments, observations by teachers, reports by related services providers and other professionals. On the basis of this review, the building team may decide that no further data is needed. In this case, the building team 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 and the 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 and the CSE will consider the student's ability to participate in instructional programs in general education, the student's benefit from special education, and the student's continued eligibility to be identified as a child with a disability according to the criteria set forth in IDEA, the Part 200 Commissioner's Regulations and the District's existing policies and procedures. The CSE must also consider the provision of educational and support services to the student upon declassification. Upon declassification, the CPSE and CSE shall identify any declassification support services including the projected date of initiation of such services and the duration of these services. Declassification services shall be provided for no more than a year following the declassification date. Recommendations for declassification support services and appropriate evaluation information shall be forwarded to the building administrator who shall determine any additional educationally related support services, academic intervention services, or other services that may be appropriate for the child.

PROCEDURES FOR ASSESSING STUDENTS WHO ARE ENGLISH LANGUAGE LEARNERS

SCREENING

As part of the Kindergarten screening, students who appear to be English Language Learners (ELL) are screened by the English for Speakers of Other Languages (ESOL) teacher. Upon registering in the district, all parents or guardians must fill out the Home Language Questionnaire. This questionnaire is used to determine if any other languages other than English are spoken in the home. If the Home Language Questionnaire indicates that there is more than one language spoken in the home, an individual interview is conducted by the ESOL teacher or district designee. If there are multiple languages spoken in the home, then the student may be an English Language Learner. In that case, a qualified personnel will administer the statewide English Language Learner Proficiency Identification Assessment, the New York State Identification Test for English Language Learners (NYSITELL). If the student scores at or below the cut-off point, the student is determined to be limited in oral proficiency and ESOL services are provided.

Students who are English Language Learners (ELL) who are referred for an assessment have usually been in the ESOL program for at least two-three years. The ESOL teacher is involved in the referral process. The building team, guidance counselor, and/or the school psychologist are consulted with regarding the possibility of a disability interfering with 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. In all cases, the student's educational, cultural and experiential background will be considered by the Committee to determine if these factors are contributing to the student's learning or behavioral problems. In making a determination of eligibility for special education and related services, a child may not be identified as a child with a disability if the determinant factor for such determination is limited English proficiency.

CULTURALLY UNBIASED/NON-DISCRIMINATORY EVALUATION FOR ENGLISH LANGUAGE LEARNER (ELL) STUDENTS

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

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

- The CSE referral will indicate the student's native language, as determined by the Home Language Survey and other assessments.
- 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 the Language Assessment Scales (LAS), 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. 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 CPSE/CSE meeting, an interpreter will be present to explain the results of the evaluations and the proposed recommendations.

The bilingual evaluation will include the following considerations / evaluations:

- The length of time the student has been in the United States.
- The amount of instruction that the student has received in the United States as well as his or her home country.
- The length of time the student has been receiving ESOL instruction.
- Attendance in school.
- The student's proficiency in his native language as well as English proficiency.
- The types of general education supports that the student has received.
- A bilingual evaluator will be obtained who is knowledgeable about the student's geographic area of origin as well as its language and culture. This knowledge may be obtained by having the evaluator meet with the ESOL teacher.
- BOCES and other agencies may be used for bilingual assessment.
- Test instruments in the appropriate languages will be sought that are normed on the same or similar population as the country from which the student has come. 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 morpho linguistic-based measures.
- Age-appropriate adaptive behaviors will also be taken into consideration.
- All areas of suspected disability will be evaluated in the child's native language (e.g., speech).
- The bilingual evaluator will conduct a complete bilingual social history.
- The evaluation report will state the language in which the assessment was administered.
- If the tests normally used are not considered valid for the 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 CPSE/CSE when reviewing bilingual evaluations:

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

EXTENDED SCHOOL YEAR (CPSE/CSE)

The Committee on Preschool Special Education (CPSE) or the Committee on Special Education (CSE) will determine whether a student requires a structured learning environment of up to 12 months to prevent substantial regression. "Substantial regression," as defined in Section 200.1 (aaa) of the Commissioner's Regulations, would be indicated by 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 so 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. A special program or service shall operate for at least 30 days during the months of July and August. In accordance with Section 200.6(k) and 200.16(v) of the Commissioner's Regulations, students will be considered for twelve-month 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 habilitation and treatment and are placed in special classes;
- Students who are recommended for home and hospital instruction or students/preschool students 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 residential program;
- Students receiving other special education services who, because of their disabilities, exhibit the need for a twelve-month special service and/or program provided in a structured learning environment 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 service or program when the period of review or reteaching 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 reteaching ranges between 20 and 40 school days. As a guideline for the purpose of determining eligibility for an extended school year program, a review period of eight weeks or more would indicate that substantial regression has occurred.

Parent consent is required for initial placement in a 12-month program or service.

ASSISTIVE TECHNOLOGY DEVICES AND SERVICES

The school 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 student with a disability, including a functional evaluation of the child in the child'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 child.

A student's need for assistive technology is determined through the individual evaluation. The district's CPSE/CSE 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 service and/or other supplementary aids and services, they must be provided by an appropriately licensed or certified individual in accordance with Section 200.6 of the Regulations of the Commissioner of Education.

EXEMPTION FROM LANGUAGE OTHER THAN ENGLISH (LOTE)

Students are required to complete one credit of study in a language other than English (LOTE) prior to completing ninth grade. This requirement may be met with more than one language but at least one-half of the required units must be in a single language. This requirement is established for all schools in New York State by the Regulations of the Commissioner of Education.

Students identified as disabled may be exempt from the language other than English (LOTE) requirement if the individualized educational program identifies a disability that adversely affects the student's ability to learn a language other than English. The decision to exempt a student from a LOTE requirement should be carefully considered as it may have long-range implications for the student. Once exempt, it is unlikely that the student will have any systematic exposure to a language other than English. Such exemption, once initiated, applies to all additional second language sequence requirements at the high school level as well.

The CSE will take the following steps:

1. Curriculum will be reviewed to determine whether the language requirement has been completed.
2. If the language requirement has not been completed, attention will be paid to speech and language levels, learning characteristics, and emotional/behavioral factors which impact the student's ability to benefit from language instruction.
3. If the CSE concludes that, on the basis of the information provided, an exemption is warranted, reasons will be provided in a statement on the IEP.

TRANSITIONAL 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 child with a disability to facilitate the child's movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the 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 functional vocational evaluation (20 U.S.C. (1401 (a) (19)).

INDIVIDUALIZED TRANSITION PLAN

Transition Services 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 students age 14 and older, the IEP as a whole must demonstrate the use of a coordinated set of activities as the means by which the student can achieve the long-term adult outcomes. Beginning at age 14, the focus of activity is on instruction, such as courses of study such as participation in advanced placement courses or vocational education programs. At age 15 and older, the coordinated set of activities must address instruction, related services, community experiences, and the development of employment or other post-school adult living objectives. Activities of daily living and functional vocational evaluation activities should also be included when appropriate to the student's needs.

At all meetings for the purpose of discussing the need for transition services, the student will be invited. In addition, a representative of the agencies likely to provide or pay for transition services will be invited. Other knowledgeable school personnel (e.g., administrators, psychologist, related service provider, general education teacher) may be asked to participate in the process.

The Coordinated Set of Activities are:

Instruction – The IEP must identify any instruction and/or specific courses that the student might need to prepare the student for post-school living. Instruction could include specific general and/or special education course instruction, career and technical education, or advanced placement course(s); and/or instruction to learn a particular skill (e.g., instruction in problem solving skills, how to use public transportation, how to use a particular assistive technology device, how to balance a checkbook, etc.).

Related services – The IEP must identify any related services (e.g., rehabilitation counseling services; job coach; school social work; orientation and mobility services) the student may need as a transition service to support the student in attaining the projected post-school outcomes. (Related services recommended as a transition activity must also be documented under the IEP section "Special Education Program/Services").

Employment and other post-school adult living objectives – The IEP must identify what services or activities the student needs to prepare him or her for employment and to assist the student in meeting other post-school adult living objectives (e.g., participation in a work experience program; assistance with completing college or employment applications; practice in interviewing skills; travel training).

Community experiences – The IEP must indicate if a student needs to participate in community-based experiences or learn to access community resources (e.g., after school jobs, use of public library, community recreational activities) to achieve his or her projected post-school outcomes.

Activities of daily living – If appropriate to the needs of the student, the IEP must indicate the services or activities that will assist the student in activities of daily living skills (e.g., dressing, hygiene, self-care skills, and self-medication).

Functional vocational assessment – The IEP must indicate if the student will need a functional vocational

assessment as a transition service or activity. A functional vocational assessment is an assessment to determine a student's strengths, abilities and needs in an actual or simulated work setting or in real work sample experiences.

VOCATIONAL ASSESSMENTS

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 following:

- 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.

LEVELS OF VOCATIONAL ASSESSMENT

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

The 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.

When a vocational/career assessment raises issues that need clarification or does not provide adequate information for decision making, additional assessments may be recommended by the CSE. The additional assessments are not necessarily given in hierarchical order and a student can be recommended for a more formalized testing from a specialist in vocational assessment and/or a situational work assignment.

Level II vocational assessments are more focused and involve administration of standardized tests which look in further detail at interests, vocational skills, and specific aptitudes and abilities. It 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.

The Level III vocational assessment is a situational assessment conducted while a student is actually engaged in real or simulated work related or 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.

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

AGING OUT GUIDELINES FOR STUDENTS WITH SEVERE DISABILITIES

Students with disabilities are no longer eligible for a free appropriate public education once they reach the age of 21 or attain a high school diploma. The district has a mandated responsibility to implement an aging-out process to transition students with severe disabilities from public education to adult services. Aging-out procedures are in addition to the transition planning services previously discussed in this plan.

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

1. Chapter 544 Students: Students attending residential out-of-state schools that have attained or will attain the age of 18 prior to June 30 of the current school year.
2. Chapter 570 Students: Students attending residential in-state schools that have attained or will attain the age of 18 by June 30 of the current school year.
3. Chapter 462 Students: Students attending non-residential, in-state programs 100% of the time, who have intensive management needs and who are likely to require adult services: The process for eligible students begins at the first annual review after the student reaches the age of 15.

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

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

DIPLOMA AND/OR CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES

1. The school district is committed to ensuring that students with disabilities are provided appropriate opportunities to earn a Regents or Local Diploma or other exiting Commencement Credential in accordance with the Commissioner's Regulations. To this end, graduation and transition plans will take into account the various pathways available to these students.

2. In addition to all graduation options afforded to general education students, including the Regents Diploma and various honors and/or designations, the following diploma and/or credentials are also available for students with disabilities: (1) Local Diploma, (2) Local Diploma Compensatory Option (Safety Net), (3) Career Development and Occupational Studies (CDOS) Commencement Credential and (4) Skills and Achievement Commencement Credential. The Career Development and Occupational Studies (CDOS) Commencement Credential may be earned by a student with a disability to document his or her preparation for entry-level employment after high school. This credential can be awarded in conjunction with a Regents or Local Diploma or may be issued by itself. The Skills and Achievement Commencement Credential (SACC) is awarded to students with severe disabilities who qualify for the New York State Alternate Assessment. These students will be given the opportunity to participate in community experiences and development of employment and other instructional activities to prepare the student for post-secondary living, learning and employment.

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

a. The Committee on Special Education (CSE) will annually review the educational needs of each student with a disability. Where appropriate, the student will participate in this decision-making process.

b. The CSE will consider the following factors:

i. current levels of achievement;

ii. instructional accommodations and modifications;

iii. learning rate; and

iv. preference of student and family.

4. The CSE will consider whether the student's disability is such that s/he is entitled to testing accommodations, which will be specified on the IEP.

5. The District will offer appropriate remedial instruction for all students.

6. The CSE will identify and recommend support services and supplementary instruction necessary to assist students to benefit from credit courses.

7. If the student's special education 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 classes. In any such case, instruction in subjects granting credit toward graduation will be provided in accordance with curriculum objectives and minimum required levels of achievement determined by the special education teacher in consultation with a teacher certified in the subject being taught. Evaluation of student work will be completed in accordance with the individual educational needs of the student.

GUIDELINES FOR ISSUANCE OF A CAREER DEVELOPMENT AND OCCUPATIONAL STUDIES (CDOS) CREDENTIAL

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

The district subscribes to the concept that all students must be provided with quality instruction and opportunities for academic achievement. In accordance with this, it is expected that students with disabilities will be guided toward a course of study which will lead to the achievement of a high school diploma. It is recognized however that the achievement of this standard may be precluded for some students due to the nature or severity of their disability. The awarding of an CDOS Credential is authorized for such students under the following conditions:

- No student shall be denied the opportunity to earn a high school diploma as defined by the Commissioner of Education. The IEP of a student of age thirteen or higher shall stipulate the type of diploma which achievement of the goals specified therein will lead.
- Such credential shall be awarded at the end of the school year in which the student reaches age 21 or sooner based on the completion of requirements to attain a CDOS credential
- Any student under age 21 who is awarded such credential shall receive written notice of his entitlement to attend the district school tuition free until the end of the school year in which that age is reached or a high school diploma is earned.
- Prior receipt of a CDOS Credential does not preclude subsequent granting of a regular diploma if appropriate assessments and necessary credits are achieved before the end of the school year in which a student reaches his/her twenty-first (21st) birthday. In all cases, 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 (21st) birthday or obtains a high school diploma.

PROCEDURAL SAFEGUARDS

INFORMED CONSENT (CSE AND CPSE)

DUE PROCESS PROCEDURES

A mandatory procedural safeguards notice has been provided to school districts by the State Education Department.

The Procedural Safeguards Notice **must** be provided to parents upon:

- Initial referral or parental request for evaluation.
- The first filing of a due process complaint notice to request mediation and impartial hearing
- Upon request of a parent.
- A decision to suspend or remove a child/student for discipline reasons that would result in a disciplinary change in placement.
- Upon first receipt of a State complaint
- Once per year

“Consent” means:

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

Written parental consent is required prior to:

Initial Evaluation

Upon receipt of a referral to the CPSE/CSE of a student who is suspected of having a disability, parental consent for evaluation is requested. The parent is contacted by a representative of the CPSE/CSE. The reason for the referral and the evaluation process are explained. The notice will include a description of the evaluation procedures. The parent is also provided with a copy of their due process rights, and information describing the components of a comprehensive evaluation. Translations are provided to the parent as needed. If the parent does not consent, the parent is invited to a conference to discuss the evaluation process. Outreach efforts will be made, when necessary, to ensure the parent has received and understands the request for consent. If the parent of a school age child for an initial evaluation does not provide consent within 30 days of the date of receipt of referral, the Chairperson will document attempts to obtain parental consent and request the Board initiate an impartial hearing. 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.

Initial Provision of Special Education Services

If the CPSE/CSE determines the student has a disability and recommends special education services, parent consent to initial placement is requested and the parent is provided with a copy of their due process rights. If a parent refuses to give written consent, the district may not deny the parent or child any other services, benefit or activity of the school district, except for the recommended special education services.

Translations are provided as necessary. Parents are given the opportunity for further discussion with the Chairperson of the CPSE/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.

Initial Provision of an Extended School Year (12 Month) Program or Services

The procedures detailed above apply.

Reevaluation

Parental consent will be requested prior to conducting a reevaluation of the student; however, the district may proceed with the reevaluation if the parent/guardian does not respond and reasonable measures have been taken to obtain their consent. Reasonable measures are interpreted as:

- A written notice is sent to the parent requesting their consent for the reevaluation
- At least three additional attempts are made to notify the parents; this may mean additional written notice(s) or telephone call(s). The school will keep a record of its attempts to obtain consent, and the results of those attempts.

Requests for Records / Other Communications with Non-District Personnel

Parent consent is requested for the following:

- Release of CPSE/CSE records to another agency / individual
- Request for copies of reports / evaluations from another agency / individual
- Request for verbal communications with another agency / individual (i.e.; private therapists)
- See section on Records Access and Accessibility for further information in this regard.

