



***NORTH SALEM  
CENTRAL SCHOOL DISTRICT***

**SPECIAL EDUCATION DISTRICT PLAN**



Prepared by Dr. Adam VanDerStuyf, Deputy Superintendent

Adopted by the Board of Education on November 16, 2022

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## **North Salem School District**

### **Mission and Beliefs**

Engage students to continuously learn, question, define and solve problems through critical and creative thinking.

In pursuit of this, we believe that

- All students are capable of learning
- All students are supported and challenged to continuously improve
- Academic, intra and interpersonal skills are essential for success
- The learning environment must be safe, ethical and respectful
- Everyone in the community shares responsibility for student development
- We must continue to hire and retain staff of the highest quality
- Collaboration, data and evidence guide decision-making

### **STATEMENT OF ASSURANCES**

The Board of Education of the North Salem Central School District, as part of a long standing 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 guidance and direction of the Committee on Special Education and the Committee on Preschool Education.

In full support of State and Federal laws and regulations pertaining to students with disabilities, it is the intent of this Board of Education to assure that the educational needs of students with disabilities 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 in a regularly scheduled meeting, the Board has adopted this Special Education District Plan.

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## **GENERAL BOARD OF EDUCATION POLICIES AND PRACTICES**

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

- To 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 nonacademic and extracurricular programs and activities, which are available to all other students in the public schools of the District.
- To ensure that each preschool student with a disability residing in the District has the opportunity to participate in preschool programs, including timely evaluation and placement.
- To appoint and train appropriately qualified personnel, including the members and chairpersons of the Committee on Special Education and the Committee on Preschool Special Education.
- 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, and to enable the student to be involved in and progress in the general education curriculum.
- To ensure that parents have received and understand the request for consent for evaluation of a preschool student.
- To ensure the confidentiality of personally identifiable data, and information or records pertaining to a student with a disability. Such personally identifiable information will not be disclosed except in accordance with the Regulations.
- To implement school-wide approaches, which may include a multi-tiered systems of support process, and pre-referral interventions in order to strengthen a student's performance prior to referral to special education.
- To ensure the establishment of plans and policies for the appropriate declassification of students with disabilities.
- To ensure the selection and board appointment of an impartial hearing officer consistent with Regulations.
- To ensure, to the extent possible, that all instructional materials to be used in the schools in 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 materials not readily on hand will be ordered in a timely manner. The process for obtaining such materials for students who move into the School District during the school year will be initiated without unnecessary delay.
- To ensure that personnel responsible for implementing or assisting in the implementation of a student's IEP receive or are provided access to a copy of the IEP for review prior to its implementation, and are informed of their responsibility to implement the recommendations of the IEP.
- To ensure that measurable steps are taken to recruit, hire, train and retain highly qualified personnel to provide special education programs and services.

- To ensure the establishment of guidelines for the provision of appropriate accommodations necessary to ensure the academic achievement and functional performance of the student in the administration of districtwide assessments.
- To ensure that universal design principles be used, to the extent feasible in developing and administering any district-wide assessment programs.
- To ensure that adequate and appropriate space is made available to meet the needs of students with disabilities.
- To ensure that students who reside in the District have received the protection of all other applicable State and Federal laws and regulations.

## **SPECIAL EDUCATION DISTRICT PLAN NORTH SALEM CENTRAL SCHOOL DISTRICT**

### **I. INTRODUCTION**

The North Salem Central School District recognizes the existence of individual strengths and needs in the cognitive, social, emotional, and physical development of children attending school. Cognizant of these individual strengths and needs, the District honors the rights of students with disabilities to a free and appropriate public education that meets the standards established by State and Federal regulations. The District strives to provide a full continuum of special education and related services to all students with disabilities in the least restrictive environment. The District further recognizes its obligation of ensuring that all eligible preschool children have the opportunity to participate in approved preschool special education programs as appropriate and in the least restrictive environment.

In compliance with the Rehabilitation Act of 1973 and in keeping with its philosophy of nondiscriminatory practice, the North Salem Central School District shall ensure its facilities are accessible to all students.

### **Objectives for Special Education Programs**

The North Salem Central School District is committed to the development and implementation of an appropriate education for students with disabilities who reside in the District. To achieve this goal, the District strives to:

1. Locate and identify all preschool and school aged students with disabilities.
2. Maintain high academic standards and clear performance goals for all students with disabilities, consistent with the standards and expectations for all students in the North Salem Central School District and to ensure that students with disabilities have opportunities to achieve those standards and goals including nonacademic and extracurricular programs and activities, which are available to all other students in the public schools of the District.
3. To comply with Board of Education policies on special education and Federal and State laws and regulations pertaining to the education of children with disabilities.
4. To continually refine a K-12 curriculum for special education programming in keeping with Part 100 of the Regulations of the Commissioner of Education supporting students to meet New York State Common Core Learning standards.

