

SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS

New Entrants

A new entrant means a pupil entering the New York State public school system for the first time, or re-entering a New York State public school with no available record of a prior screening.

The Board of Education shall provide for the diagnostic screening of every new entrant to school to determine which students:

- a) Are or may be disabled;
- b) Are or may be gifted; or
- c) Are or may be limited English proficient.

Current Students

Diagnostic screening will also be provided for all students who score below level two (2) on either the New York State third grade English language arts or mathematics assessments in order to determine whether such students may have disabilities.

Such diagnostic screening shall be conducted:

- a) By persons appropriately trained or qualified;
- b) In the student's native language if the language of the home is other than English;
- c) In the case of new entrants, prior to the school year, if possible, but no later than December 1 of the school year of entry or within fifteen (15) days of transfer of a student into a New York State public school should the entry take place after December 1 of the school year;
- d) In the case of students who score below level two (2) on either the third grade reading or mathematics test for New York State elementary school, and students who obtain a comparable percentile score on the Regents Preliminary Competency Test, within thirty (30) days of the availability of the test scores.

Such diagnostic screening shall include, but not be limited to the following:

- a) A physical examination by a physician/physician's assistant or nurse practitioner or submission of a health certificate in accordance with Sections 901, 903, and 904 of the Education Law, including proof of immunization as required by Section 2164 of the Public Health Law.

(Continued)

SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS (Cont'd.)

- b) A language development assessment.
- c) A determination that the student's home language or native language is other than English based upon an informal interview in English and a home language questionnaire.

No screening examination for vision, hearing or scoliosis condition is required where a student, parent, or person in parental relation objects on the grounds that such examination conflicts with their genuine and sincere religious beliefs.

If such screening indicates a possible disability, a referral shall be made to the Child Study Team (CST) no later than fifteen (15) calendar days after completion of such diagnostic screening.

If such screening indicates a possibly gifted child, the name and finding shall be reported to the Superintendent of Schools and to the parents/guardians no later than fifteen (15) calendar days after completion of such screening. The term gifted child is defined as a child who shows evidence of high performance capability and exceptional potential in areas such as general intellectual ability, special academic aptitude and outstanding ability in visual and performing arts. Such definition shall include those children who require educational programs or services beyond those normally provided by the regular school program in order to realize their full potential.

If such screening indicates a child identified as possibly being of limited English proficiency, such child shall be referred for further evaluation in accordance with the Regulations of the Commissioner of Education to determine eligibility for appropriate transitional bilingual or free-standing ESL programs.

Reporting to Parents

Parents/guardians of children to be screened shall receive information in advance regarding the purpose of screening, the areas to be screened and the referral process. The information shall be communicated either orally or in writing in the parents' primary language(s). This information will be provided during the registration interview.

Parents/guardians have the right to request information regarding their child's performance during screening. They shall have access to the screening results and obtain copies upon request.

Confidentiality of Information

The Board of Education's policy and administrative regulations in accordance with the Family Educational Rights and Privacy Act of 1974 shall apply to all information collected about a child

(Continued)

POLICY

2008

7121
3 of 3

Students

SUBJECT: DIAGNOSTIC SCREENING OF STUDENTS (Cont'd.)

through the screening program. In accordance with the policy and regulations, parents shall be informed of their right to privacy, their right to access to the records and their right to challenge those records should they be inaccurate, misleading or otherwise inappropriate.

Family Educational Rights and Privacy Act of 1974
20 United States Code (USC) Section 1232(g)
Education Law Sections 901, 903, 904, 905, 914 and
3208(5)
Public Health Law Section 2164
8 New York Code of Rules and Regulations
(NYCRR) Parts 117, 136, 142.2 and 154

NOTE: Refer also to Policies #7131 -- Education of Homeless Children and Youth
#7512 -- Student Physicals
#8240 -- Instructional Programs: Driver Education, Gifted and
Talented Education and Physical Education

Adopted: 11/14/05
Revised: 7/14/08