Parent 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. Parental consent is not required for a functional behavioral assessment.

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:

1. 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;
2. 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;
3. 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;
4. 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
5. 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.

INDEPENDENT EVALUATIONS

At the time of CSE initial or reevaluation, the Special Education Office will inform parents regarding their right to an independent evaluation by providing them with a copy of the Procedural Safeguards Notice. If parents disagree with the evaluation conducted by the CSE, parents may request an independent evaluation at district expense. The names, addresses and telephone numbers of appropriate public and private agencies and other professional resources where independent educational evaluations may be obtained will be provided upon request. The school district has a right to initiate an impartial hearing to demonstrate that its evaluation is appropriate or that the evaluation obtained by the parent does not meet school district's criteria. If a hearing officer determines that the district's evaluation was appropriate, or the evaluation obtained by the parent did not meet the school district's criteria, the parent is not entitled to reimbursement at district's expense. Any independent evaluation, whether paid for by the parent or by the school district, will be reviewed by the CSE and taken into consideration in its final placement determination.

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

- (1) An evaluation must be conducted within 50 miles of the District.
- (2) The cost of an independent evaluation requested by a hearing officer shall be at district expense.
- (3) The qualifications of the evaluator and the location of the evaluation shall be the same as the criteria which the district uses when it initiates an evaluation. This includes, but is not limited to, the following:
 - Psychologists must be licensed by the State of New York as clinical psychologists or certified as school psychologists. If certified as a school psychologist, the evaluator must conduct the evaluation in a school setting;

- Other evaluators should be appropriately certified in the area of their specialty by the State Education Department; and
- The tests performed must be norm referenced for individual evaluation, appropriate for the age and educational level of the student, and measure the same cognitive, motor, and affective skills as district tests.

Reimbursement will not be in excess of the reasonable cost of such evaluation, less the portion of such costs paid through insurance or Medicaid payments. In the absence of unusual circumstances, costs will be deemed reasonable and allowable in accordance with the following fee schedule:

Psycho-Evaluation Evaluation \$1000

Psychological (Cognitive, Social Emotional Learning, Executive Functioning \$600

Achievement \$400

Related Services \$350

INDEPENDENT EDUCATIONAL EVALUATORS

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UR Community Consultation Program
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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 or, the student is a ward of the State. 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 and, to the extent possible, shall:

- have no other interest which could conflict with their primary allegiance to the student they would represent; and
- shall have knowledge and skills that ensure adequate representation of the student.

PROCEDURES FOR ASSIGNING SURROGATES:

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

1. 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;
2. 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;
3. The Committee on Special Education shall determine whether the parents or guardians are unknown or unavailable, or whether the student is a ward of the State. This determination shall be completed within a reasonable time following the receipt of the original request for a surrogate parent. If the Committee on

Special Education finds that there is a need for a surrogate parent, such assignment shall be made by the Board of Education or other body responsible for the provision of special education programming and services within ten (10) days of the date of determination by the Committee.

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

5. The foster parent of the student, who otherwise meets the qualifications of a surrogate parent, may be appointed as the surrogate parent of the student without being appointed from a list approved by the Board of Education.

6. May alternately be appointed by the judge overseeing the child's case, provided the surrogate parent meets the qualifications.

7. In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs and street outreach programs may be appointed as temporary surrogate parents.

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 including matters arising prior to filing of a due process complaint. 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 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 is knowledgeable in the law and regulations relating to the provision of special education services. A mediator may not have a personal or professional interest which would conflict with his or her objectivity in the mediation process and may not be an employee of a school district or program serving students with disabilities. Mediation 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 on Special Education 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. At the end of the mediation session, whatever the parents and the school district representative agree should be done is written down. The mediation agreement will be implemented as written. Agreement may be reached on any or all of the concerns or issues which were discussed during the mediation session. Any remaining issues can be discussed further with the CSE or can be reviewed by an impartial hearing officer. Discussions during the mediation session are confidential and may not be used as evidence in any subsequent hearings or proceedings.

Special education mediation will be conducted by the Center for Dispute Settlement in Monroe County. Each

center is staffed by a number of highly qualified mediators who are not employed by the school district and who are not selected to be mediators by the school district.

RESOLUTION SESSION

Prior to the opportunity for 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 with the parents of the student discuss their complaint and the facts that form the basis of the complaint, and the school district has the opportunity to resolve the complaint. The participants of the meeting shall include the parents of the student and the relevant member or members of the CSE who have specific knowledge of the facts identified in the complaint, a representative of the school district who has decision-making authority on behalf of the school district. The meeting may not include an attorney of the school district unless the parent is accompanied by an attorney. The parent and the school district may agree to use alternative means of meeting participation, such as video conferences and conference calls.

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

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

If the school district has not resolved the 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.

APPOINTMENT OF IMPARTIAL HEARING OFFICERS

The Board of Education annually establishes and maintains a list of names and qualifications of all Impartial Hearing Officers available to serve in the school district.

A certified impartial hearing officer shall be:

- An individual admitted to the practice of law in the State of New York, who is currently in good standing and has a minimum of two years practice and/or experience in the areas of education, special education, disability rights or civil rights; or be an individual certified by the State of New York as an impartial hearing officer on September 1, 2001;
- Have access to the support and equipment necessary to perform the duties of an impartial hearing officer;
- Be independent, shall not be an officer, employee or agent of the school district or of the Board of Cooperative Educational Services (BOCES) of which such school district is a component, or an employee of the Education Department, shall not have a personal or professional interest which would conflict with his or her objectivity in the hearing, and shall not have participated in any manner in the formulation of the recommendation sought to be reviewed; and
- Be certified by the commissioner as an impartial hearing officer eligible to conduct hearings pursuant to

Education Law, section 4404(1) and subject to suspension or revocation of such certification by the commissioner for good cause in accordance with provisions of section 200.21 of the Regulations of the Commissioner of Education. In order to obtain and retain such a certificate, an individual shall:

- (1) successfully complete a training program, conducted by the department, which program provides information regarding State and Federal laws and regulations relating to the education of students with disabilities, the needs of such students, and the procedures involved in conducting a hearing, and in reaching and writing a decision;
- (2) attend such periodic update programs as may be scheduled by the Commissioner; and
- (3) commencing July 1, 2002, annually submit, in a format and by a date prescribed by the commissioner, a certification that the impartial hearing officer meets the above requirements.

Procedures

- The selection of an impartial hearing officer must be made from a list of all hearing officers who are certified and available to serve in the school district.
- The list must be established and maintained in alphabetical order with new appointees being inserted into the alphabetical order of the list.
- 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.
- 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 Officers whose name next appears on the list shall be offered appointment until such appointment is accepted. These attempts will be documented.

For further information concerning the impartial hearing process, refer to the New York State Procedural Safeguards Notice: Rights for Parents and Children with Disabilities Ages 3 – 21.

COMPENSATION

The impartial hearing officer shall be compensated at the maximum rate established for such purposes by the Director of the Division of Budget. There is no maximum per diem number of hours for which a hearing officer can be compensated. In addition hearing officers may be reimbursed for reasonable actual and necessary expenses for automobile travel, meals and overnight lodging in accordance with the current reimbursement rate set for employees. Mailing costs associated with the hearing will also be reimbursed.

GUARDIAN AD LITEM

In the event the impartial hearing officer determines that the interests of the parent are opposed to or inconsistent with those of the student, or that for any other reason the interests of a student would best be protected by appointment of a *guardian ad litem*, the impartial hearing officer shall appoint a *guardian ad litem*, to protect the interests of the student unless a surrogate parent has previously been assigned. The impartial

hearing officer shall ensure that the procedural due process rights afforded to the student's parent are preserved throughout the hearing whenever a *guardian ad litem* is appointed.

A "*guardian ad litem*" is defined as a person familiar with the provisions of the Part 200 Regulations who is appointed from the list of surrogate parents or who is a pro-bono attorney appointed to represent the interests of a student in 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.

RECORDS ACCESS AND CONFIDENTIALITY

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

The Federal Family Educational Rights and Privacy Act of 1974 establishes requirements to protect the privacy of parents and students with respect to District educational records. The Victor Board of Education Policy 5500 further outlines the District's procedures pertaining to all student records.

DISCIPLINE

SCHOOL CONDUCT AND DISCIPLINE

In accordance with subpart 100.2 of the Regulations of the Commissioner of Education, the Victor Central School District has adopted and implemented a 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.

Students with disabilities who are educated in the schools of the district are expected to meet district standards for school conduct and are subject to the district-wide policy. In some instances, the Committee on Special Education may be convened to determine whether the inappropriate conduct is related to the disability (manifestation determination) and to review the appropriateness of the Individualized Education Program. When the conduct is determined to be a manifestation of 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 educational placement that is either:

1. for more than 10 consecutive school days; or
2. for a period of 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 consecutive 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 factors as the length of each suspension or removal, the total amount of time the student is removed and the proximity of the suspensions or removals to one another. The school district will determine on a case by case basis whether a pattern of removals constitutes a change in placement. That 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 (IAES), or suspension, for not more than 10 school days; and
2. to an IAES for not more than 45 days if the student 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 may order such change in placement of a student with a disability to an IAES, directly or upon recommendation of a hearing officer in the superintendent’s hearing, even where the Manifestation Team determines that the student’s behavior is a manifestation of the student’s disability for up to 45 days but not to exceed the period of suspension ordered by the superintendent. 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 that 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:

1. Conduct a functional behavioral assessment and implement a behavior intervention plan, provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior resulted in the change of placement, or
2. 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.

Superintendent's Hearings 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:

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 an 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.

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 non-disabled student, 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 case where an IAES has been ordered. 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 any of the disciplinary actions above are contemplated or if a disciplinary action involving a change in placement for more than 10 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 students: (1) not later than the date on which the decision to take that

action is made, the parents shall be notified of that decision and of all procedural safeguards accorded under this section; and (2) immediately, if possible, but in no case later than 10 school days after the date on which the decision to take, a meeting of the Manifestation Team and other qualified personnel will be scheduled to determine the relationship between the student's disability and the behavior subject to disciplinary action.

In carrying out the review, the Manifestation Team may determine that the behavior of the student was not a manifestation of such student's disability only if the Manifestation Team first considers, in terms of the behavior subject to disciplinary action, all relevant information, including: evaluation and diagnostic results, including such results and other relevant information supplied by the parents of the student; observations of the student; and the student's IEP and placement; and *then determines that:*

- In relationship to the behavior subject to disciplinary action, the student's IEP and placement were appropriate and the special education services, supplementary aids and services and behavior intervention strategies were provided consistent with the student's IEP and placement;
- The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and
- The student's disability did not impair the ability of the student to control the behavior subject to disciplinary action. 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 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 or his or her designee is expected to consult with the Special Education Office 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 request that the CSE review the student's Individualized Education Program. The parent is invited to the meeting. The Committee, after reevaluation or review of records, may authorize modifications to the Individualized Education Program. The CSE may develop a behavior intervention plan at that time or review the existing plan and its implementation to determine if modifications are necessary.

Determination of Setting – An interim educational setting in which a student is placed by either school personnel or a hearing officer shall: (1) be selected to enable the student to continue to participate in the general education curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the IEP, that will enable the student to meet the IEP goals; and (2) include services and modifications designed to address the behavior described above so that it does not recur.

Parental 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 the Individualized Education Program, 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 of a manifestation determination review. In reviewing to place a student in an IAES, the hearing office shall apply the standards indicated in “Determination of Setting”.

When a parent requests a hearing to challenge the interim alternative educational setting or the manifest 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 IAES 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 may order a change in placement of a student with a disability to an appropriate IAES in a dangerous situation for not more than 45 school days if the hearing officer:

1. Determines that the district has demonstrated substantial evidence that maintaining the current placement is likely to result in injury to the student or to others;
2. Considers the appropriateness of the student’s current placement;
3. Considers whether the district has made reasonable efforts to minimize the risk of harm in the student’s current placement, including the use of supplementary aids and services; and
4. Determines that the IAES meets the requirements.

Expedited Due Process Hearing – An expedited hearing shall be conducted when requested by the district 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, or when requested by a parent of a student for whom the determination was made that the behavior was not a manifestation of his disability or related to the student’s placement in an IAES. An expedited due process hearing shall be completed according to the following timeline unless the parent and the school district agree in writing to waive the resolution meeting or agree to use mediation:

- 1) A resolution meeting shall occur within 7 days of receiving notice of due process complaint;

2) the due process hearing may proceed unless the matter had been resolved to the satisfaction of both parties within 15 business days of receipt of the request for a hearing;

3) the expedited due process shearing shall occur within 20 school days of the date the complaint requesting the hearing is filed;

4) the impartial hearing officer shall make a determination within 10 school days after the hearing. No extension to an expedited impartial hearing timeline shall be granted.

The impartial hearing officer shall mail a copy of the written, or at the option of the parents, an electronic finding of the facts to the parents, Board of Education, and VESID within 10 school days after the last hearing date. 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 office 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 self 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 the 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 student is a student with a disability if:

1. The parent of the student has expressed concern in writing (unless the parent is illiterate or has a disability that prevents compliance with the requirement contained in this clause) to personnel of the district that the student is in need of special education or related services;
2. The parent of the student has requested an evaluation of the student; or
3. The teacher of the student or other personnel of the district has expressed concern about behavior or performance of the student to the CSE or other personnel of the district.

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

1. The parent of the student has not allowed an evaluation;
2. The parent refuses services; or
3. It was determined by the CSE that this student was 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 15 school days after receipt of the request for evaluation. The CSE shall make a determination of eligibility of the student held at a Committee on Special Education meeting no later than 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.

ACCESSIBILITY

ACCESSIBILITY

ACCESS TO ACADEMIC AND DISCIPLINARY CONFERENCES

It is the policy of the school district to assure access for parents of students with disabilities to school-initiated conferences with respect to educational planning or school discipline. For requiring accommodations (i.e.; translators, barrier-free site) to participate in these meetings and/or meetings of the Committee on Special Education are requested to notify the building administrator. 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 and enrolled in the Victor Central School District have the opportunity to participate in all programs and activities administered by the district, providing that the students seeking to participate meet all qualifications necessary to participate in such programs and activities.

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 Victor Central School District to males and females on an equal basis without discrimination on the basis of gender.

Discrimination on the basis of sex in education programs and activities is prohibited by Title IX. The District official responsible for the coordination of activities relating to non-discrimination is Barbara Gregory, Assistant Superintendent for Human Resources, who serves as the Title IX Coordinator. The Coordinator will provide information, including information on complaint procedures, to any student or employee who feels that the District or its officials may have violated her or his rights under Title IX. The office is at the Administration Building of the Victor Central School District at 953 High Street, Victor, NY 14564 and the telephone number is (585) 924-3252. 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 for Human Rights.

MISCELLANEOUS

SCREENING PROCEDURES

A comprehensive program has been developed by the school district to locate, identify and provide programs for those students who need special services, 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.

Screenings are conducted as follows:

Kindergarten screening - all pre-kindergarten students are screened in the spring prior to scheduled entrance into kindergarten. New Entrant Screening - all new entrants are screened no later than December 1 of the school year of entry or within 15 days of transfer should the entry occur after December 1. Students suspected of potential learning delays as a result of diagnostic screening must be referred to the building Student Support Team. The building Student Support Team will review diagnostic screening results and develop a plan to address the concerns. Parents will be kept fully informed throughout the process.

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

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 service 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 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 and for the provision of special education and related services.

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

Under the provisions of Education Law section 3602-c, students with disabilities placed by their parents in nonpublic schools are entitled to receive special education services in accordance with an IEP from the public school district in which the nonpublic school is located while they receive general education from the nonpublic school. The "District of Location" means the school district within whose boundaries a nonpublic elementary or secondary school is located. "District of Residence" means the school district where the student legally resides.