5. To continue to develop innovative program options so that, to the maximum extent appropriate, students with disabilities are educated in regular classes with their non-disabled peers with appropriate supports and services.
6. To seek out the involvement of parents and students, together with regular and special education personnel, in making decisions to support each student's educational success.
7. To provide appropriate transition planning designed to prepare students with disabilities for employment, post-secondary education, or community living when they exit school.
8. To continually assess and ensure the effectiveness of all special education programs to educate our students with disabilities.
9. To continually assess the Committee on Special Education referral and classification process to insure all placements are made guided by the principle of "least restrictive environment".
10. To provide on-going support and professional development for school personnel who work with students with disabilities and appropriate training for appointed members of the CSE and CPSE regarding SED requirements, policies, and procedures.

### **Evaluation of Objectives for Special Education Programs**

The District utilizes the following methods to evaluate the extent to which the objectives of the District's programs and services for students with disabilities have been achieved.

1. The measurement of student achievement through:
  - Achieving Annual Goals as stated on IEPs
  - Annual Review assessment, including curriculum based measures
  - Reevaluation individualized diagnostic testing and/or universal screening instruments
  - Participation of students with disabilities in the general education curriculum
  - Performance on State Assessments
  - The awarding of Regents, Local, Career Development and Occupational Studies (CDOS) Commencement Credential and Skills and Achievement Commencement Credentials to students with disabilities
2. Evaluation of the effectiveness of pre-referral intervention strategies (multi-tiered systems of support) to ensure that student needs are met in the least restrictive environment.
3. Continual review of the ongoing involvement of staff in activities that promote professional development.
4. Continual review of strategies to encourage and enhance parental involvement in their child's educational program:
  - Attendance at Initial CSE meetings
  - Assessment of parental participation in the Annual Review process
5. Ongoing assessment of special education programming to ensure that all students with disabilities have the opportunity to meet the requirements for graduation.

## **BUILDING-LEVEL INTERVENTION AND THE MULTI-TIERED SYSTEMS OF SUPPORT (MTSS) PROCESS**

In accordance with the Individuals with Disabilities Education Act (IDEA) and Part 200 of the Commissioner's Regulations, the North Salem Central School District utilizes a building-level intervention process to provide students with support services prior to a referral to the Committee on Special Education. Through this process, appropriate accommodations, modifications, services and supports may be recommended and implemented to maintain the student's placement in the general education setting.

This building-level process is coordinated through the Educational Support Team at PQ and the Child Study Team at the Middle/High School. The referring teacher and other general education teachers, a special education teacher, a speech and language therapist, the reading and math specialists, building administrators, the school nurse, school psychologists and school/guidance counselors may attend. Referrals to the building level teams are typically made by teachers and support personnel (i.e. school psychologists, school/guidance counselors). These committees use an interdisciplinary problem solving approach to assist teachers in accommodating the needs of their students. Effectiveness of the strategies is monitored to determine if additional interventions are required.

As part of this building-level intervention, students may be referred for remedial services within the regular education program. These services may be in the areas of reading and/or math and are in addition to the student's primary reading and/or math instruction. Other building level supports include speech/language improvement, counseling, and/or behavior intervention services in various formats. Academic Intervention Services (AIS), prep classes, and small group assistance (SGA) are also available. Before and/or after school help is encouraged.

### **Multi-Tiered System of Supports (MTSS)**

Multi-Tiered System of Supports (MTSS) is a framework that helps educators provide academic and behavioral strategies for students with various needs. MTSS grew out of the integration of two other intervention-based frameworks: Response to Intervention (RtI) and PBIS.

