

Residents may speak on any item in Public Session with these two exceptions: "Communications," on which only the letter-writer may comment, and subjects listed "For Board Discussion."

MEETING OF THE GREAT NECK, N. Y., BOARD OF EDUCATION
MONDAY, FEBRUARY 12, 2018
E.M. BAKER AUDITORIUM
5:30*8:00P.M.**

*AT 5:30 P.M.: The **Board of Education** will officially begin its public meeting by accepting and voting on a motion to go into EXECUTIVE SESSION to discuss items appropriate for executive session pursuant to the Open Meetings Law. If no such motion is adopted, the Board will declare a recess.

AT 8:00 P.M.: The **Board of Education will resume its PUBLIC MEETING to act on agenda items necessary for the conduct of its business.

Pledge of Allegiance

1. RECOGNITION OF STUDENTS

- a. Village School

2. APPROVAL OF MINUTES

- a. January 29, 2018 - Working Session (5:00-6:30 p.m.-Student Government Leaders)
- b. January 29, 2018 - Working Session (7:30-8:30 p.m.-GNTA/SAGES/UPTC)
- c. January 29, 2018

3. **OPEN TIME** – *(The purpose of "Open Time" is to permit any person in the audience to address the Board of Education on any matter concerning the school district, whether or not the matter appears on the printed agenda. Generally, up to three minutes will be granted to each speaker.)*

PRESENTATION: 2017 RECREATION AND ENRICHMENT PROGRAMS

PRESENTATION: 2017 SUMMER SCHOOL AND SUMMER ENRICHMENT PROGRAMS

4. BOARD/ADMINISTRATIVE AFFAIRS

- a. Superintendent's Report
- b. Board of Education Advisory Committee Reports
- c. Policy on Entrance Age – Third Reading
- d. Policy on Homeless Students – Third Reading
- e. School Psychology Intern(s)
- f. Teacher of Students with Speech Language Disabilities – Student Observer(s)
- g. Resolution Regarding A Memorandum of Agreement Between the Board of Education of the Great Neck Public Schools and the Great Neck Teachers Association
- h. Resolution Agreement with Department of Education – Office of Civil Rights
- i. Biennial Review Committee of the District-Level Shared Decision Making Plan
- j. Elementary Student Observer(s) – Spring 2018 Semester
- k. Secondary Student Observer(s) – Spring 2018 Semester
- l. Staff Development Program – Inservice Institute & Technology Academy Courses
District-wide Courses – Spring 2018
- m. Child Nutrition Point of Sale System
- n. Copier – Buildings & Grounds Department
- o. Copier – Cumberland
- p. J.F. Kennedy School – Interior Alterations – Change Order #1
- q. Donation – Monetary – North Middle
- r. Donation – Equipment – North Middle
- s. Donation – Monetary – South High
- t. Donation – Equipment – Mindfulness Room - South High

5. **FACILITIES MATTERS**
 - a. Public Use of District Facilities

6. **FINANCE & OPERATIONS**
 - a. Bids & Contracts
 - (1) Bid Rejection – Ceiling and Flooring ACM Abatement-Phipps Administration Bldg.
 - (2) Bid – Small Wares
 - (3) Bid – Large Cafeteria Equipment
 - b. Outside Service Agreements

7. **STUDENT MATTERS**
 - a. Committee on Special Education Recommendations – School Year: 2017-18
 - b. Committee on Preschool Special Education Recommendations – School Year: 2017-18
 - c. Stipulation of Settlement
 - d. Stipulation of Settlement

8. **PERSONNEL MATTERS***
 - I. **Certificated Employees**
 - Appointment(s)
 - Change(s) in Salary/Payment/Status
 - Retirement(s)
 - Resignation(s)
 - Termination(s)
 - Leave(s)
 - Other
 - II. **Non-Certificated Employees**
 - Appointment(s)
 - Change(s) in Salary/Payment/Status
 - Retirement(s)
 - Resignation(s)
 - Termination(s)
 - Leave(s)
 - Other

8. **BOARD DISCUSSION** - NO ACTION TO BE TAKEN

NEXT MEETINGS:

- | | |
|-----------------------------|---|
| Monday, February 26, 2018 – | Phipps Board Room – 6:00 PM - Snow Date Meeting, if needed |
| Monday, March 5, 2018 – | Public Action Meeting - 7:30 PM – North High School - RECOGNITION OF NORTH HIGH SCHOOL STUDENTS - 1 st BUDGET MEETING |
| Saturday, March 24, 2018 – | Budget Meeting - 9:30 a.m. – SOUTH HIGH LIBRARY |
| Monday, April 9, 2018 – | Public Action Meeting – 7:30 p.m. – South High School - RECOGNITION OF SOUTH HIGH SCHOOL STUDENTS – 2 nd BUDGET MEETING |
| Tuesday, April 17, 2018 – | Public Action Meeting - 7:30 p.m. – North Middle School - RECOGNITION OF NORTH MIDDLE SCHOOL STUDENTS – OFFICIAL PUBLIC HEARING AND ADOPTION OF BUDGET |
| Monday, May 7, 2018 – | Public Action Meeting – 7:30 p.m. – South Middle School - RECOGNITION OF SOUTH MIDDLE SCHOOL STUDENTS & ANNUAL BUDGET HEARING |
| Tuesday, May 15, 2018 – | VOTING ON SCHOOL DISTRICT BUDGET – 7:00 a.m. to 10:00 p.m. E. M. Baker Elementary, South High, Saddle Rock Elementary & Lakeville Elementary 10:30 p.m. – Public Action Meeting - PHIPPS BOARD ROOM – Report on Budget Vote |

*Some items may be appropriate for Executive Session.

BOARD/ADMINISTRATIVE AFFAIRS

February 12, 2018

SUPERINTENDENT'S REPORT

**Dr. Teresa Prendergast
Superintendent of Schools**

February 12, 2018

BOARD OF EDUCATION
ADVISORY COMMITTEE REPORTS

Rebecca Sassouni – CAC
Jeffrey Shi – BAC
Donald Ashkenase - FAC

February 12, 2018

ENTRANCE AGE

INFORMATION

Attached for Board of Education consideration is a revised policy: ***Entrance Age (5140)***. The revision addresses a ruling by the New York State Department of Education specifying that District regulations for entrance to public schools cannot be predicated upon age in grades other than pre-kindergarten and kindergarten. As a result, the policy has been retitled ***New Student Eligibility for Admission***, and all references to age requirements beyond pre-kindergarten and kindergarten have been deleted. In addition, new language has been added to govern procedures for placing new students entering other grades. There have been no changes since its second reading on 1/29/18, and this revised policy is being submitted for a third reading and possible adoption.

ENTRANCE AGE NEW STUDENT ELIGIBILITY FOR ADMISSION

Kindergarten

~~In accordance with New York State Education Law, every child admitted to pre-kindergarten (§3602-e (1) (c) in the Great Neck Public Schools must attain the age of four years on or before December 1 of the year of entrance, and every child admitted to kindergarten §3202(1) in the Great Neck Public Schools District must attain the age of five years on or before December 1 of the year of entrance. A birth certificate must be presented as proof of age.~~

~~No child under the aforementioned age will be admitted at any time during the school year unless:~~

- ~~1. The child was in attendance at another public school district in which the child's entrance age was in compliance; and~~
- ~~2. A recommendation for admission is made by the Department of Pupil Personnel Services after completion of the District's screening process~~

First Grade

~~Every child admitted to first grade must attain the age of six years on or before December 1 of the year of entrance. An underage child, one whose birthday falls after December 1, may be accepted if the child has completed a full year of kindergarten and is recommended for first grade placement by the director or principal of the school attended. (Nursery school attendance is not a substitute for kindergarten.)~~

Procedure for Underage First Grade Applicants

~~A parent who seeks to enroll an underage first grade child will be supplied with an entrance form by the Office of Attendance and Registration. The parent will have the director or principal of the child's former private or public school complete the form and mail it to the Office of Attendance and Registration. After the district's screening process has been completed, the parent will be notified as to the child's placement.~~

~~All new underage entrants in kindergarten through fifth grade will be observed by school staff for a minimum of two weeks in order to determine the appropriateness of the grade placement.~~

Initial placement of new resident students in other grades shall be based upon transfer data from their former schools. Final grade placement following admission shall be based upon direct observation by building staff and the student's level of performance in relation to the District's standards for the grade. The building principal will then notify the parent of the final decision regarding the child's placement. If the decision involves a change in grade, the parent will be informed in advance.