Consultation Requirements: The district of location must consult with nonpublic school representatives and representative of the parents of parentally placed nonpublic school students with disabilities throughout the school year to regarding the child find process, provision of special education services and use of federal funds. Consultation is not specific to individual students, Individual services are determined by the CSE. Discussions shall include the following:

- To determine an accurate count of students with disabilities attending and receiving special education services.
- Child find process and how PPNS suspected of having a disability can participate in the same manner as public school students.
- How, when and by whom special education and related services will be provided to PPNS including a discussion of types of services, such as direct services and alternate service delivery mechanisms.
- For students who reside out of state but are parentally placed in nonpublic schools located in the geographic boundaries of the public schools, how a proportionate share of federal DEA Part B funds will be spent on special education services.
- How if a school district disagrees with the nonpublic school representative's views on the provision of services, the school district shall provide to the nonpublic school officials a written explanation of the reasons why the school district chose not to provide the services directly or through a contract,

The nonpublic schools representatives must provide written affirmation of their participation in the consultation process to the public school district of location.

Referrals for Evaluation of Students thought to be Disabled

1. Resident students who attend non-public schools within the district may be referred to the Committee on Special Education of the school district in the same manner as students who attend public schools.
2. In the case of the non-resident student, the district of location (DOL) is responsible for conducting the evaluation and conducting a CSE meeting to determine the student's eligibility for special education, and if determined eligible, to recommend the special education services and document such recommendations on an IESP. The District of Location is responsible for obtaining the

informed written consent of the parent to conduct the initial evaluation or reevaluation.

If the parent does not provide written consent the District of Location is not required to consider the student as eligible for special education services.

3. Parent Consent must be obtained before any personally identifiable information is shared between the district of residence and the district of location.

Provision for Special Education Services

The District of Location (DOL) must develop an IESP for students with disabilities who are NYS residents and who are parentally placed in a nonpublic school located in the geographic boundaries of the public school. The IESP must be developed in the same manner and with the same contents as the IEP. The CSE must ensure that a representative of the nonpublic school is included in the meeting where the IESP is developed. If the nonpublic school representative cannot attend the school district must use other methods to ensure participation. The IESP must be reviewed periodically but not less than annually.

Parent Request for Special Education Services

The parent must request special education services in writing to the school district of location by June 1 preceding the school year for which the request for services is made, except that when a student is first identified as a student with a disability after the first day of June preceding the school year for which the request is made and prior to the first day of April of such current school year, the parent must submit the written request for services within 30 days after the student was first identified.

Provision of Special Education Services

- The school district of location is responsible to provide special education services as outlined on the IESP developed for each eligible student. Services must be provided on an equitable basis as compared to other students with disabilities attending public or nonpublic schools located within the school district.
- The manner (how, where and by whom) special education and related services will be provided to students is determined by the district of location based on the consultation process and in consideration of the individual needs of the student. The final decision with respect to services provided to individual students is made by the CSE of the district of location.
- If a student is identified by the Committee on Special Education as being in need of special education, the Committee must notify the parent that the student is entitled to an appropriate education at public expense. However, if the parent wishes to continue the student in non public school, the District may offer group tutoring in a format similar to Consultant Teacher Services or Resource Room.
- Related services will be provided within the Fairport Central School District. Examples of related services include counseling, speech and language therapy, occupational therapy, physical therapy, and any other health or welfare services.
- If a parent of a child enrolled in a non-public school disagrees with the decision of the Committee on Special Education (CSE) in the areas of individual evaluation, eligibility **determination** recommendations of the CSE on the IESP and/or provision of special education services the parent may submit a Due Process Complaint Notice to the school district of location.

Process for the School District of Location to Recover its Costs from the School District of Residence for NYS Resident Students

The actual cost for CSE administration, evaluations and special education services provided to a student with a disability who is a resident of NYS but a nonresident to the district of location may be recovered from the student's school district of residence as follows:

If the district of location has parent consent to share personally identifiable special education information about the student with the district of residence, the district of location is entitled to bill the district of residence for the costs of evaluation, CSE administration and providing services. The amount charged by the school district of location cannot exceed the actual cost to the school district of location, after deducting any costs paid with federal or State funds.

OR

In the event the parent has not provided consent to release personally identifiable information concerning their child, the school district of location must submit to the Commissioner, a claim for costs of services, evaluation costs, and CSE administrative costs.

Parental consent must be obtained before any personally identifiable information about the student relating to special education is shared between officials in the public school district of location and officials in the public school district of residence. Therefore, parent consent to share special education information between the two public school districts is required before billing a district of residence for the cost of special education services provided to the student by the district of location.

Reimbursement for Unilateral Placement in a Private School

A school district is not required to pay for the cost of education of a child at a private school or facility if the school district has made a free and appropriate public education (FAPE) available to the child. However, if a parent places the child in a private school because the parent and school district disagree that an appropriate program has been made available to the child, the parent has the right to request an impartial hearing to seek reimbursement for the private school.

1. If the parent of a child who has previously received a special education program and/or services through the district places the child in a private school without the consent or referral of the school district, the parent may be entitled to reimbursement for the cost of the private placement if they can prove at an impartial hearing or State-level or court appeal that:

- The school district did not provide the child with a free appropriate public education in a timely manner prior to that enrollment in private school; and
- The private placement is appropriate to meet the child's educational needs. A hearing officer or court may find that a parental placement is appropriate even if it does not meet the State standards that apply to education programs provided by the school district or the State.

2. Reimbursement to the parent may be denied or reduced if the parent does not:

- Inform the school district at the most recent CSE or CPSE meeting that the parent attends that the parent rejects the placement proposed by the school district and states concerns and that the parent will be placing the child at a private school at public expense, or

- Provide the school district with written notice at least 10 business days prior to placing the child in the private school. However, if the parent is unable to read and cannot write in English; or if providing notice would likely result in physical or serious emotional harm to the child; or if the school prevented the parent from providing the notice; or if the parent did not receive the procedural safeguards notice that tells the parent about this requirement, then the cost of the reimbursement may not be reduced or denied because the parent did not give this notice.

3. If the school district gave the parent written notice prior to the parent removing the child from public school that it wants to evaluate the child, the parent must make the child available for the evaluation. If the parent refuses to make the child available, any request for tuition reimbursement may be reduced or denied.

4. If the parent does not inform the school district or make the child available for the evaluation, or if there are other unreasonable actions on the part of the parent, an impartial hearing officer or court may reduce or deny the reimbursement of costs of the private school for the child.

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:

1. The Committee on Special Education (CSE) will develop an individualized education services program (IESP) for the student. The ESP 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.

2. The parent must request special education services in writing to the Board of Education by April 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 April preceding the school year for which the request is made and prior to the first day of April of the current school year, the parent must submit the written request for services within 30 days after the student was first identified. A request may also be submitted within 30 days of a change in the student's school district of residence.

3. 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.

4. Parents of home-school students who disagree with the IESP recommendation of the CSE would be entitled to due process similar to parents of nonpublic students.

5. 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.

CENSUS

The District maintains census information and a register of students with disabilities in accordance with the Regulations of the Commissioner of Education, Section 200.2.

The Pupil Registration Office notifies the CSE or CPSE of any students who are new to the district and have been previously identified as "disabled." All new entrants will be required to have a census/registration for completed. Official notification to CSE/CPSE is on the district Pupil Registration Form.

A register of students with disabilities is maintained through the Victor Special Programs and Compliance Office.

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, that appropriate space within the District will be allocated 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.

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).

PROCEDURES FOR EVALUATING PROGRAM OBJECTIVES

The goal of the Victor Special Education Program is to provide students with individualized instruction in the least restrictive environment. The individualized instruction is designed to help each student compensate for his or her disability in order to more fully reach his or her potential. Formative and summative 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 District Plan contains Board of Education Program Objectives. The methods used to evaluate the extent to which the objectives of the Fairport special education program have been achieved are:

- (1) Ongoing evaluation of student achievement using various standardized diagnostic tests and other teacher made assessments;
- (2) Annual reviews of students' progress and programs, resulting in revised, comprehensive Individualized Education Programs (IEPs);
- (3) Qualitative techniques such as teacher observations, teacher/parent conferences, classroom observations, anecdotal reports, and end-of-the year student summaries;
- (4) Three-year reevaluations of each student with a disability as outlined by the New York State Regulations of the Commissioner of Education 200.4 (f) (4);
- (5) Periodic review of the District Plan and Board of Education policies pertaining to special education students; and
- (6) Mandated reports to the New York State Education Department, including:
 - special education child count
 - least restrictive environment
 - exiting and post-school outcomes
 - special education personnel
 - preschool placement, and
 - suspensions and expulsions.

ALTERNATIVE FORMATS

In compliance with the New York State Regulations of the Commissioner of Education, Section 200.2, the Victor Central School District ensures that 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.

"Alternative format" is defined as any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability enrolled in the school district, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file. An electronic file must be compatible with a least one alternative format conversion software program that is appropriate to meet the needs of the individual student.

The Victor Central School District will:

- (1) Give preference in the purchase of instructional materials it has selected for its students to those vendors who agree to provide such instructional materials in alternative formats;
- (2) Specify, when an electronic file is provided, how the format will be accessed by the students and/or how the district will convert to an accessible format;
- (3) Specify the process to be used when ordering materials to identify the needs of students with disabilities residing in the district for alternative format materials;
- (4) Specify ordering timelines to ensure that alternative format materials are available at the same time as regular format materials are available; and
- (5) Include procedures so that when students with disabilities move into the school district during the school year, the process to obtain needed materials in alternative formats for such students is initiated without delay.

THE USE OF UNIVERSAL DESIGN PRINCIPLES IN DISTRICT ASSESSMENTS

The Board of Education acknowledges its goal and its obligations 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 district wide 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 district wide 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 district-wide assessments:

1. 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.
2. Precisely defined constructs – the specific constructs tested must be clearly defined so that all non-construct cognitive, sensory, emotional and physical barriers are removed.
3. 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;
4. Amenable to accommodations – the test design shall be compatible with and facilitate the use of needed accommodations.
5. Simple and clear instructions and procedures – all instructions and procedures will be simple, clear and presented in understandable language;
6. 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;
7. Maximum legibility-characteristics such as type, space, font and paper size will be, to the extent practicable, easy to decipher in text, tables, figures, illustrations and response formats.

PROCEDURES FOR DISTRIBUTION OF INDIVIDUAL EDUCATION PLANS (IEP) TO STUDENT SERVICE PROVIDERS

- All students with disabilities will be assigned a case manager when referred to the Committee on Special Education
- If possible, the case manager will attend the initial CSE meeting
- The Special Education secretary will identify the student as a student with a disability on School Tool.
- The case manager will be responsible for ensuring general education and special area teachers are aware of the Individual Education Program for each of their students and the instructional implications to ensure compliance.
- The case manager will be responsible for maintaining documentation that the teachers have received the electronic copy of the student's Individual Education Program (IEP)
- Notify teachers to sign off on the IEP within two weeks of the beginning of school.
- Provide a list of teachers who have not complied to the Director of Special Education. The Director of Special Education will follow up with the teacher.
- The case manager will be responsible for informing other service providers who did not receive a copy of the IEP (i.e. paraprofessionals, school bus driver, cafeteria personnel, etc.) of any specific responsibility they have for providing supports and accommodations in accordance with the IEP.
- These same service providers will be provided the opportunity to review a copy of the IEP and on-going access to a copy of the IEP.

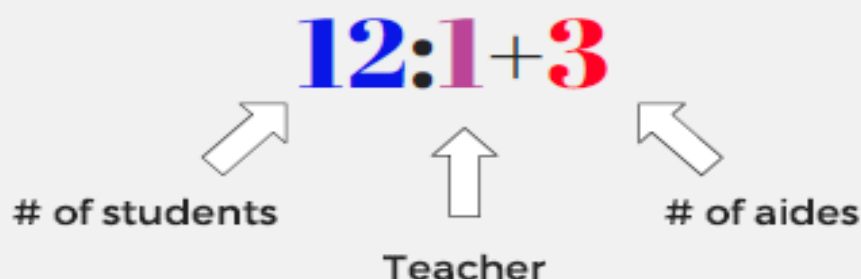
***DISTRICT PROGRAMS, SERVICES,
AND SPECIAL EDUCATION DATA***

VCSD Special Education Continuum Defined

SPECIAL CLASS

- Class consisting of students with disabilities who have been grouped together because of similarity of individual needs for the purpose of receiving specially designed instruction in a self-contained setting.
- Special class size is defined as the maximum number of students who can receive instruction together in a special class and the number of teachers and paraprofessionals assigned to the special class. If the student's IEP indicates special class, the IEP must describe the special class size.

Example:



Number of students is the max amount of students. Even under 12:1+3, if student requiring this program are under 12, aides can be reduced based on ratio (eg. 8:1+2 or 4:1+1)

CT VS. ICT

Consultant Teacher Service

- **Direct consultant teacher services** means **specially designed individualized or group instruction** provided by a certified **special education teacher** to a **student with a disability** to aid such student to benefit from the student's regular education classes.
- **Indirect consultant teacher services** means consultation provided by a certified **special education teacher** to **regular education teachers** to assist them in adjusting the learning environment and/or modifying their instructional methods to meet the individual needs of a **student with a disability** who attends their classes.

Co-Teaching Service

- means the provision of **specially designed instruction** and academic instruction provided to a **group of students with disabilities** and **nondisabled students** provided by a **special education teacher** and a **general education teacher** to meet the diverse learning needs of all students in a class.
- The maximum number of **students with disabilities** receiving integrated co-teaching services in a class shall not exceed 12 students. There is no regulatory maximum number of **nondisabled students** in an integrated co-teaching class. However, the number of **nondisabled students** should be more than or equal to the number of **students with disabilities** in the class in order to ensure the level of integration intended by this program option.

SPECIALLY DESIGNED INSTRUCTION

- 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 access of the student to the general curriculum, so that he or she can meet the educational standards that apply to all students.

VCSD SPECIAL EDUCATION CONTIUM

12:1+3

- Special class: students with severe multiple disabilities, whose programs consist primarily of habilitation and treatment, shall not exceed 12 students. In addition to the teacher, the staff/student ratio shall be one staff person to three students. The additional staff may be teachers, supplementary school personnel and/or related service providers

8:1+1

- Special class: 8 students, 1 teacher, and 1 teaching assistant for students with mild to severe emotional disabilities. These children have borderline to above average cognitive ability. They may have a mental health diagnosis and display challenging behaviors that interfere with learning.

12:1+1

- Special class: students whose management needs interfere with the instructional process, to the extent that an additional adult is needed within the classroom to assist in the instruction of such students, cannot exceed 12 students, with one or more supplementary school personnel assigned to each class during periods of instruction.

15:1+1

- Special class: students whose special education needs consist primarily of the need for specialized instruction which can best be accomplished in a self-contained setting cannot exceed 15 students.

RESOURCE ROOM

- For a student with a disability registered in either a special class or general education class who is in need of specialized supplementary instruction in an individual or small group setting for a portion of the school day. May not exceed 5 students.

CONSULTANT TEACHING- DIRECT

- Specially designed instruction provided to an individual student with a disability or to a group of students with disabilities by a certified special education teacher to aid the student(s) to benefit from the general education class instruction.

CONSULTANT TEACHING- INDIRECT

- Specially designed instruction provided to an individual student with a disability or to a group of students with disabilities by a certified special education teacher to aid the student(s) to benefit from the general education class instruction. Direct CT can be combined with indirect CT services.