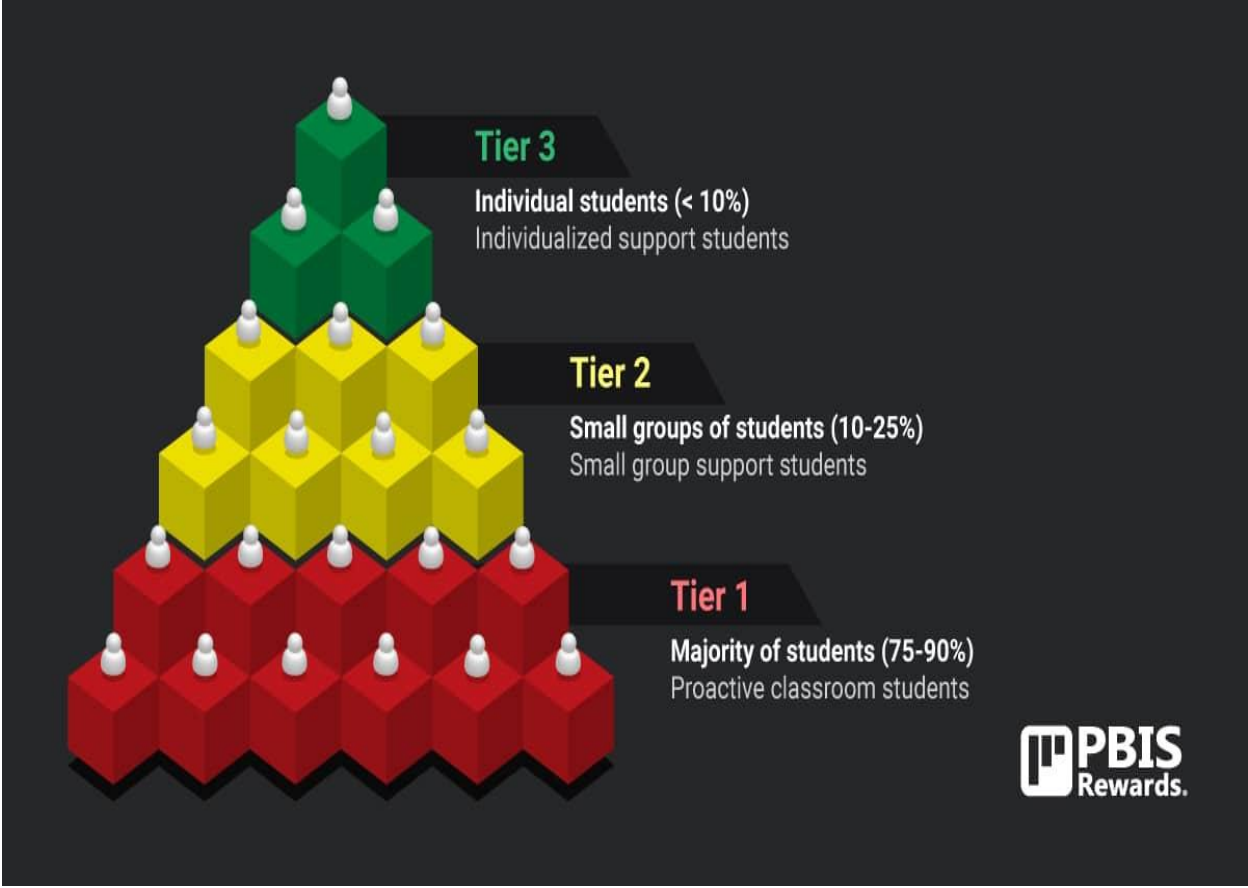
As part of the Individuals with Disabilities Education Act (IDEA, the Response to Intervention model of assessment originally sought to identify students who would benefit from more intensive supports. From these beginnings as a tool to help improve educational outcomes for students in special education, MTSS has grown to encompass all students at every level.

### **Key Components of MTSS**

Instead of the "waiting for failure" assessment model of pre-IDEA days, MTSS takes a proactive approach to identifying students with academic or behavioral needs. Early assessment and intervention for these students can help them catch up with their peers sooner. The key components of MTSS include:

- Universal screening of all students early in the school year
- Tiers of interventions that can be amplified in response to levels of need
- Ongoing data collection and continual assessment
- School-wide approach to expectations and supports
- Parent involvement

The integrated instruction model of MTSS uses collected data to assess student needs and provide them with interventions in appropriate tiers.





## **NATURE AND SCOPE OF SPECIAL EDUCATION PROGRAMS AND SERVICES**

### **Administration**

Overall administration of the District's Special Education program and the operation of the Committee on Special Education is the responsibility of the Deputy Superintendent. The Coordinator of Pupil Personnel Services serves as the CPSE/CSE Chairperson, coordinates the CPSE program and conducts CPSE and CSE meetings.

The North Salem Central School District recognizes the right of every child with special education needs to receive a free and appropriate education (FAPE) in the least restrictive environment (LRE). The North Salem Central School District ensures that students with disabilities are educated in age-appropriate settings, and to the maximum extent appropriate, with their non-disabled peers. The North Salem Central School District ensures that placement of students with disabilities in special classes, separate schools, or other removal from the regular education environment occurs only when the nature or severity of the disability is such that even with the use of supplementary aids and services, an appropriate education cannot be provided to meet the student's needs.

As a reflection of the District's commitment to provide a continuum of programs and services in the least restrictive environment, District planning is focused on programs and services which include and support students in the general education setting.

The District shall provide special education programs and services through district-operated programs, contracts with neighboring districts, local BOCES programs, private schools and agencies, and home and hospital instruction. These programs and services shall be provided to students who have been classified by the Committee on Special Education. The type of special education programs and services for each child is based upon each student's academic, social/emotional, and physical present levels of performance and needs.

Students with disabilities placed together for purposes of special education shall be grouped by similarity of individual needs and placed in an appropriate program as described in the Continuum of Services (section 200.6) in the Part 200 Regulations of the Commissioner of Education.

### **Committee on Special Education Membership**

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

- the parents or persons in parental relationship to the student;
- the general education teacher of the student if the student is, or may be, participating in the general education environment;
- the special education teacher or special education service provider of the student;
- a school psychologist;
- the CSE chairperson who is a representative of the district qualified to provide, or supervise the provision of specially-designed instruction to meet the unique needs of students with disabilities, who is knowledgeable about the general curriculum and about the availability of the resources of the 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 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, if specifically requested in writing at least 72 hours prior to the meeting;
- other individuals having knowledge or special expertise regarding the child, including related services personnel as appropriate, as the school district or the parents shall designate;
- whenever appropriate, the child with a disability;

Written notice of meetings is provided to the parents at least five days in advance of the meeting date. Meetings are held via Google Meet and/or in-person, upon request, at the child's school.