In accordance with *Policy 5150 School Admissions*, all students must meet the legal requirements for immunization series completion before being admitted to school.

Great Neck Public Schools

Adopted: 1/11/88

Proposed Revision: 1/11/18; 1/29/18; 2/12/18

February 12, 2018

HOMELESS STUDENTS

INFORMATION

Attached for Board of Education consideration is a revised policy: ***Homeless Students (5151)***. The revision addresses changes made under New York State laws and regulations conforming to the Federal Every Student Succeeds Act (ESSA) including the District's responsibility regarding the identification, enrollment, attendance and school success of homeless students. There have been no changes since its second reading on 1/29/18, and this revised policy is being submitted for a third reading and possible adoption.

HOMELESS STUDENTS

The Board of Education recognizes its responsibility, ~~in accordance with~~ under Federal (McKinney-Vento) and New York State laws and regulations, to identify homeless ~~children~~ students within the District, encourage their enrollment and eliminate existing barriers to their ~~education~~ identification, enrollment, attendance, or success in school that may exist in District practices. The Board will provide homeless ~~children~~ students attending the District's schools with access to the same free and appropriate public education and other school programs and activities, including publically funded preschool education, as other ~~children~~ students.

The District shall coordinate with local social services agencies and other entities providing services to homeless ~~children~~ students and their families for the provision of services to homeless ~~children~~ students, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A homeless ~~child~~ student has the right to attend public preschool or school in either the district of origin (i.e., where he/she resided before becoming homeless), the district of current location, or a district participating in a regional placement plan. The homeless ~~child~~ student is entitled to attend the designated school district on a tuition-free basis for the duration of his or her homelessness. If the ~~child~~ becomes permanently housed, the ~~child~~ student is entitled to continued attendance in the same school building until the end of the school year, and for one additional year if that year constitutes the ~~child's~~ student's terminal year in such building. If a homeless ~~child~~ student completes the final grade level in his/her school of origin, the ~~child~~ students may also attend the designated receiving school at the next grade level for all feeder schools for that one year.

The District shall coordinate with social services agencies and other entities providing services to homeless students and their families for the provision of services to homeless students and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for services under either Section 504 or IDEA.

A portion of the District's Title 1, Part A funds shall be set aside for homeless students and youth to provide educationally related support services and services not ordinarily provided to other students.

Definition of Homeless Child Students and Unaccompanied Youth

Pursuant to the McKinney-Vento Homeless Education Assistance Act (42 USC § 11434a [2]) (McKinney-Vento) and New York State Education Law § 3209 (1) (a), a homeless ~~child~~ student is defined as a ~~child~~ student who does not have a fixed, regular, and adequate nighttime residence or whose primary nighttime location is in a public or private shelter designated to provide temporary living accommodations, or a place not designed for, or ordinarily used as regular sleeping accommodations for human beings. This definition includes a ~~child~~ student who is:

- Sharing the housing of other persons due to loss of housing, economic hardship or similar reason (sometimes referred to as double-up).
- Living in emergency or transitional shelters.
- Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
- Living in a car, park, public space, abandoned building, substandard housing, bus or train stations or similar settings.
- Abandoned in hospitals.
- ~~Awaiting foster care placement.~~
- A migratory ~~child~~ student who qualifies as homeless because he or she is living in circumstances described above.

~~In addition,~~ An unaccompanied youth is a homeless ~~child~~ student for whom no parent or person in parental relation is available (8 NYCRR §100.2[x] [1] [vi]). The term unaccompanied youth shall not include a student or youth who is residing with someone other than a parent or legal guardian for the sole reason of taking advantage of the schools of the District.

Identification of Homeless Students

The Great Neck Public Schools shall determine whether there are homeless students within the Great Neck School District. It shall do so by all means available, including, but not limited to contacting:

- Nassau County Department of Social Services.
- Any local runaway and homeless youth shelter (as listed at <http://www.ocfs.state.ny.us/main/Youth/rhydirectory.asp>).
- Any other shelters located in the district.