SCHOOL AGE STUDENTS WITH DISABILITIES RECEIVING SPECIAL EDUCATION SERVICES

AS OF OCTOBER 3, 2018

SCHOOL AGE STUDENTS BY DISABILITY	<u># OF STUDENTS</u>
Autism	51
Emotional Disturbance	18
Learning Disability	169
Intellectual Disability	19
Deafness	0
Hearing Impairment	3
Speech or Language Impairment	41
Visual Impairment (includes Blindness)	1
Orthopedic Impairment	2
Other Health Impairment	153
Multiple Disabilities	18
Deaf-Blindness	0
Traumatic Brain Injury	0
TOTAL	475

***School Age Students by
Disability, Age and
Recommended Setting
As of October 3, 2018***

***School Age Students by Disability, Age and Recommended Setting
As of October 3, 2018***

<i>Recommended Setting</i>	<i>Disability</i>	<i>Ages 4-5</i>	<i>Ages 6-21</i>
<i>Attended Kindergarten, 1st grade more than 10 hours /week & receiving majority of special education and related services in the regular early childhood program</i>	<i>SI, AU, OHI</i>	<i>6</i>	<i>0</i>
<i>Attended Kindergarten, 1st grade or other regular childhood setting 10 hours or more/week and receiving the majority of special education and related services in another location</i>	<i>SI, AU,OHI,LD, ID</i>	<i>13</i>	<i>0</i>
<i>Attending Kindergarten, 1st grade or other regular childhood setting for less than 10 hours/week receiving the majority of special education and related services in the regular early childhood program</i>		<i>0</i>	<i>0</i>
<i>Separate Class</i>		<i>0</i>	<i>0</i>
<i>Separate School</i>	<i>LD, ID, MD</i>	<i>0</i>	<i>4</i>
<i>Home</i>	<i>AU</i>	<i>0</i>	<i>2</i>
<i>Inside Regular Classrooms 80% or more of the day</i>	<i>AU, ED, LD, HI, SI, VI, OI, OHI, MD</i>	<i>0</i>	<i>298</i>
<i>Inside Regular Classrooms 40-79% of the school day</i>	<i>AU, ED, ID, SI, LD, OHI, MD</i>	<i>0</i>	<i>90</i>
<i>Inside Regular Classrooms less than 40% of the school day</i>	<i>AU, ED, ID, SI, OHI, MD</i>	<i>0</i>	<i>58</i>
<i>Home Schooled by Parent Choice</i>	<i>AU,SI</i>	<i>0</i>	<i>3</i>
<i>Residential</i>		<i>0</i>	<i>1</i>

Total		19	456
Total Enrollment			475

***Preschool Students with a Disability by Age and Recommended Setting
As of October 3, 2018***

<i>Recommended Setting</i>	<i>Age 3</i>	<i>Age 4</i>
<i>Attending a regular early childhood program for 10 or more hours/week and receiving the majority of hours of special education and related services in the regular early childhood program</i>	<i>8</i>	<i>14</i>
<i>Attending a regular early childhood program for 10 or more hours/week and receiving the majority of hours of special education and related services in some other location</i>	<i>1</i>	<i>8</i>
<i>Attending a regular early childhood program for less than 10 hours a week and receiving the majority of special education and related services in the regular early childhood program</i>	<i>2</i>	<i>5</i>
<i>Attending a regular early childhood program for less than 10 hours/week and receiving the majority of special education and related services in some other location</i>	<i>3</i>	<i>7</i>
<i>Separate Class</i>	<i>0</i>	<i>1</i>
<i>Separate School</i>	<i>0</i>	<i>0</i>
<i>Residential Facility</i>	<i>0</i>	<i>0</i>
<i>Home</i>	<i>7</i>	<i>0</i>
<i>Service Providers Location</i>	<i>0</i>	<i>0</i>
<i>Total</i>	<i>21</i>	<i>32</i>
<i>Total PSWD Enrollment</i>		<i>53</i>

***Distribution of Students in Out of District Placements
As of October 3, 2018***

<i>BOCES</i>	<i>22</i>
<i>Private Schools–Day</i>	<i>5</i>
<i>Private Schools–Residential Out of State</i>	<i>0</i>
<i>4201 Schools– State Operated/Supported</i>	<i>1</i>
	<i>28</i>

OTHER SUPPORT SERVICES

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 student with a disability, including a functional evaluation of the child in the child'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 child.

SCHOOL PSYCHOLOGICAL SERVICES

The following major areas of responsibility are assigned to school psychologists: assessment; observation; test administration and interpretation, participation in Committee on Special Education (CSE) referrals, evaluation and placement; monitoring of student progress; consultation with teachers, student and parent counseling; and acting as a liaison between the school, parents, and other professionals. Additional areas of responsibility include assisting teachers in the development of interventions and Individualized Education Programs (IEPs); coordinating subcommittee annual review meetings, conducting three-year reevaluations; exploring out-of-district educational alternatives, when necessary, conducting functional behavior assessments and developing behavior intervention plans, and training teachers in the implementation of new regulations and procedures.

SOCIAL WORK SERVICES

The following major areas of responsibility are assigned to social workers: monitoring students' progress; consultation with teachers, providing transitional support services, parent education, student and parent counseling, intervening during crisis situations, conducting functional behavior assessments and developing behavior intervention plans; and acting as a liaison between school and home and community agencies.

SPEECH, LANGUAGE AND HEARING SERVICES

Specialists in speech and language assist school staff with the identification and instruction of students with speech, language and hearing disorders. They provide diagnostic and remedial services for students with articulation disorders, stuttering and voice disorders, expressive and receptive language problems, hearing deficits, cerebral dysfunction, oral-motor disorders and cleft palate. Much of the activity of these specialists involves observation, individual testing, direct service, conferencing with parents, and consultation with teachers regarding instructional methods.

PHYSICAL THERAPY SERVICES

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

OCCUPATIONAL THERAPY

The duties of the occupational therapist include individual assessment, increasing strength and quality of movement of the upper extremities necessary for handwriting and other classroom fine motor tasks, modulating a student's sensory responses that interfere with everyday activities, developing the activities of daily living, providing adaptive equipment as necessary and counseling students with disabilities around their participation in activities.

DEAF AND HARD OF HEARING SERVICES

Deaf and hard of hearing services are designed to provide consultant services and direct specialized instruction to students, ages 5 to 21 years of age, with hearing disabilities that are enrolled in a general education or special education program. Specialized instruction in speech, reading and auditory training is provided by a teacher of the deaf and hard of hearing.

VISION SERVICES

Vision services are designed to provide consultant services and direct specialized instruction to students, ages 5 to 21 years of age, with visual impairments who are enrolled in a general education or special education program. This related service includes instruction in the use of various optical aids, use of large print books and worksheets, tactile and recorded material and current technology. A teacher of the visually impaired may also assist students in acclimating themselves to new instructional environments.

ORIENTATION AND MOBILITY SERVICES

Students who are visually impaired may receive orientation and mobility training in order to assist the student in traveling safely in a variety of environments and further develop their independence.

BUDGET

SPECIAL EDUCATION BUDGET

2019-2020

The budget to support special education programs and services in the Victor Central School District is as follows:

<i>DESCRIPTION</i>	<i>AMOUNT</i>
<i>Equipment</i>	<i>\$500</i>
<i>Tuition & Tutoring Services</i>	<i>\$520,000</i>
<i>Other Contractual Expenses</i>	<i>\$307,771</i>
<i>BOCES Special Education</i>	<i>\$2,635,000</i>
<i>Supplies/Material</i>	<i>\$29,968</i>
<i>Travel-Conferences</i>	<i>\$4,100</i>
	<i>\$3,497,339</i>

FUTURE PROGRAM CONSIDERATIONS

The Victor Central School District is committed to the development of programs within the district to meet the needs of students with disabilities. At the present time the following program enhancements are being considered:

- A kindergarten through 12 grade special education program continuum within general education school buildings tailored to address students' significant behavioral concerns while maintaining high academic standards. These programs will also provide students with the opportunity to interact with typically developing peers as appropriate.
- Exploration of additional Post-Secondary School options for students with significant developmental delays who are not candidates for LifePrep@Naz, but will require post-secondary programming until the age of 21.

The Victor Central School District will continually evaluate existing Special Education Programs and Services to ensure student achievement and fulfillment of Post-Secondary outcomes in order to accommodate the unique learning needs of students with disabilities, while promoting College and Career Readiness.

AVAILABILITY OF COPIES OF THE SPECIAL EDUCATION DISTRICT PLAN

The current Special Education District Plan is on file and available for review in the Office of Superintendent of Schools, the Special Education Office and at each of the district's public school buildings. The Special Education District Plan may also be viewed on the district's website at www.victorschools.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.

Victor Central Schools Athletics Branding Initiative



Critical to...

- ***Honor Rich Traditions***
- ***Honor History of Success***
- ***Establishing & Defining***
 - ***Who We Are***
 - ***Who We Aspire to Be***



***Conscientious and Careful
Undertaking***

Pride . . .

History . . .

Future!



Steps Taken

1. Discovery

- **Discovery Key Stakeholders**
- **Current/Formal Logos/Mascots**
- **Complete Brand Questionnaire**
- **Discovery Meeting(s) with VIP**

2. Development

- **Sketch Phase**
- **Vector Phase**
- **Final Art Phase**



3. Deployment

- **Brand Guide**
- **Brand Locker (7 Markups)**
- **Protecting the Brand**
- **Using the Brand**
 - **All Future Purchases**

TIMELINE

March 2019

- ***Approval to Begin Process for Athletics by Dr. Santiago-Marullo Team***
- ***BSN Sports Rewards Program***
 - **National IPA Contract for Athletics M/S & Equipment Items**
 - **Enrollment in the VIP IMPACT Program**
 - **"Believe in You" character/Motivational Curriculum**
 - **Identity Branding - \$15,000**
 - **Facility Branding Enhancer - \$15,000**
 - **10' x 8' Backdrop**
 - **8' Table Cloth**
 - **(10) 30" x 60" Deluxe Banners**
 - **(3) 5' x 6' Spirit Flags with Poles**
 - **(400) Car Decals**
 - **10' x 10' Pop-Up Tent**
 - **(6) 3' x 5' Custom Rugs**



TIMELINE *continued . . .*

April 2019

- ***Developing VIP Key Stakeholders Team***
- ***Mascot / Wordmark Questionnaire***
 - **Duane Weimer (Director of Health, Physical Education & Athletics)**
 - **Michael Ferreri (Assistant to the Director of Athletics)**
 - **Sherri Lasky (Office of School & Community Relations)**
 - **Linda Dillman (Athletics Administrative Assistant)**
 - **Kelly Ahern (Coach)**
 - **Blakeley Smith (Coach)**
 - **David Vistocco (Coach)**
 - **Geoffrey Mandile (Coach)**
 - **Courtney Tortarella (Coach)**
 - **Brian Siesto (High School Principal)**
 - **Mike Riley (Community Member)**
 - **Kristin Williams (Community Member)**
 - **Colleen Murphy (Community Member)**
 - **Stephanie Alred (Community Member)**
 - **Henry Merges (10th Grade Student)**
 - **Kylie Gelabert (10th Grade Student)**
 - **Billy Brady (11th Grade Student)**
 - **Taylor Ashe (11th Grade Student)**

TIMELINE *continued . . .*

May-September 2019

- ***Discovery Meetings / Sketch Phase***
 - **May 15th - Basecamp Developed**
 - **Reviewed Previous Logos & Questionnaire Responses**
 - **May 24th - First Sketch**
 - **May 31st - Second Sketch**
 - **June 5th - Third Sketch**
 - **June 6th - Stakeholders Meeting with VIP Branding**
 - **June 18th - Fourth Sketch**
 - **June 24th - Fifth Sketch**
 - **July 2nd - 2nd Stakeholders Meeting (Live Design)**
 - **July 3rd - Sixth Sketch**
 - **July 10th - Final Sketch**
 - **Vectorization**

TIMELINE *continued . . .*

May-September 2019

- **Word Art Phase**
 - July 16th - 1st Rendering
 - July 22nd - 2nd Rendering
 - July 26th - 3rd Rendering with all Marks
 - August 2nd - Final Design
- **Brand Guide**
 - August 12th
- **Brand Locker**
 - August 22nd
- **Board of Education Presentation**
 - September 12th
- **Instant Impact**
 - My Team Shop
 - Sideline Store
 - 360 Package



**BLUE
DEVILS**
ATHLETICS

V



VICTOR CENTRAL SCHOOL DISTRICT

Field Trip Request Form

Instructions:

Complete and submit to your building principal three weeks in advance*.

* Extended trips, out of state, out of country, and/or overnight trip forms must be forwarded to the Superintendent a minimum of one week prior to a scheduled Board of Education meeting AND six months prior to the proposed trip..

Teacher(s) Initiating Request: Cristie Rydzynski & Laurie Estochen School: Victor Senior High School

Course/ Grade Level of students/club for trip: Grades 9-12 (Senior High Students) - Global

Check appropriate type of field trip: Service Trip Competence Certificate Club

 required curricular trip non-required co-curricular X extra curricular

Logistics of Trip > Please see the attached information (Empowering Children in the Dominican Republic)

Destination (include exact address): EF Tours - Northern Coastal Region of the Dominican Republic

Estimated Number of Students: Round Trip Mileage:
Departure: Beginning of Spring Break April 2020 Date Time Return: End of Spring Break April 2020 Date Time

Have both the District and building calendars been checked for conflicts, etc. yes no > We will set definitive date as we get closer

Estimated Number of Chaperones: Teachers: Parents: Other:
Names of Chaperones will be submitted to the Building Principal for approval prior to the trip. * We will have more information on this as the trip is set. And the district calendar for 2019-2020 is set

Type of Transportation: Air to Dominican Republic / Tour bus while in Dominican Republic

Arrangement for meals (if necessary): All provided by EF Tours and Outreach 360 - on site organization we work with.

Cost:
Estimated Cost Per Student: (All inclusive price)
Event Fee: Meals: Total: \$ 3,130 per Student
Travel: Other:

If fundraising is involved, please describe: We plan to do many fundraisers to offset the cost of this trip. The fundraiser are to be determined.

Curricular/Instructional Plan

Instructional Objectives: Be specific, include outcomes and how you will measure what standards and district curriculum goals it meets.

Activities

Preparation: How will the student be prepared for the trip as an instructional activity:

On trip: What instructional activities will occur on the trip?

Follow-Up: Upon return, what activities will occur to enrich the experience and to determine if the objectives were accomplished?

Provisions for Continuity of School Work

What instructional provisions have been made to help participants keep up with other classes that they will miss?

What specific instructional plans have been made for the any student missing the field trip?

Please note any scheduled teaching assignments (classes, study halls, supervisory assignments, etc.) that will need coverage during the period of this field trip.

TO BE COMPLETED BY THE BUILDING PRINCIPAL

Approved

Not Approved

[Signature]
Principal's Signature

9/25/18
Date

Approved

Not Approved

[Signature]
Director of Transportation's Signature

[Signature]
Date

RECEIVED

Approved ☒

Not Approved

[Signature] 9/25/18
Assistant Superintendent's Signature

Victor Central School
Assistant Superintendent's Office
Date

CO-CURRICULAR AND/ EXTRA-CURRICULAR OVERVIEW SHEET
(to be completed by the Lead Teacher for this field trip)

Itinerary (for overnight or extended trips, please attach detailed summary of specifics)

* See attached itinerary - a more detailed
itinerary will be available closer to the
departure date

Will you be requesting this trip again next year? [] YES ☒ NO

1. What does this field trip accomplish that an in-school activity could not?

* Please see the student reflections on this
Service trip (from trip April 2018)

2. What pre-field trip activities are you planning to do to complement the field trip?

- Several meetings to develop relationships
between the participants and to teach them
about D.R. and what the trip entails.

* Students will be dropped off to and from the Airport by their parents.

Date

Special Transportation Request
Please complete in triplicate

In case of Emergency:

Destination: _____ Date of Request _____

Name of Group _____

Name of person supervising on the bus: _____

Has this field trip been previously approved under the Filed Trip Regulation? YES ☐ NO ☐

Requisitions for special transportation during school hours or other than school hours must be in the hands of the Transportation Department **at least two weeks prior to the trip.**

Date of trip: _____

Place of Departure: _____

Load Time: _____ Leave Time: _____
(Please allow 10 minutes to load)

Hour at which you wish to **reach** your destination: _____

Hour at which you wish to **leave** your destination: _____

Anticipated time of return: _____

Estimated Mileage RT: _____ Number of Students: _____

Age group: _____ Number of Attending Adults: _____

Would you like the bus to stay with the group, or may it return at a different time?