Consensus is the preferred decision-making process. Parents of the student and other knowledgeable persons are encouraged to share information, outside evaluations and reports with the Committee. If consensus cannot be met, the CSE Chairperson will make the final decision.

### **Procedures of the Committee on Special Education**

The CSE is responsible for evaluating all students aged 5-21 suspected of having a disability.

A student suspected of having a disability shall be referred in writing to the Deputy Superintendent or to the building Administrator of the school where the student attends or is eligible to attend.

Referrals to the CSE can be made at any time during the calendar year.

The school district must initiate a referral and promptly request parental consent to evaluate a student to determine if the student requires special education programming and/or related services, or if the student has not made adequate progress after an appropriate period of time when provided multi-tiered systems of support.

A referral for an initial evaluation may be made by:

- a student's parent as defined in part 200.1(ii) of the Commissioner's Regulations;
- a designee of the School District in which the student resides;
- the commissioner or designee of a public agency with responsibility for the education of a student; and/or
- a designee of an education program affiliated with a child care institution with Committee on Special Education responsibility.

A written request that the District refer the student for an initial evaluation may be made by:

- a professional staff member of the School District in which the student resides, or the public or private school the student legally attends (or is eligible to attend);
- a licensed physician;
- a judicial officer;
- a professional staff member of a public agency with responsibility for welfare, health or education of children; or
- a student who is 18 years of age or older, or an emancipated minor, who is eligible to attend the public schools of the District.

## **Evaluation and Recommendation**

The initial evaluation will consist of procedures to determine whether a student is eligible to be classified as a student with a disability and to determine the educational needs of the student. The evaluation will include a variety of assessment tools and strategies, including information provided by the parent to gather relevant functional, developmental and academic information about the student that may assist in determining whether the student is a student with a disability and the content of the student's individualized education program, including information related to enabling the student to participate and progress in the general education curriculum.

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

- a physical examination;
- an individual psychological examination
- an observation of the student in the student's learning environment including the general classroom;
- a social history;
- other appropriate assessment 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:

1. Assessments and other evaluation materials used to assess a student:
  - a. are provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally;
  - b. are used for purposes for which the assessments or measures are valid and reliable;
  - c. are administered by trained personnel in accordance with the instructions provided by those who developed such assessments; and
  - d. are selected and administered so as not to be discriminatory on a racial or cultural basis.
2. 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;
3. Materials and procedures used to assess a student with limited English proficiency be selected and administered to ensure that they measure the extent to which the student has a disability or needs special education, rather than measure the student's English language skills;
4. No single measure or assessment is used as the sole criterion for determining whether a student is a student with a disability or for determining an appropriate educational program for a student;
5. The evaluation is made by a multidisciplinary team, including at least one teacher or a specialist with certification or knowledge in the area of the suspected disability;
6. The student is assessed in all areas related to the suspected disability, including, where appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, vocational skills, communicative status and motor abilities;

7. The results of the evaluation are provided to parents or persons in parental relationship in their native language;

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

All evaluations will be completed and an Initial Eligibility Determination CSE Meeting will be held within sixty (60) days of the District receiving signed written consent. Reasonable measures will be taken to ensure that the parent attends the meeting. The District will send a written notice to the parents at least five days prior advising them of the meeting.

### **Eligibility Determination**

The CSE will consider evaluation information including evaluations provided by the parent. The CSE must ensure that the appropriateness of instruction and all general education resources including multi-tiered systems of support services have been considered prior to determining that the student should be placed in a special education program. In interpreting evaluation data for the purpose of determining if a student is a student with a disability, and determining the educational needs of the student, the CSE must draw upon information from a variety of sources, including but not limited to cognitive and achievement tests, parental, teacher, and, where appropriate, student input, as well as information about the student's social/emotional and physical development; and ensure that information obtained from all these sources is documented and carefully considered.

The CSE will ensure that parents receive and understand all evaluation reports and documentation of eligibility in their native language.

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

- the Committee will develop a written recommendation (IEP);
- the Committee will document least restrictive environment considerations;
- the Committee will document special considerations for students whose behavior impedes learning, students who are deaf or hard of hearing, students who are blind or visually impaired, students with limited English proficiency and students who need assistive technology devices or services;
- The Committee will provide the recommendations to the Board of Education.

When evaluations are conducted for the purpose of determining a student's continuing eligibility for special education, the CSE must give a copy of the evaluation report and the documentation of the determination of eligibility to the student's parent at no cost.

If the Committee determines that the student is ineligible for special education:

- The Committee will provide notice to the parent of the recommendation. The parent will receive procedural safeguards and a copy of the evaluation report and the documentation of determination for ineligibility;
- The Committee will provide recommendations to the building Administrator for consideration of general education supports and/or services to address the student's needs;
- The Committee will provide the recommendations to the Board of Education.