The District will have a student residency questionnaire that asks for a description of the current living arrangements of the ~~child~~ students or youth in order to determine whether the child or youth meets the definition of a homeless ~~child~~ students under McKinney-Vento and New York State Education Law §3209 (1) (a). This questionnaire will be distributed to every family upon registration for school and those reporting a change of address, ~~and will also be available in all school buildings for distribution by the school guidance and nursing staff.~~ For immediate enrollment, parents/guardians of homeless students are not required to provide proof of residency or any other documentation ordinarily required. Information about a homeless ~~child's~~ student's living situation shall be treated as a student education record, and shall not be deemed to be directory information under the Family Educational Rights and Privacy Act of 1974 (FERPA) in accordance with *Policy 5500 Student Records*.

Duties of the Mandated Local Liaison for Homeless Children Students and Youth

Every Local Education Agency (LEA), regardless of whether it receives a McKinney-Vento sub-grant, is required to designate a local liaison for homeless ~~children~~ students and youth (Homeless Liaison), and ensure that this person is aware of, and able to carry out his or her responsibilities under the law. The Homeless Liaison at the LEA serves as one of the primary contacts between homeless families and school staff, District personnel, shelter workers, and other service providers.

The Homeless Liaison coordinates services to ensure that homeless ~~children~~ students and youth enroll in school, and have the opportunity to succeed academically. The liaison shall receive appropriate professional development on identifying and meeting

the needs of homeless students, including the definitions of terms related to homelessness.

The LEA understands that its Homeless Liaison must ensure that:

- Homeless ~~children~~ students and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies.
- School personnel providing services under the McKinney Vento Act receive professional development and other support.
- Homeless students enroll in, and have full and equal opportunity to succeed in, the schools of the LEA.
- Homeless ~~children~~ students and youth and their families receive educational services for which they are eligible, including but not limited to Head Start, Even Start and preschool programs administered by the LEA, and as well as referrals to health care, ~~mental health~~, dental and other appropriate services for homeless students and their families.
- Parents or guardians of homeless ~~children~~ students and youth are informed of educational and related opportunities available to their ~~children~~ students, and are provided with meaningful opportunities to participate in the education of their ~~children~~ students.
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school district of origin, and are assisted in accessing transportation services.
- Disputes regarding school selection, enrollment or transportation are promptly mediated and resolved in accordance with the requirements of McKinney-Vento. The District must continue enrollment and transportation during any dispute involving eligibility, school selection, enrollment or transportation pending final resolution of the dispute, including all available appeals.
- Assistance in commencing an appeal pursuant to Education Law §310 of a final determination regarding enrollment, school selection and/or transportation is provided to the homeless ~~child's~~ student's or youth's parent or guardian or the

unaccompanied youth in accordance with the provisions of 8 NYCRR §100.2(x)(7)(iii).

- Public notice of the educational rights of homeless students is posted in locations where such students receive services, ~~such as schools, shelters, and soup kitchens~~ frequented by homeless unaccompanied youth and parents/guardians of homeless children students in a manner and form that is understandable to the parents and guardians and unaccompanied youths.
- A record is maintained of all appeals of enrollment, school selection and transportation.
- School personnel, service providers and advocates working with homeless families are informed of the duties of the Homeless Liaison and receive required professional development and support on identifying and meeting the needs of homeless students. *42 USC §11432(g)(6)(A); 8 NYCRR §100.2(x)(7)(iii).*
- Homeless unaccompanied youth are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. section 1087 (v)) and their right to receive verification of this status from the local educational agency McKinney-Vento liaison, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.
- Students identified as homeless receive free school meals.
- For homeless students attending school out of the District, the District shall, within five days of receipt of a request for records, forward a complete copy of the homeless student's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable. For homeless students attending school in the District, the District shall request the student's records from the school the student last attended.

Transportation Responsibilities

The District shall promptly provide transportation for homeless students currently attending District schools as required by applicable law. In general, the District shall ensure that transportation is provided to homeless students enrolled in the District who attend a school of origin, including a publicly funded preschool administered by the District or the New York State Department of Education (SED), even if the student lives outside of the district's boundaries. Transportation shall be provided for the duration of homelessness through the remainder of the school year in which the student becomes permanently housed, and one additional year if that is the student's final year in the school.