Special arrangement, instructions or comments:

Teacher Signature

Principal Signature

Transportation Department Use:

Date Received: _____ Number of Buses: _____

Approval: _____

VICTOR CENTRAL SCHOOL DISTRICT
Field Trip Request Form

Instructions:

Complete and submit to your building principal three weeks in advance*.

*** Extended trips, out of state, out of country, and/or overnight trip forms must be forwarded to the Superintendent a minimum of one week prior to a scheduled Board of Education meeting AND six months prior to the proposed trip..**

Teacher(s) Initiating Request: Cristie Rydzynski and Laurie Estochen School: Victor Senior High School

Course/ Grade Level of students/club for trip: Grades 9-12 (Senior High Students) - Global Competence Club

Check appropriate type of field trip:

 required curricular trip non-required co-curricular X extra curricular

Logistics of Trip

Please see the attached information on Community and Conservation in Puerto Rico

Destination (include exact address): EF Tours - San Juan, Puerto Rico (Community and Conservation In Puerto Rico)

Estimated Number of Students: 16-20 Round Trip Mileage: X
Beginning of Spring Break April 2020 End of Spring Break April 2020
Departure: Date Time Return: Date Time

Have both the District and building calendars been checked for conflicts, etc. ☒ yes ☐ no

Estimated Number of Chaperones: Teachers: 3 Parents: 1+ Other: 1
Names of Chaperones will be submitted to the Building Principal for approval prior to the trip.
Cristie Rydzynski, Laurie Estochen, and Bryan Kavanaugh

Type of Transportation: Air to Puerto Rico/Tour Bus while in Puerto Rico

Arrangement for meals (if necessary): All meals included and provided by EF Tours.

Cost:

Estimated Cost Per Student:

Event Fee:

Meals:

Total: Approx. \$3000 per student
(all-inclusive)

Travel:

Other:

If fundraising is involved, please describe: We have already had a few fundraisers for the DR Trip. We plan to do another fundraiser in the fall to offset costs.

We plan to transfer the monies from the DR trip to the Puerto Rico trip.

Curricular/Instructional Plan

Please see the attached itinerary for the activity details.

Instructional Objectives: Be specific, include outcomes and how you will measure what standards and district curriculum goals it meets.

Our goal is to provide a cultural experience as well as a service experience for our travelers. The Puerto Rico trip most closely aligns with the goals of the Dominican Republic trip that we intend to switch from for safety concerns. The cultural and service goals also closely align with the goals of the Global Competence Club.

Activities

Preparation: How will the student be prepared for the trip as an instructional activity:

On trip: What instructional activities will occur on the trip?

Follow-Up: Upon return, what activities will occur to enrich the experience and to determine if the objectives were accomplished?

Provisions for Continuity of School Work

What instructional provisions have been made to help participants keep up with other classes that they will miss?

What specific instructional plans have been made for the any student missing the field trip?

Please note any scheduled teaching assignments (classes, study halls, supervisory assignments, etc.) that will need coverage during the period of this field trip.

TO BE COMPLETED BY THE BUILDING PRINCIPAL

Approved ☐

Not Approved ☐

Principal's Signature

Date

Approved ☐

Not Approved ☐

Director of Transportation's Signature

Date

Approved ☐

Not Approved ☐

Associate Superintendent's Signature

Date

CO-CURRICULAR AND/ EXTRA-CURRICULAR OVERVIEW SHEET
(to be completed by the Lead Teacher for this field trip)

Itinerary (for overnight or extended trips, please attach detailed summary of specifics)

Please see the attached itnerary for the activity details. A more detailed itinerary will be available closer to the departure date.

Will you be requesting this trip again next year? ☐ YES ☒ NO

1.What does this field trip accomplish that an in-school activity could not?

Please see the attached student reflections from the Dominican Republic service trip in April 2018. These reflections help to detail what we hope to accomplish with this service trip.

2. What pre-field trip activities are you planning to do to complement the field trip?

We have planned several meetings with parents and travelers to develop relationships between the participants and to teach about Puerto Rico and what the trip entails.

No Special Transportation is needed - students are brought to and picked up at the airport by their parents or guardians.

Special Transportation Request
Please complete in triplicate

In case of Emergency:

Destination: _____ Date of Request _____

Name of Group _____

Name of person supervising on the bus: _____

Has this field trip been previously approved under the Filed Trip Regulation? YES ☐ NO ☐

Requisitions for special transportation during school hours or other than school hours must be in the hands of the Transportation Department **at least two weeks prior to the trip.**

Date of trip: _____

Place of Departure: _____

Load Time: _____ Leave Time: _____
(Please allow 10 minutes to load)

Hour at which you wish to **reach** your destination: _____

Hour at which you wish to **leave** your destination: _____

Anticipated time of return:

Estimated Mileage RT: _____ Number of Students: _____

Age group: _____ Number of Attending Adults: _____

Would you like the bus to stay with the group, or may it return at a different time?

Special arrangement, instructions or comments:

Teacher Signature

Principal Signature

Transportation Department Use:

Date Received: _____ Number of Buses: _____

Approval: _____

2019 PROPOSED

BYLAW AMENDMENTS & RESOLUTIONS



Please Note:

The proposals contained within this booklet are not the official positions of the New York State School Boards Association (NYSSBA). Rather, these proposals represent items introduced by individual NYSSBA member boards or the NYSSBA Board of Directors for consideration at the 2019 Annual Business Meeting.

Moreover, proposals advanced by the NYSSBA Board of Directors are not the positions of the Board, nor should their advancement be considered endorsement by the NYSSBA Board. Proposals advanced by the Board of Directors are done so because the Board of Directors has identified an issue on which they seek the membership's input.

No individual board, including the NYSSBA Board of Directors, can adopt a formal position statement or change to the Association bylaws. Only a vote of the delegates at the Annual Business Meeting can adopt a formal position statement or change to the bylaws of the Association.

To view NYSSBA's current bylaws and position statement, please see the links below.

[NYSSBA Bylaws](#)

[NYSSBA 2019 Position Statements](#)

TO: School Board Members and Chief School Administrators

FROM: Mark Elledge, Resolutions Committee Chair

DATE: August 27, 2019

This is the report of the recommendations of the Resolutions Committee on proposed resolutions, which will be acted upon by the delegates at the New York State School Boards Association's Annual Business Meeting on **Saturday, October 26th, 2019 at 8:00 a.m. at the Convention Center, Grand Lilac Ballroom, 1st Floor**

Within this report you will find the following:

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ANNUAL BUSINESS MEETING

SATURDAY, OCTOBER 26, 8:00 A.M., Convention Center, Grand Lilac Ballroom, 1st Floor

DELEGATE ORIENTATION / ASK THE PARLIAMENTARIAN

FRIDAY, OCTOBER 25, 10:30AM – 11:30AM

Rochester Riverside Hotel, Riverside Ballroom, Mezzanine Level

An orientation for delegates will be led by Jay Worona, NYSSBA's Deputy Executive Director, General Counsel and Parliamentarian, and Julie M. Marlette, Director of Governmental Relations and Staff Liaison to the Resolutions Committee for the Annual Business Meeting. This meeting will acquaint voting delegates with the business meeting process and answer any questions regarding conduct of the meeting.

NYSSBA BOARD OF DIRECTORS

President	WILLIAM MILLER
1 st Vice President	FRED J. LANGSTAFF
2 nd Vice President	PEGGY ZUGIBE
Treasurer	THOMAS NESPECA
Immediate Past President.....	SUSAN BERGTRAUM
Area 1	LINDA R. HOFFMAN
Area 2	RODNEY GEORGE
Area 3	CHRISTINE SCHNARS
Area 4	SANDRA H. RUFFO
Area 5	RUSSELL STEWART
Area 6	WAYNE ROGERS
Area 7	CATHERINE LEWIS
Area 8	BRIAN LATOURETTE
Area 9	JOHN REDMAN II
Area 10	PEGGY ZUGIBE
Area 11	ROBERT “B.A.” SCHOEN
Area 12	FRED LANGSTAFF
Area 13	RICHARD CARRANZA
Director, Big 5 School Districts	WILLA POWELL
Director, Caucus of Black School Board Members	MICHAEL JAIME

RESOLUTIONS COMMITTEE

Area 2	MARK ELLEDGE
Area 1	JODEE RIORDAN
Area 3	THOMAS DEJOE
Area 4	JEANNE SHIELDS
Area 5	RUSSELL WEHNER
Area 7	C. DAVID GAYNOR
Area 8	JUDITH BREESE
Area 9	JOHN PASICHNYK
Area 10	FRANK SCHNECKER
Area 11	MICHAEL WEINICK
Area 12	MATTHEW CLAREEN
Area 13	KATIE JEDRLINIC
Big 5	ELIZABETH HALLMARK

ORDER OF BUSINESS 2019 BUSINESS MEETING

ORDER OF BUSINESS

- President's Welcome and Comments
- Announcement of a Quorum
- Adoption of Order of Business
- Adoption of Rules of Conduct for the Business Meeting

THE BUSINESS MEETING

- Announcement of Election Results – Areas 1, 3, 5, 7, 9 and 11
- Introduction of Officers and Directors

ELECTION OF OFFICERS

- President
- 1st Vice President
- 2nd Vice President
- Treasurer

PRESENTATIONS

- Comments of the President Elect
- Report of the Executive Director
- Report of the Treasurer

CONSIDERATION OF PROPOSED BYLAW AMENDMENTS AND RESOLUTIONS

- Report of the Resolutions Committee
 - Consideration of Proposed Bylaw Amendments Recommended for Adoption
 - Consideration of Proposed Resolutions Recommended for Adoption
- Consideration of Proposed Resolutions Not Recommended for Adoption

OTHER BUSINESS

**PROPOSED BY-LAW AMENDMENT
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION**

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RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION**

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PROPOSED BY-LAW AMENDMENT
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

PROPOSED BY-LAW AMENDMENT A

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

Note: Language struck out (-----) and shaded represents proposed deletions to the existing bylaw and **underlined** language represents proposed additions to the existing bylaw.

- 1 **RESOLVED, that Article 9 of the bylaws of the New York State School Boards Association shall be**
- 2 **amended to expand membership on the Resolutions Committee to include a representative from the**
- 3 **New York State Caucus of Black School Board Members.**

ARTICLE 9. COMMITTEES

A. There shall be:

1. An Executive Committee of the board of directors, consisting of not more than eight members of the board of directors established annually by the board at the last meeting of the year of the board. Terms of office for the Executive Committee shall begin on January 1 following the meeting in which such members are chosen and shall continue for one year. The composition of the committee shall be as set forth in board policy. The committee shall have such powers as may be specifically delegated to it by the Board consistent with this paragraph of these Bylaws and the Not-for-Profit Corporation Law. The Board may vest the committee with the authority to:

- a. Approve the Association's participation as amicus in cases of statewide interest to NYSSBA's membership, upon its own initiative or when requested to do so by a member board.
- b. Approve the commencement of litigation on matters of statewide importance in court or before administrative agencies, either upon its own initiative or when requested to do so by any member board, except that lawsuits initiated to collect monies or fees owed to the Association may be authorized by the executive director.
- c. Review matters that are brought to it by the executive director and to act upon such matters as appropriate, except that the committee shall not have the authority to alter or amend any policy established by the Board of Directors.

A majority of the total membership of the committee shall constitute a quorum. Any action taken shall require a majority of the full membership of the committee. It shall meet upon the call of the chair or upon the written request of three members of the committee addressed to the executive director. Such written request shall state the purpose(s) of the meeting and, upon its receipt, the executive director shall issue the call for the meeting. The notices of all meetings shall be sent so as to reach the members of the committee at least five days prior to the proposed meeting.

2. A Resolutions Committee, consisting of one school board member from each Association area, ~~and~~ **and one member from the Caucus of Black School Board Members** appointed by the president at the first meeting of the newly elected board of directors subject

to confirmation by the board. The committee shall review, but may not amend, resolutions and Bylaw amendments submitted to it by any member board or the Board of Directors.

Proposed resolutions or bylaw amendments must reach the Association office before the close of business on a date set annually by the board. Such due date shall not be later than August 1 or the Monday following August 1 if this date falls on a Saturday or a Sunday immediately preceding the annual meeting. Each resolution shall consist of a single "resolved" clause without "whereas" clauses, and shall address only one subject. A brief rationale statement may be included with each resolution or proposed Bylaw amendment.

The Resolutions Committee shall present a report of its recommendations to NYSSBA membership in a printed document for action at the annual business meeting. A resolution adopted at an annual meeting shall remain in effect and shall be part of NYSSBA's active program for five years, unless sooner rescinded, reaffirmed, implemented or enacted.

3. Other committees as the Board of Directors determines; the members of such committees to be appointed by the president, subject to confirmation by the Board of Directors; and such committees shall report at such times and at such places as the Board of Directors may determine.

B. At the request of the president, any committee appointed by the Board of Directors may meet by means of a telephone conference or similar communication permitted by the Not-for-Profit Corporation Law. Notice of such meeting shall be given to members of the committee at least 24 hours prior to such meeting.

RATIONALE

Pursuant to Article 9 of the bylaws, the Resolutions Committee currently consists of members appointed from each area and a member from the Big 5 City School Districts. As the Caucus of Black School Board Members now also has a voting seat on the Board of Directors, representation by this group is also important for the work of the Resolutions Committee.

PROPOSED RESOLUTIONS
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

PROPOSED RESOLUTION 1

Submitted by *the New York State School Boards Association Board of Directors (6/8/19)*

RESOLVED, that the New York State School Boards Association take a leadership role in encouraging school boards to develop successful strategies for integrating respect for differences into the educational experience. In carrying out this mission, NYSSBA shall encourage school boards to:

- Ensure that the importance of acceptance of others who are unique and different because of racial, ethnic, gender, sexual orientation, gender identity, disability status or religious differences is part of the curriculum.
- Invite discussion among students, parents, staff and the community about how hatred and bigotry based on race, ethnicity, gender, sexual orientation, gender identity, disability status and religion endanger the pluralistic and diversity principles for which this nation stands.
- Involve students, parents, staff and the community in developing and supporting educational practices which invite understanding and acceptance of others' differences and which aim to eradicate hatred and bigotry.

RATIONALE

NYSSBA has had a similar position statement on the books for ten years. Over the last decade, NYSSBA has sought to support members as they support their communities to understand our differences and how those differences impact our relationships with one another. Despite our efforts, misunderstandings and intolerance continue to increase divisions in our communities and educational system. New York State must lead the nation in ensuring that respect for diversity is integrated into the public education system. In an increasingly diverse state, it is critical that NYSSBA remain committed to supporting our districts in this important work.

PROPOSED RESOLUTION 2

Submitted by *the New York State School Boards Association Board of Directors (6/8/19)*

RESOLVED, that the New York State School Boards Association support the full restoration of state and local tax (SALT) deductibility.

RATIONALE

In late 2017, the Tax Cuts and Jobs Act was signed into law. This federal tax code change included a number of provisions, notably a new cap on the federal income tax deductibility of state and local taxes (SALT) of \$10,000. Designed as a way to fund the tax cut, the new cap disproportionately impacts higher tax states like New York.

Historically, the federal government has recognized the predominance of the lowest level of taxation. State and local taxes, including school property taxes, have been fully deductible for federal taxpayers, effectively preventing double taxation. The SALT cap now levies against any state and local taxes over \$10,000.

This new cap negatively impacts school taxpayers, particularly in high tax areas of the state. In the past, full deductibility of SALT lessened the impact of school property taxes. Every additional dollar in school property taxes could increase the offset of a taxpayer's federal income tax liability. The new cap places a greater burden on school districts as they must now consider additional financial constraints amongst their taxpayers. In addition, school districts represent the only level of government that requires direct voter approval of budgets. This means any frustration from voters regarding levels of taxation – whether directed at the federal, state or local governments – can only be expressed through the school budget vote.