If the student has been receiving special education programming and/or related services, but it is determined by the CSE that the student no longer needs special education services and can be placed in a regular education program on a full- time basis, the recommendation shall:

- identify the declassification support services, if any, to be provided to the to the student and/or the student's teachers; and
- indicate the projected date of initiation of the services, the frequency of provision of the services, provided that these services shall not continue for more than one year after the student enters the full-time regular education program.

### **In-District Programs**

The North Salem Central School District is committed to preparing all students for productive lives as critical and creative thinkers and problem solvers. Therefore, we believe it is our obligation to provide equitable opportunities for students with disabilities to receive appropriate educational services, with the needed supplementary aids and support services, in age appropriate settings in their neighborhood schools. To that end, to the greatest extent possible, the District will support students with disabilities in chronologically age-appropriate general education classes in their home schools and provide the specialized instruction delineated by their IEPs within the context of the core curriculum and general class activities. In order to accommodate the needs of all children with disabilities, the school district will have a continuum of programs and placements available, within and outside of the school district, extending from the general education classroom to residential settings. Special Education Programs and Services are available to students with disabilities through the end of the school year during which their 21st birthday occurs, or until a regular high school diploma has been attained, whichever occurs first. The following is a description of each of the special education program options offered within the District:

### **Related Services**

Related services are those developmental, corrective and other supportive services as are required to assist a student with a disability and include but are not limited to speech-language pathology, psychological services, physical therapy, occupational therapy, counseling services, audiology services, medical services as defined by regulation, parent counseling and training, school health services, assistive technology services, appropriate access to recreation, including therapeutic recreation, other appropriate developmental or corrective support services, and other appropriate support services and include the early identification and assessment of disabling conditions in students. The term does not include a medical device that is surgically implanted, or the replacement of such device.

Related services currently provided in district may include but are not limited to the following - counseling services, assistive technology services, speech and language therapy, reading, physical therapy, occupational therapy, vision services, hearing services, and parent counseling and training. The Committee on Special Education recommends related services that are appropriate to a student's individual needs.

### **Speech and Language Therapy**

The goal of speech and language therapy is the early identification of communication disorders and the remediation of articulation and phonological deficits, and receptive and expressive language problems, which adversely affect a student's educational performance. Services are provided either individually or in small groups at a frequency rate and location established by the Committee on Special Education.

### **School Counseling Services**

The school psychologist or school counselor is responsible for the provision of IEP mandated counseling for students either individually or in a group as prescribed by the Committee on Special Education. These services are provided to those students whose psychosocial needs interfere with their ability to fully

access their education. The focus of school-based counseling is on school-related difficulties of the student with a disability and is designed to assist the student in overcoming the social or emotional difficulties that interfere with the educational process.

### **Occupational Therapy and Physical Therapy**

Occupational therapy as a related service, upon prescription, focuses on the functional evaluation of the student and the planning and use of a program of purposeful activities to develop or maintain adaptive skills, designed to achieve maximal physical functioning of the student in daily life tasks. The occupational therapist focuses on areas of deficit such as postural control, motor planning, visual perceptual skills, hand skill development and sensory processing. The occupational therapist may also provide alternative materials and environmental modifications to facilitate independence and generalization of those skills. Occupational therapy may be provided individually, in a small group or as a consult to the classroom teacher, based on the recommendations of the Committee on Special Education.

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

### **Reading as a Related Service**

Reading as a Related Service is specially designed individualized or group instruction provided to meet the student's needs in the area of reading as recommended in the Individualized Education Program (IEP). The service may be provided in the classroom or in another educational setting structured to meet the individual needs of the student(s). In North Salem, Reading as a Related Service is offered at the 1:1 level or in a small group, depending on student need.

### **Itinerant Services for the Hearing Impaired or Visually Impaired**

Hearing and vision impaired services are designed to provide direct specialized instruction to students with hearing and/or visual impairments.

### **Consultant Teacher Services**

Consultant Teacher Services allow students with disabilities to participate in a full-time general education program and also receive services from a special education teacher for a designated period of time on identified days. Consultant Teacher Service may be direct, indirect, or a combination of both. Direct Consultant Teacher Services are specially designed individualized or group instruction provided by a special education teacher to students with disabilities in general education classes. The instruction is designed to enable the student to better access and benefit from the general education program. Indirect Consultant Teacher Services provides consulting services to general education teachers to help them adjust the learning environment or modify instruction to meet the needs of students with disabilities in their classes. Students with disabilities recommended for Consultant Teacher Services receive direct and/or indirect services for a minimum of 2 hours per week.

### **Integrated Co-Teaching Services**

Integrated Co-Teaching means the provision of specially designed instruction and academic instruction in a general education class to a group of students with disabilities and non-disabled students by a special education teacher and a general education teacher. As an alternative to special class instruction, the vision for integrated co-teaching services is a general education teacher and a special education teacher jointly providing instruction to a class to meet the diverse learning needs of all students in the class. The maximum number of students with disabilities receiving integrated co-teaching services shall not exceed 12 students.