- A Local Department of Social Services (LDSS) is responsible for providing transportation to homeless ~~children~~ students who are eligible for benefits under New York State Social Services Law §350-j and placed in temporary housing arrangements outside their designated districts.
- To the extent funds are provided for such purpose, the New York State Office of Children and Family Services (OCFS) must provide transportation for each homeless ~~child~~ student who lives in a residential program for runaway youth and homeless youth located outside of the designated school district. The LDSS or OCFS may contract with a school district or Board of Cooperative Educational Services (BOCES) to provide such transportation. The costs for transportation will be reimbursed by the LDSS with the submission of a Runaway and Homeless Youth Act Transportation Program Form, which is available from the Homeless Education Program Office (518-473-0295).
- Any homeless ~~child~~ student not entitled to receive transportation from the LDSS or OCFS must be transported by the designated school district. *New York State Education Law §3209(4); 8 NYCRR §100.2(x)(6).*
- When the school district of the current location is designated as the school district the homeless ~~child~~ student will attend, that school district must provide transportation to the homeless ~~child~~ student on the same basis as it is provided to resident students. *New York State Education Law §3209(4)(d); 8 NYCRR §100.2(x)(6)(iii).*

- If the homeless ~~child~~ student designates the school district of origin or a school district participating in a regional placement plan, then that school district must provide transportation to and from the homeless ~~child's~~ student's temporary housing and school. Such transportation cannot exceed 50 miles one way, unless the Commissioner determines that it is in the best interest of the ~~child~~ student. *New York State Education Law §3209(4)(c); 8 NYCRR §100.2(x)(6)(ii)*.
- Homeless ~~children~~ students are entitled to transportation during any disputes regarding school selection and enrollment. *8 NYCRR §100.2(x)(7)(ii)(c)*.
- Transportation for Summer School is required if the designated school district of attendance has recommended that the student who is homeless attend a summer educational program and the lack of transportation poses a barrier to participation. The school district or social services district must provide transportation to extracurricular or academic activities if the student participates or would like to participate in the activity, meets relevant criteria for the activity and the lack of transportation presents a barrier to the student's participation.

Great Neck Public Schools

Adopted: 12/15/14

Amended: 11/14/16

Proposed Revision: 1/11/18; 1/29/18; 2/12/18

February 12, 2018

SCHOOL PSYCHOLOGY INTERN(S)

RECOMMENDATION:

Board approval is requested for the following student(s) to serve as school psychology intern from February – May for the 2017-2018 school year:

| INTERN | COLLEGE/PROGRAM | SCHOOL |
|-----------------|------------------------|---------------|
| DeJesus, Angela | Queens College | NHS |

February 12, 2018

TEACHER OF STUDENTS WITH SPEECH LANGUAGE DISABILITIES

STUDENT OBSERVER(S)

RECOMMENDATION:

Board approval is requested for the following to serve as a student observer of students with speech language disabilities from May - June of the 2017/2018 school year:

| INTERN | COLLEGE/PROGRAM | SCHOOL |
|----------------|------------------------|---------------|
| Covacci, Diana | LIU | J. F. Kennedy |

February 12, 2018

**RESOLUTION REGARDING A MEMORANDUM OF AGREEMENT BETWEEN
THE BOARD OF EDUCATION OF THE GREAT NECK PUBLIC SCHOOLS
AND THE GREAT NECK TEACHERS ASSOCIATION**

BE IT RESOLVED that the Board of Education of the Great Neck Union Free School District hereby approves the terms and conditions of the Memorandum of Agreement (attached) between the school district and the Great Neck Teachers Association regarding the accumulation of inservice education for salary credit.

BE IT HEREBY RESOLVED that the Superintendent be authorized to execute said Agreement on behalf of the Board of Education.