Full deductibility of SALT treated taxpayers in all states equally. The federal government should reverse this unnecessary financial burden on school districts and taxpayers by repealing the \$10,000 SALT cap.

PROPOSED RESOLUTION 3

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED, that the New York State School Boards Association support proposals to require the state**
2 **to fund all state-mandated school meal programs and practices.**

RATIONALE

New York State school districts serve more than 250 million lunches, as well as millions of breakfasts, to students across all demographics and needs each year.

Any new requirement enacted by the state comes with added costs for school districts. State reimbursement rates for school meals are low – as low as 6 cents for free and paid lunches – and school meal programs struggle to simply break even. School meal programs often must be supplemented by the general fund budget.

In 2018, New York State adopted a number of new school meal requirements as part of the state budget. These include a mandate that all districts provide students with regular meals regardless of ability to pay and with limited ability to contact parents for meal payments. In addition, any districts with at least 70% of students eligible for free and reduced-price lunch are required to offer all students with breakfast after the school day has begun. While some limited state funds were allocated as part of the new breakfast requirement, no funding was provided to actually implement these programs on an ongoing basis.

If the state believes that these practices are important, the state should support them by fully funding all state-mandated school meal programs and practices.

PROPOSED RESOLUTION 4

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED, that the New York State School Boards Association support proposals to allow boards of**
- 2 **education to determine if their buildings will be used as polling places for all elections.**

RATIONALE

Currently, if a school building is selected as a polling location by the county board of elections, the district has no recourse and must open its buildings' doors to the public on assigned election days. In addition, most school districts are required to hold board elections and budget votes in school buildings.

While allowing voters access to schools on certain days may be welcomed by some school districts and their communities, other school leaders have identified concerns over safety and academic disruption and have expressed desires to move polling away from students.

At a time when school districts are continually the targets of violent incidents, many districts across the state have invested in varied security enhancements, including the hardening of doors and windows. They have also adopted policies that limit access to school buildings. Such policies may include keeping doors locked and requiring identification and escorts to enter buildings while school is in session. On election days, those procedures must be suspended, and this can allow unfettered access to buildings and students.

Recent changes in state law have made the need to address this issue more immediate. For instance, the adoption of early voting means that the number of days in which a school building may be designated as a polling place is exponentially increased. Moreover, the merging of the state and federal primary days into a single merged primary in June often falls in the midst of the Regents exams.

Some groups have suggested that the way to address these safety concerns is to have schools close so their buildings can be used for voting. However, between the general elections, primary elections, special elections, school board elections and budget votes, bond votes and now early voting, the potential exists for a building to be used for voting many days throughout the year. If schools were to close for all of them, it would make it nearly impossible for districts to be open the required 180 days to receive a full state aid award; and closing on a required Regents exam day is not an option.

Keeping our students and staff safe is a top priority for district leaders. Allowing districts to determine if they can safely accommodate voting in their buildings is an important component of safety planning.

PROPOSED RESOLUTION 5

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED**, that the New York State School Boards Association shall create a task force to study
- 2 **current requirements, costs, trends and other aspects of the special education system and make**
- 3 **recommendations for the future of special education delivery in New York.**

RATIONALE

School districts spend billions of dollars each year on special education services and costs have increased by more than 30% over the past decade. Much of this increase is driven by the fact that special education enrollment has grown in recent years, while overall enrollment has declined. In 2017-18, 462,000 public school students were categorized as receiving special education services, representing a 16% increase since 2012-13. Approximately 18% of all public school students in New York qualify as students with disabilities.

Both the state and federal governments have significant mandates on the way that students with disabilities are educated; however, local school districts are required to absorb the overwhelming majority of the expenses associated with the services these students need. The state and federal budgets do offset some costs, but state reimbursement is limited only to a portion of the expenses related to “high cost” students, which is defined as student-specific expenditures that run at least three times greater than average district per pupil costs.

The federal government, through the Individuals with Disabilities Education Act (IDEA), requires states and school districts to provide certain services to students with disabilities. New York State has placed numerous additional requirements for special education services on school districts, effectively capturing more students at greater costs.

While an influx of resources could help offset these costs, that offset is not a real solution. Steps must be taken to address the underlying cost drivers that are pushing the cost of special education upward. Districts do not want to deny students the services that they require, under their constitutionally protected right to an education. But we have an obligation to students and families, who are also taxpayers, to ensure that all the current requirements are still met, and that those services are permitted to be delivered in the most efficient way possible.

PROPOSED RESOLUTION 6

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED**, that the New York State School Boards Association support legislation that would require
- 2 **the independent hearing officer in a 3020-a hearing to accept the penalty sought by the district if there**
- 3 **is a finding of guilt.**

RATIONALE

Under current law, tenured teachers and administrators may only be disciplined under the provisions of the Education Law. These provisions establish extensive administrative hearing procedures that must be followed before a school district can take any disciplinary action against any such tenured staff. One such procedure is the appointment of an independent hearing officer, who is mutually agreed upon by both the school district and the employee, or in rare cases, the Commissioner of Education.

It is the responsibility of the officer to preside over the hearing and ultimately determine whether the teacher is guilty or innocent of each charge and what penalty or action, if any, may be taken by the board. Penalties can include, but are not limited to, a written reprimand, monetary fine and suspension without pay or dismissal.

When filing the charges, the district also indicates what discipline or action it seeks if there is a finding of guilt. If there is a finding of guilt on any or all of the charges, the hearing officer is required to give serious consideration to the disciplinary action requested by the employing school board, but they are not required to impose it. This can lead to unsatisfactory outcomes in some cases, and uneven outcomes for identical infractions in others.

As employers, school districts have to meet a very high standard of due process before they are permitted to engage in any disciplinary action against their tenured employees. Once they have expended the time and expense to prove their case, they should be given the same rights as any other employer to move forward with disciplining their employees in the manner they choose, and in a way that establishes a clear standard that can be uniformly and fairly applied across the district.

PROPOSED RESOLUTION 7

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED, that the New York State School Boards Association support the requirement that local**
2 **school districts continue to make determinations as to the substantial equivalency of education delivered**
3 **in nonpublic schools.**

RATIONALE

Current law requires that students in nonpublic schools receive substantially equivalent instruction to those in public schools. Substantial equivalency means a program is comparable in content and educational experience but may differ in method of delivery and format. Local public school officials have the responsibility to assess the education received by all students, including those attending nonpublic schools within their districts' boundaries.

If a family chooses not to access that education through their district schools, the Board respects that choice. However, local boards of education welcome their role and responsibility in this process to ensure that the choice made results in placing children in an educational environment that gives them the education to which they are entitled, which will result in their having the knowledge and skills they need to be successful in their life after school.

Boards of education are responsible for all of the students their districts. The district is responsible for ensuring that all students are not truant, and are enrolled and attending school somewhere that is providing them with the education to which they are entitled and required to participate in from age 6 to 16.

PROPOSED RESOLUTION 8

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED, that the New York State School Boards Association oppose legislative curriculum**
2 **mandates.**

RATIONALE

In New York State, the responsibility to establish curriculum is vested with local school districts. While that curriculum needs to align with the state learning standards, set by the State Education Department (SED), leaving curriculum decisions at the local level ensures that the community has input on how those standards are implemented and that the process is nimble enough to respond to changing circumstances.

Increasingly however, legislative proposals are being advanced that would take that authority away from state and local education policymakers, and instead supplant the politics and judgment of the legislature over that of SED and local boards of education.

Legislative curriculum mandates, adopted piecemeal and in a highly politicized environment, do not consider existing requirements or instruction. Once adopted, they generally remain unchanged even as the rest of standards and curriculum change around them. To ensure that determinations are made that are timely, responsive and appropriate, that decision-making must remain at the local level, overseen by local boards of education.

PROPOSED RESOLUTION 9

Submitted by the *New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED, that the New York State School Boards Association support proposals to authorize**
- 2 **municipalities to install speed zone cameras in school zones.**

RATIONALE

School zones are special speed zones in which a lower speed limit is in place for an area based on proximity to a school. Speed zone cameras are installed to improve the safety of students, faculty and community members. Higher vehicle speeds are associated with a greater likelihood of pedestrian crashes and serious pedestrian injury. The Governor recently signed legislation authorizing the expansion of the New York City school speed zone camera program and the legislature passed a bill authorizing a pilot program in Buffalo, NY.

A 1999 National Highway Traffic Safety Administration study found that 5 percent of pedestrians are fatally injured when struck by a vehicle traveling at 20 mph or less. This compares with fatality rates of 40, 80, and nearly 100 percent when the pedestrian is struck at 30, 40, and 50 mph or more.

While some districts have been able to work with municipalities to establish these reduced speed zones, that authority does not exist statewide. All municipalities should have the authority to do so.

PROPOSED RESOLUTION 10

Submitted by the *Orange—Ulster BOCES Board (6/17/19)* Endorsed by: *Greenwood Lake Union Free School Board, Cornwall School Board and Marlboro School Board*

- 1 **RESOLVED, that the New York State School Boards Association support legislation to eliminate the**
- 2 **limit on BOCES District Superintendent compensation.**

RATIONALE

Recent legislation has increased the District Superintendent's salary cap to 98% of the 2013-2014 Commissioner of Education's salary, raising it in 6% increments over the next two years to approximately \$208,000. After four years, the salary cap will still be less than most component Superintendent's salaries in many areas of the state. However, many believe this legislation has resolved the issue.

In order to retain and recruit competent leaders for BOCES statewide, it is essential to raise the cap and allow BOCES boards the same flexibility to compensate District Superintendents according to regional superintendent salary levels.

PROPOSED RESOLUTION 11

Submitted by the *Hewlett-Woodmere School Board (6/20/19)*

- 1 **RESOLVED, that the New York State School Boards Association support requiring notification to**
- 2 **districts by the courts of restraining orders prohibiting contact with or between students enrolled in the**
- 3 **district and the parents, or those in parental relation to students.**

RATIONALE

Schools have the legal responsibility to keep students safe while they are at school. It's crucial for schools to enforce court-ordered protective orders for the safety of all students and staff who could be harmed. Absent effective and timely communication, a school's ability to enforce these orders is lessened. The provision of notice to districts via automated means would allow for timely notification, and proof that the courts played an active role in providing for the protection they deemed necessary when issuing the order. The historical reliance on notification via the parent, or person in parental relation, places an additional burden and stressor on the party that is already aggrieved. The utilization of easily available technologies that allow for the sharing of sensitive information in a secure manner would enable the courts to address this concern and better allow districts to fulfill their legal responsibilities.

PROPOSED RESOLUTION 12

Submitted by the *Albany School Board* (6/20/19)

- 1 **RESOLVED**, that the New York State School Boards Association support legislation that will expand
2 the definition of Child Safety Zones in the Education Law of New York State by adding criteria that
3 pertains to neighborhoods with high crime rates or with deteriorating vacant buildings that create safety
4 hazards.

RATIONALE

Currently, New York State Education Law and State Education Department Transportation Regulations provide limited criteria for the establishment of Child Safety Zones. These limited criteria do not take into account critical safety conditions many students who are not eligible for transportation are required to walk through in neighborhoods with high crime rates or with deteriorating vacant buildings that create safety hazards. Current Education Law and Transportation Regulations do not take these factors into account in the consideration of Child Safety Zones. Expanding the definition of Child Safety Zones in Education Law and Transportation Regulations will provide equity for all students statewide in having the opportunity to get to and from school safely each day no matter the character of the communities in which they reside. This also will allow school districts to receive reimbursement, with the required voter approval, for an expanded definition of Child Safety Zones, enabling districts to keep students safe while also minimizing the local tax impact.

PROPOSED RESOLUTION 13

Submitted by the *Freeport School Board* (7/5/19)

- 1 **RESOLVED**, that the New York State School Boards Association support legislative action in the
2 regulation of vapor products including consumption, manufacturing, distribution and advertisement.
3

RATIONALE

Vaping, or E-cigarette use, among teens has risen dramatically in recent years increasing among high school students by 900 percent from 2011 to 2015. Considered an epidemic by the FDA, school districts are working to find effective ways to discourage vaping and educate students and their parents on the dangers of vaping. Advertising that portrays vaping in a positive light and the flavors, such as bubble gum, mango, coconut, cotton candy, etc. is enticing to youth.

It is important to remember that e-cigarettes were devised to deliver nicotine in a different mode. Although e-cigarettes were developed in part to help adult smokers cut their tobacco-use and to provide a "healthier" alternative, no study has yet been conducted that can provide information on the long-term effects of e-cigarette use. However, vaping has been linked to nausea, eye irritation, vomiting and serious side effects such as "popcorn lung", seizures and cancer. Most types of e-cigarettes, including the most popular brand Juul, contain nicotine.

One Juul pod contains roughly the same amount of nicotine found in 20 cigarettes (or one pack). Nicotine is highly addictive and can cause brain changes leading to compulsive use of e-cigarettes. Adolescents are particularly vulnerable to the adverse effects of nicotine because their brains are still developing. Teenagers who vape are at a higher risk of smoking tobacco cigarettes compared to non-users. Over 30 percent of adolescents who vaped started smoking traditional tobacco cigarettes within six months.

Since vaping devices are small and can resemble flash drives or pens, there has been an increase of students who vape within the confines of the school buildings. Districts have taken to installing detectors in school bathrooms to try to find students who are vaping. In addition to ensuring students are properly educated about the dangers of vaping, districts have to reconsider consequences associated with vaping to discourage student use.

The epidemic of vaping has reached our schools and it is incumbent on districts to work quickly to ensure the future health of our students. NYSSBA should support legislation that will regulate the manufacturing, distribution, age allowance and marketing of vaping products.

PROPOSED RESOLUTION 14

Submitted by *the Freeport School Board (7/5/19)*

- 1 **RESOLVED, that the New York State School Boards Association support federal and state legislative**
- 2 **and regulatory action in addressing the educational and fiscal needs attendant to the increase of**
- 3 **unaccompanied minors into New York State.**

RATIONALE

Beginning in 2014, the Federal government has placed unaccompanied minors in New York State. School districts are tasked with providing not only a free and appropriate public education, but to meet the growing mandates of the Part 154 regulations creating both educational and fiscal challenges. Many of these students are considered SIFE (Significant Interruptions in Formal Education) requiring further supports in order to properly instruct them. Further pressures are placed on districts that already have large numbers of ENL students who must allocate their instructional and fiscal resources accordingly.

Additionally, the revisions to the Part 154 mandates regarding evaluations, appropriate instruction, parent involvement, staffing and timelines created another underfunded mandate that impacted resources. The needs of these students, aside from instructional, include the mental health and well-being of our unaccompanied minors, many of whom have experienced trauma, can be significant. The Every Student Succeeds Act specifically looks at data and accountability from the ENL subgroup. The high stakes attached to the four-year graduation rate can have unanticipated and undesirable consequences because these students are more likely than their peers to graduate after a fifth or sixth year. There could be an impact on a district's graduation rate and standing based on this.

Districts are doing their utmost to provide unaccompanied minors with the appropriate level of education, the cost of educating and supporting these students can place unplanned for burdens on educational and fiscal resources. Despite the federal and state mandates regarding the education of unaccompanied minors, there continues to be little fiscal and instructional mandate relief for school districts. NYSSBA should support federal and state and regulatory action in addressing the educational and fiscal services required for the proper and equitable instruction of unaccompanied minor students.

PROPOSED RESOLUTION 15

Submitted by the *Wilson School Board* (7/10/19)

- 1 **RESOLVED, that the New York State School Boards Association seek to initiate legislation at the state**
2 **or federal level that would provide for regulations to identify proper practices and enforce sanctions for**
3 **improper practices related to the participation of parent advocates at Committee on Special Education**
4 **meetings and hearings.**
5

RATIONALE

Parent advocates play a vital function in mediating and solving issues between school districts and parents. In fact, federal law guarantees the rights of a parent of a student with a disability to have advocates attend and participate in the IEP process. Under 20 U.S.C. §1414(d)(1)(B)(vi), the IEP team may include "individuals who have knowledge or special expertise regarding the child" at the discretion of "the parent or the agency." A parent advocate creates, provides, and coordinates services and activities with families and communities that foster strength, healthy living, and overall well-being.