### **Special Class Instruction**

Special Class means a class consisting of students with disabilities who have been grouped together because of similar individual needs for the purpose of being provided specially designed instruction. Specially-designed instruction means adapting 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 the student can meet the educational standards that apply to all students. Special educators meet regularly with the general education colleagues and related service providers to coordinate instruction and monitor student progress. In the North Salem Central School District, special classes are offered in the following ratios depending on student need: 6:1:1, 12:1:1, 8:1, and 15:1.

### **Academic Support Classes**

Academic Support Classes, beginning in sixth grade, are special classes that provide supplemental instruction to students in need of this level of support. These support classes are delivered in a special class support setting. Students typically receive this support one period daily either 3x or 6x per six day cycle. In the North Salem Central School District, Academic Support Classes are considered Special Classes and are offered at a ratio of 15:1.

### **Public Out-of-District Programs**

Whenever possible, students are placed in special education programs within the District. Students whose needs cannot be met in an in-district program are placed in an appropriate setting outside of the District. Programs are provided through BOCES, neighboring school districts, or private day or residential schools that are approved by the State Education Department.

### Special Education Programs Through BOCES

BOCES special education programs can either be located on the BOCES campuses, or in local school buildings. The following BOCES programs or schools will be attended by North Salem students during the 2022-2023 school year:

- The Intensive Therapeutic Support Program at PNW BOCES
- The Learning Center at Walden Program at PNW BOCES
- The Pines Bridge School at PNW BOCES
- The Learning Center Local School Building Program at Somers Middle School

### Neighboring School District Programs Through Contract

North Salem students attend neighboring district programs in those situations when North Salem cannot provide the specialized type of program a student may need.

The following school district programs will be attended by North Salem students during the 2022-2023 school year:

- Hillside Program at Bedford CSD
- Pleasantville High School

## **Private Programs**

The North Salem Central School District offers programs through private schools to students who require a more restrictive educational environment. Eligibility of students for such programs is determined by the CSE. North Salem students will attend the following private day schools during the 2022-2023 school year:

- John A Coleman School
- The NY Institute for Special Education

At times, the Committee on Special Education may determine that a state-approved residential school placement is the least restrictive environment. This determination is made according to the guidelines outlined in Chapter 600 of the Laws of 1994 regarding Students with Disabilities At Risk Of or In Residential School Placements. North Salem students will attend the following state-approved residential schools during the 2022-2023 school year:

- Anderson Center for Autism
- Devereux
- Summit School

## **Home and Hospital Instruction**

When circumstances require that students receive individualized home or hospital instruction, service is provided for five hours per week at the elementary level or ten hours per week at the secondary level. Classified and non-classified students who are referred by parents or physicians to hospital programs receive their educational instruction through contract between the hospital education unit and the North Salem Central School District.

## **Declassified Support Services**

Students may be declassified (no longer qualify for special education services), and continue to need support to assist in transitions to non-special education programs. Services may include interim special education programming, involvement of support personnel, supplementary aids or services, or test accommodations. The CSE will define what declassification support services, if any, the student needs and indicate the frequency and duration of such services to be provided. If a student is recommended to receive resource room as a declassified service, it will continue for up to one year. If a student is declassified with test accommodations or supplementary aids or services, he/she may continue with those accommodations until graduation from high school.

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

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

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



limited or unfairly restricted by their disability. Further, testing accommodations provide opportunity for students with disabilities to gain access to more challenging courses and programs.

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

- Test accommodations must be provided on a consistent and uniform basis, as provided by each student's IEP and should not be excessive nor alter the standard administration of the test to the least extent possible;
- Test accommodations are neither intended nor permitted to:
  - alter the construct of the test being measured or invalidate the results;
  - provide an unfair advantage for students with disabilities over students taking tests under standardized conditions;
  - substitute for knowledge or abilities the student has not attained.
- The following students are eligible to receive test accommodations:
  - students classified by the CSE or CPSE as having a disability;
  - students identified as having a disability pursuant to Section 504 of the Rehabilitation Act;
  - students who incur disabilities for 30 days or less before administration of a district-wide test and who are authorized by the principal to receive test accommodations;
  - students previously declassified by the CSE or CPSE who are provided with declassification accommodations.
- All appropriate testing accommodations will be designated in a student's IEP or Section 504 Plan and will be reviewed at least annually by the CSE or CPSE or Section 504 Committee (except for declassification accommodations).
- Steps will be taken to ensure that teachers and service providers are aware of test accommodations for students and how they are to be implemented. This is known as the Chapter 408 Review.

## **OPPORTUNITIES TO EARN HIGH SCHOOL DIPLOMAS**

The North Salem Central School District strives for students with disabilities to pursue high school diplomas. Access must be provided to required courses, electives and tests as specified in Part 100 of the Regulations of the Commissioner. To ensure that students with disabilities are encouraged and assisted to achieve the credits and the skill levels necessary for attaining a diploma or an alternative commencement credential the district adopts the following procedures:

- The Committee on Special Education (CSE) will annually review the special educational needs of each student with a disability. At each annual review after the student has entered the Middle School, the CSE will make an assessment as to whether or not the student's present levels of performance indicate probable success in passing state-developed or state-approved assessments or whether such student shall be evaluated using an alternate assessment in lieu of required state assessments. Where appropriate, the student will participate in this decision-making process.
- The decision will be reviewed annually.
- The CSE will consider if the student requires testing accommodations to participate in state or district-wide assessments. These accommodations will be clearly stated on the student's IEP.
- The District will offer appropriate remedial instruction for all students.
- The CSE will identify and recommend support services and supplementary instruction necessary to assist students to benefit from credit courses.