**MEMORANDUM OF AGREEMENT
BETWEEN THE GREAT NECK PUBLIC SCHOOLS
AND THE GREAT NECK TEACHERS ASSOCIATION**

This will confirm that the Great Neck Union Free School District ("District") and the Great Neck Teachers Association ("GNTA") agree to modify the terms of the 2015-19 collective bargaining agreement between the Board of Education and the GNTA as follows:

1. When considering the accumulation of inservice education for salary credit, the school year is erroneously indicated in the collective bargaining agreement as July 1-June 30. It should be defined as September 1 – August 31.
2. Since this error is due to no fault of the GNTA members, the District agrees to honor inservice education submitted for salary credit that fall under the designation of July 1-June 30. This exception will apply to both the September 1, 2017 and February 1, 2018 salary credit submissions.
3. Effective September 1, 2018 of the 2018-19 school year and going forward, GNTA agrees to follow the guidelines that have consistently applied in the past for the accumulation of inservice education for salary credit: fall/spring/summer semesters, September 1 – August 31.
4. Accordingly, Article 27 ("Inservice Institute"), section B.2 shall be modified to read September 1 – August 31 (vs. July 1 – June 30).
5. The above constitutes the full and complete agreement between the parties with respect to this matter.

Signed: Teresa Prendergast Date: 2/7, 2018
Teresa Prendergast, Superintendent of Schools

Signed: James P. Daszinski Date: 2/16, 2018
James Daszinski, President of Great Neck Teachers Association

Approved: Great Neck Board of Education at their meeting of _____
Attestation:

Jacqueline Lizza, District Clerk

February 12, 2018

RESOLUTION AGREEMENT WITH THE
DEPARTMENT OF EDUCATION OFFICE OF CIVIL RIGHTS

INFORMATION:

The Great Neck Public Schools has maintained a Web site for over nineteen years without having received a single complaint from community residents or other Web site visitors about content accessibility. The District is in the process of abandoning its current Web site and developing a replacement that is being built from the ground up with Americans with Disabilities Act (ADA) compliance in mind. Nevertheless, a U.S. Department of Education Office of Civil Rights (OCR) complaint regarding some Web site ADA compliance issues was filed against the District and thousands of other school districts by a national advocate, and must be resolved to the satisfaction of the OCR.

The Superintendent, Technology Director, and District Lawyer have negotiated a resolution agreement with the OCR that minimizes the modifications necessary to the current District Web Site and establishes procedures to ensure ongoing ADA compliance with the design and content of the new District Web Site once it is launched later this spring. The District reaffirms its commitment to ensure that people with disabilities have an opportunity equal to that of their nondisabled peers to participate in the District's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration.

RECOMMENDATION:

It is recommended that the Board of Education authorize the Superintendent of Schools to sign the OCR Resolution Agreement (Case No. 02-17-1461) with regard to this matter.

RESOLUTION AGREEMENT

Great Neck Public Schools OCR Case No. 02-17-1461

In order to resolve Case No. 02-17-1461, Great Neck Public Schools (“District”) assures the U.S. Department of Education, Office for Civil Right (“OCR”), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (the ADA), and its implementing regulation at 28 C.F.R. Part 35.

Assurances of Nondiscrimination. The District hereby reaffirms its commitment to ensure that people with disabilities have an opportunity equal to that of their nondisabled peers to participate in the District’s programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration.

Benchmarks for Measuring Accessibility. For the purposes of this Agreement, the accessibility of online content and functionality will be measured according to the W3C’s Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.0 for web content, which are incorporated by reference. Adherence to these accessible technology standards is one way to ensure compliance with the District’s underlying legal obligations to ensure that people with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as their nondisabled peers, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any District programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the District’s programs, services, and activities delivered online.

Remedies and Reporting Requirements

- 1) Proposed Policies and Procedures Regarding New Online Content and Functionality. By February 15, 2018, the District will submit to OCR for its review and approval proposed policies and procedures (“the Plan for New Content”) to ensure that all new, newly-added, or modified online content and functionality will be accessible to people with disabilities as measured by conformance to the Benchmarks for Measuring Accessibility set forth above, except where doing so would impose a fundamental alteration or undue burden.
 - a) When fundamental alteration or undue burden defenses apply, the Plan for New Content will require the District to provide equally effective alternative access. The Plan for New Content will require the District, in providing equally effective alternate access, to take any actions that do not result in a fundamental alteration or undue financial and administrative burdens, but nevertheless ensure that, to the maximum

extent possible, individuals with disabilities receive the same benefits or services as their nondisabled peers. To provide equally effective alternate access, alternates are not required to produce the identical result or level of achievement for persons with and without disabilities, but must afford persons with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