Every parent deserves to have an advocate if that is what they see fit. However, an advocate must be held accountable for his/her conduct. A School Code of Conduct is not enough

PROPOSED RESOLUTION 16

Submitted by the *Kenmore-Town of Tonawanda School Board* (7/11/19)

- 1 **RESOLVED, that the New York State School Boards Association urge the Commissioner of Education**
2 **to increase the maximum age of participation in inclusion sports for alternately assessed students.**

RATIONALE

School Districts across the State are striving to provide meaningful educational and extracurricular opportunities for students of all abilities. Part 200 of the Commissioner's Regulation stipulates that: "Each board of education or board of trustees shall adopt written policy that establishes administrative practices and procedures: (1) to ensure that students with disabilities residing in the district have the opportunity to participate in school district

programs, to the maximum extent appropriate to the needs of the student including nonacademic and extracurricular programs and activities, which are available to all other students enrolled in the public schools of the district, which may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the school district and assistance in making outside employment available.” The New York State Public High School Athletic Association (NYSPHSAA) has partnered with Special Olympics of New York to provide inclusive sports opportunities for students with disabilities through Project Unify.

Many districts have begun to offer Unified Sports opportunities for alternately assessed students through this program. The Commissioner's Regulation 135.4(c)(7)(ii)(b)(1) currently provides for a waiver process to allow a student with a disability (as defined in section 4401 of the Education Law) to continue participation beyond the age or four-year limitation for interscholastic athletics to age nineteen. Under the New York State Commission of Education's Part 200 regulations, students with disabilities defined in Section 4401 of the Education Law may remain in high school as they are eligible for a free and appropriate public education (FAPE) until the end of the school year in which he/she turns 21 years of age. The current system makes these students ineligible for participation in inclusive athletics such as Unified Sports after age 19 due to State Education Department Age and Duration of Competition rule. The NYSPHSAA is advocating for a medical waiver for the age/duration of competition rule for a very specific student population that participates in Unified Sports through NYSPHAA. They are urging the Commissioner to recognize the age and duration of these students, and their ability to play, should be in line with their overall development and overall timeline NYSED has already allowed them to complete their education.

It is imperative that NYSSBA also encourages the Commissioner to rule in favor of supporting a continuation of participation in inclusion sports for alternately assessed students throughout their eligibility for FAPE as defined by the Commissioner's Regulations. We also call upon the Commissioner to complete this ruling prior to the start of the NYSPHSAA winter sports season for the 2019- 2020 school year.

PROPOSED RESOLUTION 17

Submitted by the *Kenmore-Town of Tonawanda School Board (7/11/19)*

- 1 **RESOLVED, that the New York State School Boards Association support reducing the flexibility**
2 **provided to charter schools for hiring teachers without a valid New York State teaching certificate.**

RATIONALE

Current Education Law 2854(3)(a-l) permits charter schools to hire certain numbers of uncertified teachers:

- (a) with at least three years of elementary, middle or secondary school classroom teaching experience
- (b) tenured or tenure track college faculty
- (c) individuals with two years of satisfactory experience through Teach for America

(d) individuals who possess exceptional business, professional, artistic, athletic or military experience.

Such uncertified teachers with a bachelor's degree can enroll in a Transitional B program. Those with a graduate degree can enroll in a Transitional C program. Legislation allows a maximum of five teachers per charter school (the 30%/5 exemption rule) to teach without holding any teaching certificate.

Limitations should be placed on the above array of exceptions, exemptions and waivers for hiring certified teachers. By reducing the number of waivers, exemptions and exceptions for hiring charter school teachers without certification, a more rigorously-trained and professionally-prepared charter school faculty would benefit the performance of charter school students and be a step toward charter schools truly earning their "public" designation.

PROPOSED RESOLUTION 18

Submitted by the *Washingtonville School Board* (7/19/19)

- 1 **RESOLVED, that the New York State School Boards Association support legislation that would increase**
2 **the penalties against any business that sells vaping products to or adult purchasing vaping products for**
3 **any person who is under age.**

RATIONALE

The vaping epidemic is of concern to every school district across the state. The health repercussions are only now beginning to come to light. Nicotine is a highly addictive drug. It is unconscionable that businesses are selling products to America's youth without at least having to abide by the same rules as selling tobacco or alcohol. It is equally distressing that an adult would purchase these products for a minor.

PROPOSED RESOLUTION 19

Submitted by the *Webutuck School Board* (7/19/19)

- 1 **RESOLVED that the New York State School Boards Association produce, and widely recommend the**
2 **adoption of a sample board policy stating that members who have been newly elected to serve as officers**
3 **will participate in at least one accredited officer training.**

RATIONALE

While the president and vice-president of a board of education do not have any more power than the other members, they do have more responsibilities. No board members enter into an officer's position knowing everything necessary to be an effective board leader. Informal mentoring may take place, which can be very helpful. However, this process may also help to perpetuate bad procedural habits as well. A formal training for

all incoming officerswhether it be free (online?) or have a cost attached, through NYSSBA or some other appropriate resource.... would help to make clear proper procedures and give proper direction for boards to function well. Officer training will provide an introduction to all the components of such positions, and is intended to help these members better serve their board.

An officer's training course might include information or training in the dynamics of running a successful BOE meeting....including Parliamentary procedure. It might also present a clear explanation and understanding of the officers' roles in the overall functioning of the school board. Some things that officers need to know include the importance of making a BOE calendar made up of necessary BOE tasks. These necessary tasks include policy review, productive committee work, superintendent evaluations, board self-evaluations, board retreats, visitations to district buildings and student events, working to build good relations with the community, etc. Of course the officers do not have to actually carry out these tasks on their own. But they do have to serve as coordinators in making sure that they all get done.

If boards adopt a policy requiring their newly elected board officers to take part in a formal officer training, then boards throughout the state will be much more likely to avoid procedural problems, and function a lot more effectively and productively than if they don't.

PROPOSED RESOLUTION 20

Submitted by the *Webutuck School Board* (7/19/19)

- 1 **RESOLVED, that the New York State School Boards Association produce, and widely recommend the**
- 2 **adoption of a sample board policy stating that all Board of Education members will, each year, participate**
- 3 **in at least one new training which has been approved by that Board.**

RATIONALE

There are many facets to board service that need to be learned by newly elected board members. Becoming a fully contributing board of education member takes a fair amount of training and experience. The required courses, "Essentials of School Board Governance" and "Fiscal Oversight Fundamentals" are essential in what they provide, and include more information than often can be remembered. The value of what one learns in these sessions becomes more and more apparent during one's time of service on a board. Over time, other things become apparent as well. Like the fact that as a new board member, they don't know what they don't know. Soon, though, they become very aware of what they don't know, and realize that they need to learn it. (One could easily argue that this challenge remains to be true throughout the entire tenure of one's service on a board.) Trainings address this very common situation.

It is also very common for any institution (including BOBs) to become set in its ways. The world of education and the role of Boards of Education within it are always changing, or at least shifting. New ways to better serve students, faculty and the overall community are always being developed. Trainings...whether they be free (online?) or carry

a cost, sponsored by NYSSBA or some other institution the board finds acceptable...provide a plethora of new and valuable ideas. New ways of saving on costs, developing better superintendent evaluations, developing healthy and productive relationships with the community, understanding unions, carrying out productive committee structures and functions, etc. could all be extremely valuable to a BOB, and therefore to an entire school district and its taxpayers.

There is an infinite number of ideas that can be brought to a board table that will benefit the rookie board members, the veteran board members, and the board overall. Staying informed and abreast of current information and practices is vitally important to the success of a board of education, and should be systematically practiced by a board expecting each member to participate in a new training each year.

PROPOSED RESOLUTIONS
NOT RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

PROPOSED RESOLUTION 21

Submitted by *the New York State School Boards Association Board of Directors (6/8/19)*

- 1 **RESOLVED**, that the New York State School Boards Association oppose lowering the age of eligibility
2 for a commercial driver license, required to be a school bus driver, from 21 to 18.

RATIONALE

New York State regulations require that school bus drivers be a minimum age of 21 years in order to acquire a Class A commercial driver's license (CDL A) through the Department of Motor Vehicles. This higher age threshold ensures that more experienced drivers are operating larger vehicles, including school buses. If younger, less experienced drivers were issued CDL As, it could prove to be dangerous for our student passengers, as well as other drivers.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee appreciated the concerns about the need for experienced drivers to drive school buses. However, the Committee further noted that the process to attain a commercial driver's license is a rigorous one and felt that it was not appropriate to presume that a younger person who committed to and achieved this goal was less mature or prepared to do the work he or she was licensed by the state to perform.

PROPOSED RESOLUTION 22

Submitted by the *Hewlett-Woodmere School Board (6/20/19)*

- 1 **RESOLVED**, that the New York State School Boards Association support legislation to allow retired law
2 enforcement officers to work in public schools as security guards, Directors of Security, or Supervisors
3 of Security without effect on their pensions and without pension waivers.

RATIONALE

Recent acts of violence against schools have heightened the awareness of potential risks to student and staff safety. School districts expend large sums of money on security cameras, "man traps," alarm systems, electronic door entrances, and other measures to secure the buildings and grounds.

School officials need the ability to augment these security measures with qualified security professionals with law enforcement experience. Retired law enforcement officers maintain a high level of training and integrity that is nearly impossible to match elsewhere.

Unfortunately, school districts are unable to hire the security personnel they require and pay them realistic wages because the salaries of retired public employees are capped until age 65. Legislation freeing retired law enforcement from penalties and salary caps to work in schools as security officers and supervisors would help to ensure the safety and security of all students, staff, and community members.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee did not take issue with the idea of an increase in the salary cap for retirees as a whole and expressed their support for NYSSBA's existing position on the topic, which states "*NYSSBA supports legislation that would substantially increase the earning limitations for retired police and other law enforcement officers who are serving as school resource or safety officers.*" However, the Committee did not feel it was appropriate to create a 2-tiered system of state retirement benefit rights that gives one group of retirees greater rights than another.

PROPOSED RESOLUTION 23

Submitted by the *Locust Valley School Board* (7/17/19)

- 1 **RESOLVED, that the New York State School Boards Association advocate for state action to create**
- 2 **appropriate parameters for social media and electronic communications between students and school**
- 3 **district employees.**

RATIONALE

Employees who pursue inappropriate, intimate relationships with students seldom approach a student to initiate a relationship outright. Instead, they engage in grooming behaviors with the student to ease the student into a relationship either by acting as a mentor or friend at first. The availability of social networking sites, text messaging, emails, and other media have increased the opportunities for employees to engage in such behavior. Research on incidents of inappropriate relations between district employees and students indicate these relationships are facilitated by social media sites and text messaging. The ease of using technology to connect with students has resulted in nationwide increases in incidents of alleged abuse. For example, the number of opened investigations into allegations of inappropriate relationships between teachers and minors showed a 249% increase from a decade ago, according to the Texas Education Agency. In Texas, there were 429 cases opened against educators during the 2017-2018 school year. (1) In New York City, 995 complaints about inappropriate relationships between Department of Education employees and students were filed between April 2009 and 2017. (2) In Ohio, the Office of Professional Conduct revealed the number of referrals for such cases increased from 4,770 cases in 2005 to 11,537 cases in 2016. The number of those cases investigated increased from 786 to 1,361. (3) Many of these cases involve the use of electronic and social media technologies to nurture inappropriate relations between parties. As districts face this issue with increased and alarming frequency, state legislators should work to protect children by issuing more concrete guidance and regulations to curtail inappropriate contacts between employees and students.

(1) Proffer, Erica "Texas Sees 42% Rise in Inappropriate Student-Teacher Relationships" KVUE 10, October 2018
<https://www.kvue.com/article/news/local/texas-sees-42-percent-rise-in-inappropriate-student-teacher-relationship-investigations/269-603049596>

(2) Licea, Melkorka and Edelman, Susan "How Midnight Chats turn 'Empathetic Teachers' into 'Sexual Predators'" New York Post 26 February 2017 <https://nypost.com/2017/02/26/how-midnight-chats-turn-empathetic-teachers-into-sexual-predators/>

(3) May, Kelly "Fox 45 Investigates: Increased reports of inappropriate teacher-student relationships" Fox 45 5, February 2018
<https://davton247now.com/news/local/how-schools-are-keeping-kids-safe-after-increased-reports-of-teacher-student-relationships>

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee appreciated the intent of the resolution, but ultimately believed that this was an issue that could and should be addressed by local boards of education, without state intervention.

PROPOSED RESOLUTION 24

Submitted by the *Locust Valley School Board* (7/17/19)

- 1 **RESOLVED, that the New York State School Boards Association advocate for action that requires**
- 2 **school districts to provide a professional development program related to the ethical practices and**
- 3 **protocols employees should follow when using social media and electronic communications.**

RATIONALE

The proliferation of digital means of communication creates an environment in which employees can engage in a positive relationship with their students. The majority of these relationships are appropriate, required, and beneficial to the student. However, the casual usage of social media and other digital platforms can easily blur the lines between personal and professional relationships. The availability of social media, text messaging, and email creates an environment where children may become victims of inappropriate relationships with district employees. As districts face this issue with increased and alarming frequency, state legislators should protect children by requiring annual training for employees and staff that clearly defines appropriate and inappropriate social media and electronic communications.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee appreciated the intent of the resolution, but ultimately believed that this was an issue that could and should be addressed by local boards of education, without state intervention.

PROPOSED RESOLUTION 25

Submitted by the *Locust Valley School Board* (7/17/19)

- 1 **RESOLVED**, that the New York State School Boards Association advocate for an update to the New
- 2 York State Education Department's Educator's Code of Ethics to include principles related to proper
- 3 use of technology in fostering positive learning experiences for children.

RATIONALE

The New York State Department of Education approved its Educator's Code of Ethics for school districts in 2002. It does not address student and teacher educational experiences and communications in a digital world.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee appreciated the intent of the resolution, but ultimately felt that the language of the principles was broad enough to encompass all delivery of learning experiences for students. The Committee did not believe that overly specific language would be appropriate as the Code of Ethics is supposed to be a set of principles, not practices, and that the practices to implement those principles should be determined by local boards of education.

PROPOSED RESOLUTION 26

Submitted by the *Morrisville-Eaton School Board* (7/18/19)

- 1 **RESOLVED**, that the New York State School Boards Association support legislation that prevents the
- 2 accumulation of exorbitant costs to schools associated with impartial hearings, independent evaluations,
- 3 compensatory damages and attorney fees associated with formal due-process complaints.

RATIONALE

The current system of legislation is broken as it relates to IDEA. Attorneys have discovered a way to abuse the system to wage a war of attrition against school districts and BOCES. They submit a multitude of complex FERPA and FOIL requests, ask for excessive and unusual additions to student IEPs, appeal every decision they deem unsatisfactory, request independent evaluations, demand exhaustive compensatory damages, file for impartial hearings frivolously, and rack up questionable billable hours. Even if the school has a strong case, it is often less expensive to settle rather than risk the continued accumulation of costs and the time burden associated with the case.

The cost is not only financial. Equally as damaging are the hundreds of hours spent by administrative, clerical and instructional staff working on these cases and the utterly demoralizing effect it has.

There is a growing network of attorneys using these tactics and every school in the state is a potential target for this type of attack. Statewide totals could easily reach into the millions of dollars. Legislative action is needed to repair the broken IDEA system in such a way that allows schools to provide necessary services to students while protecting schools from these predatory attorneys

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee shares the concern of the sponsor about the costs associated with special education, and is sympathetic to the circumstances the district may be facing. However, as submitted, the Committee found the proposal too vague to understand what kind of changes the Association would be seeking, or to define exorbitant in such a way that due process rights would be protected. The Committee felt that the cost issues addressed here could potentially be addressed by the broader proposal to examine and make recommendations on all special education costs.