- If the Committee on Special Education recommends that a student be evaluated through the use of an alternate assessment in lieu of a required State assessment, the student will be afforded appropriate opportunities to participate in community experiences and will be provided with employment development opportunities and other instructional activities to prepare the student for post-secondary living, learning, and employment.

### **GUIDELINES FOR ISSUANCE OF A SKILLS AND ACHIEVEMENT COMMENCEMENT CREDENTIAL FOR STUDENTS WITH SEVERE DISABILITIES**

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

The Skills and Achievement Commencement Credential will provide this group of students who are exiting school after attending at least 12 years, excluding kindergarten, with a commencement certificate similar in form to the diploma issued by the school district. The Skills and Achievement Commencement Credential must be accompanied by documentation of the student's skills and strengths and levels of independence in academic, career development and foundation skills needed for post-school living, learning and working.

#### **Skills and Achievement Commencement Credential: Requirements**

The Board of Education of the North Salem Central School District may issue a Skills and Achievement Commencement Credential to each student with a severe disability in accordance with the following rules:

- Only students with disabilities who have been instructed and assessed on the alternate performance level for the State learning standards are eligible for this credential award.
- The credential may be awarded any time after such student has attended school for at least 12 years, excluding kindergarten or received a substantially equivalent education elsewhere; or at the end of the school year in which a student attains the age of 21.
- The credential would not be considered a regular high school diploma in accordance with State standards or for federal accountability purposes.
- The credential must be similar in form to the diploma issued by the school district, except that there shall appear on the credential a clear annotation to indicate the credential is based on achievement of alternate academic achievement standards.
- The credential must be issued together with a summary of the student's academic achievement and functional performance and must include documentation of the student's:
  - achievement against the Career Development and Occupational Studies (CDOS) learning standards <http://www.p12.nysed.gov/cte/cdlearn/>;
  - The level of academic achievement and independence as measured by NYSAA;
  - The skills, strengths, interests; and or as appropriate, other achievements and accomplishments.
  - For students less than 21 years old, the credential must be provided with a written assurance that the student continues to be eligible to attend the public schools of the school district in which the student resides without payment of tuition until the student has earned a regular high school diploma or until the end of the school year in which the student turns age 21, whichever occurs first.

## **GUIDELINES FOR ISSUANCE OF THE CAREER DEVELOPMENT AND OCCUPATIONAL STUDIES COMMENCEMENT CREDENTIAL**

Any student in the North Salem Central School District may be able to earn a New York State (NYS) Career Development and Occupational Studies (CDOS) Commencement Credential. This credential will recognize each individual student's preparation and skills for post-school employment. However, this credential is not considered a high school diploma. Students with disabilities who are able to graduate high school with a diploma may also have the opportunity to add the CDOS credential to their high school diploma. This exiting credential will also assist students who are not eligible for the New York State Alternative Assessment and are unable to complete the requirements necessary to obtain a high school diploma.

### **Option I:**

- Complete a Career Plan.
- Demonstrate Achievement of the commencement level CDOS learning standards.
- Successfully complete 216 hours of Career and Technical Education (CTE) coursework and/or work-based learning experiences, of which at least 54 hours must be in work-based learning experiences supervised by a NYS certified work-based learning coordinator.
- Complete an Employability Profile

### **Option II:**

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

- National Work Readiness Credential;
- SkillsUSA Work Force Ready Employability Assessment;
- National Career Readiness Certificate WorkKeys - (ACT); and
- Comprehensive Adult Student Assessment Systems Workforce Skills Certification System.

Students who are otherwise eligible to receive a high school diploma in June 2015 and thereafter must take and pass four required Regents Exams or Department approved alternative assessments (one in each of the following subjects: English, math, science, and social studies) and either pass a comparably rigorous assessment for a fifth required exam, or in lieu of a fifth exam, complete the requirements to earn the CDOS Commencement Credential. Students may meet the fifth assessment required for graduation by passing a Department-Approved Pathway Assessment in Career and Technical Education (CTE) following successful completion of a CTE program approved pursuant to §100.5(d)(6) of Commissioner's regulations.

## **ACCESSIBLE INSTRUCTIONAL MATERIALS**

The Individuals with Disabilities Education Act (IDEA) requires school districts to provide accessible versions of instructional materials to students who are blind or otherwise unable to use printed materials. Students with disabilities should receive materials in accessible formats at the same time as their peers receive their textbooks. The North Salem Central School District ensures that instructional materials, which include textbooks and related core materials such as workbooks, are provided in an accessible format pursuant to Part 200.2(b)(10) of the Commissioner's Regulations. Accessible formats include Braille, large print, audio and digital text. Accessible instructional materials afford the flexibility to meet the needs of a broad range of students, even those without disabilities.