- b) The Plan for New Content must include sufficient quality assurance procedures, backed by adequate personnel and financial resources, for full implementation. This provision also applies to the District's online content and functionality developed by, maintained by, or offered through a third-party vendor or by using open sources.
- c) Within thirty (30) days of receiving OCR's approval of the Plan for New Content, the District will officially adopt, and fully implement the amended policies and procedures.

Reporting Requirement: Within forty-five (45) days of receiving OCR's approval, the District will submit to OCR the approved policies and procedures, evidence of their adoption and distribution, and a description of how they are being implemented.

- 2) Undue Burden and Fundamental Alteration. For any technology-related requirement in this Agreement for which the District asserts an undue burden or fundamental alteration defense, such assertion may only be made by the District's Superintendent of Schools or by an individual designated by the District's Superintendent of Schools and who has budgetary authority after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion, including the cost of meeting the requirement and the available funding and other resources. The written statement will be certified by the determining official. If such a determination is made, the certifying official will describe in the written statement how it will provide equally effective alternate access, *i.e.*, other action that would not result in such an alternative or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the same benefits or services provided by the District as their non-disabled peers.
- 3) Creation and Audit of Content and Functionality of New Website. By February 15, 2018, the District will propose for OCR's review and approval the identity and *bona fides* of an Auditor (corporation or individual) to audit all content and functionality of the new website the District intends to launch on or before May 15, 2018. If the District is unable to launch its new website by May 15, 2018, the District will provide OCR with the specific reasons for the delay and a detailed schedule for completing and launching the new website, by May 1, 2018. Upon launch of the new website, the District will immediately disable the existing website, and the Auditor will conduct an Audit of the new website, including but not limited to, the home page, all subordinate pages, and intranet pages and sites, to identify any online content or functionality that is inaccessible to persons with disabilities, including online content and functionality developed by,

maintained by, or offered through a third party vendor or an open source. The Auditor will have sufficient knowledge and experience in website accessibility for individuals with disabilities to carry out all related tasks, including developing a Proposed Corrective Action Plan, if necessary. The Audit will use the Benchmarks for Measuring Accessibility set out above, unless the District receives prior permission from OCR to use a different standard as a benchmark. During the Audit, the District will also seek input from members of the public with disabilities, including parents, students, employees, and others associated with the District, and other individuals knowledgeable about website accessibility, regarding the accessibility of the District's online content and functionality. The District will do so by including in its new Home Page an invitation for comments by users of any accessibility concerns and to whom those concerns should be addressed. Additionally, upon the launch of the new website, the District will send an email blast to all staff and parents, as well as parent organizations including the District's Special Education Parent Teacher Association ("SEPTA"), soliciting their input with regard to accessibility.

Reporting Requirements:

- i) By February 15, 2018, the District will submit the *bona fides* of its proposed Auditor to OCR for review and approval. OCR will evaluate whether the proposed Auditor has the requisite experience and knowledge to carry out an appropriate Audit and to develop a Proposed Corrective Action Plan pursuant to Item 4, below, if necessary.
 - ii) By June 1, 2018 the District will submit to OCR documentation of the steps taken by District Webmasters to address compliance issues identified by the Auditor during the Audit of the District's newly created website, a description of the outreach it undertook and the input it received, and a detailed accounting of the results of the Audit.
- 4) Proposed Corrective Action Plan. If the Auditor identifies any inaccessible content and/or functionality during the Audit of the District's newly launched website, then simultaneously with the submission of the Audit documentation, the District will submit to OCR for its review and approval a proposed Corrective Action Plan to address all inaccessible content and functionality identified during the District's Audit. The proposed Corrective Action Plan will set out a detailed schedule for:
- a) addressing problems, taking into account identified priorities, with all corrective actions to be completed within six (6) months of the date OCR approved the proposed Corrective Action Plan;
 - b) setting up systems of accountability and verifying claims of accessibility by vendors or open sources; and
 - c) setting up a system of testing and accountability to maintain the accessibility of all online content and functionality on an ongoing basis.