AMENDMENTS, REBUTTALS, STATEMENTS OF SUPPORT AND LATE RESOLUTIONS

Proposed resolutions and bylaw amendments were submitted to NYSSBA by July 19th (and reviewed by the Resolutions Committee on August 12th).

No additional bylaw amendments can be proposed at this time. However, a member school board may propose an amendment, rebuttal, or statement of support to any resolution printed in this report. A member school board may also propose a late resolution.

Amendments, rebuttals and statements of support intended to be included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*, must be received in NYSSBA’s office by **Friday, September 20th at 5:00 p.m.**

Amendments to resolutions printed in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions* need not be submitted in writing at the rostrum of the Annual Business Meeting, but must be moved and seconded from the floor to be considered.

***Any amendments not received in the NYSSBA offices by 5:00 p.m. September 20th**, and not included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*, must be submitted in writing at the rostrum, moved, seconded and voted upon at the Annual Business Meeting. A majority of those voting is necessary to approve an amendment. Proposed amendments to the bylaws may not be amended on the floor.

Members may also choose to transmit amendments and rebuttals to the membership directly rather than submitting to NYSSBA for inclusion in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*. Even if transmitted to the membership directly, amendments and rebuttals not included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions* will need to be submitted in writing at the rostrum of the Annual Business Meeting and must be moved and seconded from the floor to be considered.

Members may also wish to advance resolutions that were not considered by the resolutions committee. These “late” resolutions may be considered at the business meeting under “Other Business.” At that time, a motion to suspend the bylaws for the purpose of considering a particular resolution may be offered. A motion to suspend the bylaws is required to be moved, seconded and adopted by a two-thirds vote for every resolution submitted from the floor. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded, and a simple majority of those present and voting is required to be approved. If the motion to suspend the bylaws fails, the resolution cannot be considered.

***Amendments and rebuttal statements to proposed resolutions must reach NYSSBA’s headquarters before the close of business on September 20th.** Amendments and rebuttal statements must be on school district letterhead or the form on NYSSBA’s website and emailed or mailed directly to NYSSBA.

- Email: danielle.grasso@nyssba.org
- Mail: NYSSBA, 24 Century Hill Drive, Suite 200, Latham, NY 12110, Attention: Danielle Grasso.

PRECEDENCE OF MOTIONS

Included here are those motions likely to be used in meetings of this Association.

While any motion on this list is under consideration, any other motion below it may be introduced.

1. Action on resolution
2. Postpone consideration of the resolution indefinitely
3. Amend resolution
 - a. by striking out designated words, or
by adding words at the end of the resolution, or
by inserting words somewhere within the resolution (specify where), or
by striking out certain words and **in the same place** inserting new words
 - b. amend above amendment of resolution – by any of the four methods above
4. Refer that resolution to a committee
 - a. amend above motion to refer
 - b. amend above amendment of motion to refer
5. Postpone consideration of a resolution to a specified time later in this meeting
 - a. amend time to which it is to be postponed
 - b. amend above amendment of motion to limit or extend debate
6. Limit or extend debate on any debatable motion
 - a. amend above motion to limit or extend debate
7. Close debate and vote immediately on any debatable motion
8. Lay the resolution on the table (in order to take it from the table later in the meeting)
9. Any “incidental” motion
 - a. a motion to withdraw a motion previously introduced
 - b. a request for information
 - c. call for division (i.e., for a show of hands or standing count when the result of any “yes” and “no” vote is in doubt)
 - d. a parliamentary inquiry
 - e. a point of order (be sure that it designates a parliamentary error by the president)
 - f. an appeal from any decision of the president
 - g. a quorum call

10. A request to raise a question of privilege
11. Recess
12. Adjourn

PROPOSED RULES OF CONDUCT FOR THE BUSINESS MEETING

The following rules are recommended for adoption by the delegates. Once adopted, all delegates will know the rules by which they will be bound. Following them will make for orderly progress.

1. **CREDENTIALS.** The credentials of all voting delegates shall be displayed where they may be easily recognized.
2. **PARLIAMENTARIAN.** There shall be an official parliamentarian to whom questions may be directed only through the chair.
3. **FLOOR ACCESS.** All voting delegates shall be seated on the convention floor. Voting delegates shall be permitted full access to the floor including the right to speak on proposed bylaw amendments, resolutions and nominations. All nonvoting members in attendance shall be seated in locations designated by the chair. Seats on the floor shall be designated for the Resolutions Committee as well as the Board of Directors and non-board members serving as tellers. Such members shall not be permitted to speak on bylaw amendments and resolutions unless they are also the voting delegate for their district; with the exception of the members of the Resolutions Committee who may address the delegates if called upon by the chair or chair of the Resolutions Committee; and members of the Board of Directors who may speak on bylaw amendments and resolutions submitted by the Board of Directors if they have been designated to do so.
4. **NOMINATIONS.** Pursuant to Article 7 of the Association's bylaws, the chair, or his or her designee, shall announce the nominations from the Board of Directors for the offices of President, First Vice President, Second Vice President, and Treasurer. As set forth in Rule No. 8, once the nominee's consent has been secured, that individual shall have the right to address the delegates for not more than two minutes, after nominations are closed and prior to debate by the delegates as set forth in Rule No. 8. The order in which such nominees are asked to address the delegates will be determined by the drawing of lots.

If there are nominations from the floor, consistent with Article 7 of the Association's bylaws, such vote shall be by ballot. If more than two individuals are nominated for any office, the individual or individuals securing the greatest number of votes cast will be elected. If there are no such nominations from the floor, the vote shall be by a showing of hands.

If the chair of the meeting is nominated for any office in which other individuals are also nominated, the chair will call upon a Vice President, who has not also been nominated for such office, to chair the meeting during the time that the election for such office occurs. In the event that both vice presidents are also nominated for the same office for which the chair has been nominated, the chair will call upon another officer of the Association's Board of Directors, who has not been nominated for such office, to chair the meeting during the time that the election for such office occurs.

5. **BYLAW AMENDMENTS AND RESOLUTIONS.** All bylaw amendments and resolutions will be considered in the order printed in the corresponding year's *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*. Resolutions recommended for adoption by the Resolutions Committee require no second (Robert's Rules of Order, Newly Revised).

6. **PRESENTATION OF BYLAW AMENDMENTS AND RESOLUTIONS.** The Resolutions Committee chair, or his or her designee, shall move resolutions recommended by the Committee and such motions shall not require a second.

6A. **RESOLUTIONS ON CONSENT.** Existing NYSSBA positions that have been resubmitted and recommended for adoption by the Resolutions Committee may be considered first, on consent, as a single motion. Any delegate wishing to remove a resolution from the consent agenda (and thus have it debated by the delegates) may do so by simply requesting that action when the consent agenda is called. If a resolution is removed from the consent agenda, it will be considered under "Recommended Resolutions" and needs no second.

7. **RECOGNITION BY CHAIR.** A voting delegate or designated member of the Board of Directors wishing to speak from the floor shall rise and secure recognition of the chair before speaking. The delegate shall give his or her name in full and the name of the board he or she represents.

8. **DEBATE ON THE FLOOR.** No voting delegate or member of the Board of Directors shall speak in debate more than twice on the same question or nomination, with the first presentation limited to two minutes and the second limited to one minute. No voting delegate or member of the Board of Directors shall speak a second time on the same question or nomination until all other voting delegates have had an opportunity to speak once.

Discussion on nominations for officers shall be limited to five minutes per nominee. If more than one individual is nominated for any office and accepts, each such individual nominated will be permitted to address the delegates for no more than two minutes, which shall not be subtracted from the total time allotted for discussion of nominations described above.

In the event that there are two or more nominees for any office, the chair shall recognize delegates wishing

to speak from the floor in support of particular nominees on a rotating basis at microphones designated for each candidate.

Discussion on a proposed amendment to the bylaws shall be limited to 15 minutes.

Discussion on a proposed resolution shall be limited to 10 minutes.

Debate on any amendment to a resolution shall be limited to five minutes. Such time is not to be counted in the time allotted to debate on the resolution itself. Amendments shall be considered and voted upon in the order presented. Amendments to a resolution should be voted upon prior to consideration of a second amendment. "Amendments to the amendment" should be avoided.

If continuation of a debate on a proposed amendment to the bylaws or a resolution is desired, a motion may be passed by a majority vote to extend the debate for no more than five minutes. A separate motion is required for each such extension of debate time.

If continuation of a debate on such a proposed amendment to the bylaws or a resolution is desired after the time has already been extended once, a motion may be passed by a majority vote to extend the debate time for no more than two minutes. A separate motion is required for each such extension of debate time.

9. **WRITTEN SUBMISSION OF RESOLUTIONS.** No late resolution may be introduced until it has been submitted in writing at the rostrum. A late resolution shall be considered under "Other Business." Such resolution shall be submitted by a motion to suspend Article 9, Section 2, of the Association's bylaws. Such motion shall identify the subject matter and purpose of the resolution, shall require a second, be debatable, and shall require a two-thirds vote of the voting delegates present and voting.

10. **WRITTEN SUBMISSION OF AMENDMENTS.** No amendment to a resolution may be introduced until it has been submitted in writing at the rostrum.

11. **PRIVILEGE OF THE CHAIR.** The chair may call upon the Parliamentarian, Association staff members, members of the Board of Directors, and members of the Resolutions Committee to provide delegates with essential information regarding resolutions, bylaws and procedures. Time allotted for such requested explanations shall not be deducted from the total time allotted for discussion of the resolution.

12. **RECORDING AND APPROVAL OF MINUTES.** The Secretary shall be responsible for recording the minutes of the Annual Business Meeting. The Board of Directors is authorized to review and approve the minutes of the Annual Business Meeting at the first regular meeting of the board subsequent to the Annual Business Meeting.

INFORMATION FOR THE VOTING DELEGATES

The voting delegates at the Annual Business Meeting vote on a slate of officers for the Association, including a President, a First Vice President, a Second Vice President and a Treasurer. They debate and vote on changes to the Association's bylaws, and debate and vote on resolutions that will establish the Association's positions on various legislative and policy matters.

CHECK-IN PROCEDURE

NYSSBA's bylaws require that a quorum of 200 voting delegates be present at the Annual Business Meeting in order for any business to be conducted. **The 2019 meeting starts promptly at 8:00 a.m., Saturday, October 26th.** There is a check-in/check-out procedure for Business Meeting delegates. Each delegate must wear a delegate button to be admitted to the delegate floor where he or she will be issued a voting paddle. To ensure a quorum is present throughout the meeting, each delegate will be issued a number. This number will be on the voting paddle. The voting paddle must be turned in each time a delegate leaves the floor. This procedure will allow NYSSBA to ensure only voting delegates are voting. If a delegate's alternate takes over during any part of the meeting, the alternate must follow the same procedure.

ORDER OF BUSINESS

The Order of Business for the Annual Business Meeting (page 4) is the agenda for the meeting. It sets forth the items of business which are scheduled to be accomplished during the course of the meeting.

The meeting will begin promptly at 8:00 a.m. with several procedural items. First, the Association President, who presides throughout the meeting, announces the presence of a **quorum**.

Following the announcement of a quorum, the President calls for a **motion to adopt the Order of Business**. The President also calls for a **motion to adopt the Proposed Rules of Conduct** for the meeting. These rules were prepared to be consistent with the Association's bylaws. The rules describe how delegates must conduct themselves during the meeting, such as setting out the time allotted for discussion of certain items. Delegates can find a summary and clarification of the Proposed Rules of Conduct on pages 26 through 28.

THE BUSINESS MEETING

Next, the President will announce the winners of this year's Area Director Elections, which was conducted locally in each of the designated areas. According to NYSSBA's bylaws, Area Directors serve for two-year terms. Election of Area Directors in Areas 1, 3, 5, 7, 9 and 11 occur in odd-numbered years. Election of Area Directors in Areas 2, 4, 6, 8, 10 and 12 occur in even-numbered years. This year, election results will be announced for Areas 1, 3, 5, 7, 9 and 11.

ELECTION OF THE NYSSBA OFFICERS

Next item on the Order of Business, each June the Board of Directors, which acts as the nominating committee for the delegates to the Annual Business Meeting, nominates a slate of officers who stand for election at the Annual Business Meeting. These individuals are automatically placed in nomination.

Once this occurs, the President, or his or her designee, calls for other nominations from the floor. If there are no such nominations, the vote is taken by hand at the time. If there is a nomination from the floor, the vote is also taken by ballot after such individual accepts the nomination. The President then announces the winner.

PRESENTATIONS

A series of reports from the following individuals and committees will be given next:

- President Elect (when applicable)
- Executive Director
- Treasurer

ADOPTION OF RESOLUTIONS

The next item is the Report of the Resolutions Committee. The Resolutions Committee is a standing committee of the Association created by Article 9 of the Association's bylaws. The Committee chair reports directly to the delegates rather than the Board of Directors. The Resolutions Committee is appointed by the President upon recommendation of the Area Directors. The Committee has one member from each Association area and one representative from the Conference of Big 5 School Districts.

The chair is designated by the President from among those appointed to the Committee. In accordance with Robert's Rules of Order, once the chair moves adoption of a bylaw amendment or resolution recommended for adoption by the Resolutions Committee, no second is required.

The Resolutions Committee chair first moves recommended bylaw amendments. Each recommended bylaw amendment will be debated and voted on separately. *Any amendment to the bylaws must have the approval of a two-thirds majority of those present and voting.* In accordance with Article 17 (2) of the bylaws, bylaw amendments may not be proposed or amended from the floor of the Business Meeting. Thus, all proposed bylaw amendments had to be submitted by July 16th and all amendments to the bylaws must be sent to each member board by a date that will allow each member board time to review them in advance of the Annual Business Meeting.

The Resolutions Committee chair next moves those existing NYSSBA positions that have been recommended for adoption. This may be done under a consent agenda. These previously approved resolutions are established NYSSBA positions that are scheduled to sunset if they are not renewed. Because these resolutions have been previously approved by voting delegates, these resolutions can be moved on consent (where several resolutions may be voted on en masse). Delegates may remove any resolution from a consent agenda simply by making a request at the time the resolution is called for consideration. No second or vote is required. Resolutions removed from the consent agenda are considered under the "Resolutions Recommended for Adoption" portion of the meeting.

After the consent agenda has been considered and voted upon, delegates will next be asked to address newly recommended resolutions individually. The Resolutions Committee chair moves each resolution

recommended for adoption by the Committee. Each recommended resolution is presented and voted upon separately. The Resolutions Committee chair will move those resolutions recommended by the Committee for adoption; a second is not needed. Resolutions require approval by a simple majority of those present and voting for passage. Any resolution submitted to the Resolutions Committee may be amended from the floor. All information on how to offer amendments from the floor, as well as the length of debate, can be found in the Proposed Rules of Conduct on pages 26 through 28.

Following consideration of the report of the Resolutions Committee consisting of those bylaw amendments and resolutions recommended for adoption, the President shall provide voting delegates the opportunity to move any of the “not recommended” bylaw amendments and resolutions. (Since the Resolutions Committee chair will not move items that were not recommended, each motion requires a second by a voting delegate).

OTHER BUSINESS

At the end of the Annual Business Meeting, the President will open the floor to **Other Business**. **Other Business** may include a motion to suspend the rules for the purpose of considering a particular resolution submitted from the floor. This motion requires a second and a two-thirds majority vote of the delegates before the resolution may be considered. A two-thirds majority is required because this type of motion calls for suspending the bylaws. A motion to suspend the bylaws is required to be moved, seconded and adopted for each and every resolution submitted from the floor. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded, and a simple majority of those present and voting is all that is required to adopt a resolution proposed under **Other Business**. If the motion to suspend the bylaws fails, the resolution cannot be considered.