## **ACCESS TO ASSISTIVE TECHNOLOGY DEVICES AND SERVICES**

The North Salem Central 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. Such term does not include a medical device that is surgically implanted, or the replacement of such device.
- Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:
  - The evaluation of the needs of a child with a disability, including a functional evaluation of the student in the student's customary environment;
  - Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
  - Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive technology devices;
  - Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education 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 educational services), employers, or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of that student.

A student's need for assistive technology is determined through the individual evaluation. The District's CSE/CPSE is responsible for this functional evaluation of the student. The need to conduct an assistive technology component of an evaluation must be considered for students on a case-by-case basis.

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

## **SPECIAL EDUCATION RECORDS: ACCESS AND CONFIDENTIALITY**

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

Student - any person who attends or has attended the School District.

Eligible Student - a student or former student who has reached age 18 or is attending a post-secondary school.

Parent - either natural parent of a student, a guardian or an individual designated to act as a parent or guardian in the absence of the student's parent or guardian.

Education Records - any record maintained by the School District or an agent of the School District which is directly related to a student, except:

1. A personal record kept by a school staff member if it is kept in the personal possession of the individual who made the record, and information contained in the record has never been revealed or made available to any other person except the maker's temporary substitute.
2. An employment record which is used only in relation to a student's employment by the School District and which is maintained in the normal course of business.
3. Alumni records which contain information about a student after he or she is no longer in attendance at the School District and the records do not relate to the person as a student.

In addition, an eligible student may be refused access to psychiatric or treatment records; however, an eligible student may designate a physician or other appropriate professional who the school must permit to inspect the records.

FERPA - Family Educational Rights and Privacy Act of 1974.

### **Inspection of School District Records**

Parents of students or eligible students may inspect and review the student's education records upon request. Such request shall be in writing, to the Superintendent of Schools or designee, identifying as precisely as possible, the record or records which they wish to inspect. The student's records will be made available for review promptly, and in any event within 45 days of such written request. The parent or eligible student will be notified of the time and place where the records may be inspected. The School District may require that an official be present during such inspection. No documents may be removed from school premises.

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the portion of the record which pertains to other students.

### **Transmittal of Records**

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

The School District shall disclose information from a student's education records only with the written consent of the parent of eligible student, except:

- To school officials within the School District who have a legitimate educational interest in the records. A legitimate educational interest shall include performing a task which is specified in his or her job description or by contract, performing a task related to a student's education or the discipline of a student, or providing a service or benefit related to the student or student's family, such as health care, counseling or job placement.
- To certain officials of the U.S. Department of Education, the U.S. Comptroller General, and the State and local education authorities, in connection with certain state or federally supported education programs.
- To appropriate parties in a health or safety emergency.

#### **Record of Requests for Disclosure**

The North Salem Central School District shall maintain a record of all requests for and/or disclosure of information from a student's education records, excluding requests of school. The record will indicate the name of the party making the request, any additional parties to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parent or eligible student.

#### **Procedure for Maintaining Confidentiality of CSE/CPSE Records**

Student special education records and files are kept in locked files in the Special Education District Office area when left unattended. The CSE/CPSE senior office assistant and secretary monitor access to student files. They acknowledge and are familiar with all staff who have access. Only professionals who are working with the student are allowed access to the records. The student's original record is not allowed out of the office at any time.

**SUMMARY OF CLASSIFIED STUDENTS BY DISABILITY AND SETTING**  
**(as of October 2022)**

<b>Students with Disabilities School Age (5-21)</b>	
<b>Disability</b>	<b># of Students</b>
Autism	23
Emotional Disturbance	13
Learning Disability	70
Other Health Impaired	29
Multiple Disabilities	4
Speech Impairment	24
Traumatic Brain Injury	1
Intellectual Disability	1
Visual Impairment	1
<b>Total</b>	<b>166</b>

<b>Time Students Spend inside the Regular Education Classroom</b>	
<b>Time Per Day</b>	<b># of Students</b>
Less than 40%	8
40% to 79%	26
80% or more	123
Separate School	9
<b>Total</b>	<b>166</b>

<b>Outside Placements</b>	
<b>Setting</b>	<b># of Students</b>
Private Day School	2
Private Residential Facility	2
BOCES	3
Other Public School	2
<b>Total</b>	<b>9</b>

<b>Students with Disabilities Preschool (4-5)</b>	
<b>Setting</b>	<b># of Students</b>
Related Services/SEIT	7
Related Services Only	9
Special Class	3
<b>Total</b>	<b>19</b>

**SPECIAL EDUCATION BUDGET**

Local funds allocated for the provision and evaluation of programs and services for students with disabilities for the 2022-2023 school year.

**District**

**Total Budget Allocation:** \$ 8,101,053

Budget Adopted by the Board of Education: May 17, 2022

**Federal/State Projects for 2022-2023**

**IDEA 611:** \$ 249,766

**IDEA 619:** \$ 9,713