If the Audit of the District's newly launched website does not reveal any inaccessible content and/or functionality, then the District may report that to OCR, in lieu of submitting a proposed Corrective Action Plan.

Reporting Requirements:

- i) Within forty-five (45) days of receiving OCR's approval of the proposed Corrective Action Plan, the District will submit to OCR the approved Corrective Action Plan, and documentation establishing that the approved Corrective Action Plan is being implemented according to the approved schedule.
 - ii) Reports will be due every six (6) months thereafter until the Corrective Action Plan has been completed.
- 5) Interim Corrective Action Plan. By March 1, 2018, the Auditor will conduct an audit of the most frequently visited webpages on District's existing website to identify any online content or functionality that is inaccessible to individuals with disabilities. The District will then develop and submit to OCR for review and approval an Interim Corrective Action Plan that sets out a detailed schedule for remedying the problems identified, with all corrective actions to be completed within one (1) month of the date OCR approves the Interim Corrective Action Plan.

Reporting Requirement: Within forty-five (45) days of receiving OCR's approval of any proposed Interim Corrective Action Plan, the District will submit to OCR documentation establishing that the approved Interim Corrective Action Plan was implemented.

- 6) Notice. Within thirty (30) days of the date of this Agreement, the District will submit to OCR for review and approval a proposed Notice to individuals with disabilities regarding how to request the webmaster or other appropriate person to provide access to (or notify the District regarding) online information or functionality that is currently inaccessible. The District will ensure that staff will respond to all requests within a reasonable period of time, not to exceed forty-eight (48) hours. The proposed notice will also include information or an accessible link to information instructing people how to file formal grievances under Section 504 and Title II of the ADA. Within ten (10) days of receiving OCR's approval of the proposed Notice, the District will officially adopt and prominently post the approved Notice on its home page and throughout its website (including all subordinate pages and intranet sites).

Reporting Requirement: Within fifteen (15) days of receiving OCR's approval of the District's proposed Notice, the District will provide documentation to OCR regarding the locations and content of its published Notice.

- 7) Training. The District has begun website accessibility training for current appropriate District personnel, and will provide such training to all appropriate District personnel not yet trained within 60 days from the date of this Agreement, and annually thereafter. Such

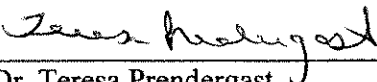
training shall include, but not be limited to: content developers, webmasters, procurement officials, and all others responsible for developing, loading, maintaining, or auditing web content and functionality. Training shall also be provided in a timely manner to employees newly assigned to website responsibilities. In the event that an individual holding any of the aforementioned title(s) is a third-party vendor of the District, the District will require that appropriate website accessibility training has been delivered to such individual.

Reporting Requirements:

- i) For each training session required by this Agreement, until such time as OCR closes the monitoring of this Agreement, the District will submit to OCR documentation that it has been delivered, which, in the case of third party vendors, may include a copy of the applicable training certificate(s).
- ii) The documentation will include a list of invitees and attendees, including titles; a description of the delivered training content; and the presenters' credentials for giving such training.

The District understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff, and request such additional reports or data, including simulated website accounts and passwords, as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. § 104.4(a) and (b), and Title II of the ADA and its implementing regulation at 28 C.F.R. §§ 35.130 and 35.160. Upon completion of the obligations under this Agreement, OCR shall close this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.



Dr. Teresa Prendergast
Superintendent
Great Neck Public Schools

2-12-18

Date

February 12, 2018

BIENNIAL REVIEW COMMITTEE
OF THE DISTRICT-LEVEL SHARED DECISION MAKING PLAN

INFORMATION

Section 100.11 of the Commissioner's Regulations requires local boards of education, in collaboration with their respective district committee to review biennially the district-level shared decision making plan and either revise or recertify the plan. This plan is due to be reviewed in 2018.

For this purpose, a 2018 Biennial Review Committee has been formulated for this purpose (see attached).

RECOMMENDATION

It is recommended that the Board of Education approve the formation of the 2018 Biennial Review Committee.