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 Local Notice

### **STUDENT LEARNING OBJECTIVES AND DISTRICT INSTRUCTIONAL GOALS**

The Board of Trustees is committed to working with the Superintendent of Schools, district staff, parents and students for the development of a quality educational program designed to prepare all students to successfully meet the challenges of an economically competitive, technologically advanced, culturally diverse, and knowledge-based twenty first century. Therefore, the Board will adhere to the NYS Learning Standards and adopts the following learning objectives and instructional goals for all students in the district:

Objective 1: All students will demonstrate the ability to engage in effective, analytically critical, and socially acceptable communication, including the skills of speaking, listening, writing and reading.

Objective 2: All students will demonstrate the ability to understand, interpret and apply mathematical information to other areas of learning, and to perform the mathematical processes that are needed in daily life.

Objective 3: All students will demonstrate the ability to think logically, critically and creatively, including the ability to use knowledge constructively, and to address problems intelligently, giving due respect to honest differences of opinion.

Objective 4: All students will acquire the knowledge and skills necessary to incorporate physical fitness into their daily lives.

Objective 5: All students will demonstrate the ability to understand, use and appreciate the life-enriching insights and perspectives that are provided in the various subject areas of learning, including language arts, science, math, technology, history, social studies, technical and occupational studies, second languages, arts, music and humanities, physical education and home and career skills.

Objective 6: All students will demonstrate the ability to plan for, assess progress toward, and strive toward success in the variety of inter-related roles they will assume during their lives including those involving post-secondary education or careers, family and/or parenting responsibilities, maintenance of physical mental and emotional health and management of personal resources.

Objective 7: All students will be prepared to continue their education leading to graduation with a high school regents diploma.

Objective 8: All students will demonstrate competency in all core academic subjects, at all grade levels.

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To facilitate achievement of the Board's adherence to the state's learning standards and the articulated learning objectives and instructional goals for all students, the district's administration and staff will be guided by the following:

1. All students will be subject to high academic standards and high academic performance expectations.
2. The district will implement measurable effective instructional strategies for closing the achievement gap among all students, and will review progress toward this on an annual basis.
3. The district will align its core academic subject curricula with the New York State Next Generation Learning Standards, and offer appropriate and equitable support services to enable all students to succeed.
4. The district will use multiple general education approaches, including response to intervention strategies in accordance with Commissioner's regulations, to improve the academic performance of all students.
5. Instructional and professional development activities will be coordinated to reduce student failure rates in core academic subjects at all grade levels.
6. The district will recruit, hire and retain highly qualified staff.
7. Staff professional development will be designed to enable achievement of the Board's articulated learning objectives and instructional goals.
8. The district will implement a process of on-going review to identify and address any obstacles to the achievement of the Board's articulated learning objectives and instructional goals for the student body as a whole and for this aggregated subgroup.
9. The district will utilize culturally-responsive instructional practices, curriculum and assessments.
10. The district will implement its Comprehensive Developmental School Counseling Plan and will assist our primary-aged student as they participate in the important areas of this initiative.

Cross-ref: 0000, Mission Statement and Vision

Ref: 8 NYCRR §100.2(ii)

Adoption date: 4/9/13

Amended: 12/16/2020

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## CURRICULUM MANAGEMENT

The Board of Trustees recognizes its responsibility for the development, assessment and improvement of the educational program of its schools. To this end, the Board is committed to establishing and maintaining a coordinated curriculum management process that:

- Defines how the district's curriculum is developed and approved.
- Ensures that the curriculum is taught and tested.
- Provides for the ongoing review and evaluation of the curriculum.

For purposes of this policy, "curriculum" means a series of planned instruction that is coordinated, articulated and implemented to result in achievement of specific knowledge and skills, and application of such knowledge and skills by all students.

### Curriculum Development

The Board views a centralized curriculum articulated between grade levels as essential to an effective instructional program designed to meet the learning standards established by the state and the Board.

The Superintendent of Schools, in coordination with the Head Teacher and staff, shall be responsible for the development of a written curriculum designed to meet identified student needs. He/she shall establish procedures for curriculum development that provides for the effective participation of administrators, teaching staff, students, parents, other community members and members of the Board.

The Superintendent and Head Teacher shall work with the teachers at the Sagaponack Common School, for grades 1-4, in an effort to seamlessly transition Kindergarten students to first grade and outgoing fourth grade students to grade five.

The curriculum shall:

- Comply with state mandates regarding course offerings and essential knowledge and skills.
- Focus on the content standards of each discipline and ensure that what students learn is rigorous, challenging and represents the most important learning for students.
- Provide sufficient flexibility to meet individual student needs at each stage of development.
- Reflect current research, best practices and technological advancements within each discipline.
- Promote congruence among the written, taught and assessed content.

### Curriculum Adoption

The Superintendent shall present the written curriculum to the Board for its review and adoption annually. Prior to adoption, the Board will review the curriculum to ensure consistency with Board-adopted learning objectives. In addition, the Board will adopt instructional materials that support the adopted curriculum.

### Curriculum Implementation

Implementation of the curriculum rests primarily with the teaching staff. In carrying out this responsibility, the teaching staff shall work to ensure continuity between the written, taught and tested curriculum. The Superintendent and Head Teacher shall be responsible for the management of the implementation of the aligned curriculum at the building level. He/she shall carry out this management function through activities including analyzing student assessment data; making classroom observations of teachers; and providing opportunities for teachers to discuss and share ideas and strategies.

### Curriculum Review

The Board recognizes the need for and the value of a systematic, ongoing program of curriculum evaluation that includes collecting and analyzing data about student achievement. All aspects of the curriculum shall be subjected to a searching and critical analysis in an attempt to improve students' learning and growth. Such a program is essential to evaluate program effectiveness in each content area and to make judgements about resource allocation. The Superintendent shall develop guidelines to evaluate the instructional program to ensure its continued effectiveness. With prior Board approval, the Superintendent may conduct pilot programs deemed necessary to the continuing improvement of the instructional program.

The Superintendent shall report his/her findings regarding the effectiveness of the instructional program to the Board periodically, and, if necessary, shall recommend changes to the district's curriculum.

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Ref: Education Law §§1709(3); 1711(5)

Adoption date: 4/9/13

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### **DISPLAY OF THE FLAG**

The Board of Trustees believes that the flag of the United States is a symbol of the values of our nation, the ideals embedded in our Constitution and the spirit that should animate our district.

The district shall purchase a United States flag, flag staff and the necessary appliances for its display upon or near the school building. There shall be a flag on display in every assembly room of every school.

The flag shall be flown at full- or half-staff pursuant to law. In addition, the flag may be flown at half-staff to commemorate the death of a present or former Board member, present employee or student.

Consistent with national and state law and regulations and this policy, the Superintendent of Schools shall develop rules and regulations for the proper custody, care and display of the flag.

Ref: 4 USC §§5-9 (display of the flag)  
Education Law §§418; 419; 420 (requirement for the school to purchase,  
display and develop rules and regulations for the care and custody of the flag)  
Executive Law §§400-403 (rules for display of the flag)  
8 NYCRR Part 108 (flag regulations)

Adoption date: 4/9/13

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## DISPLAY OF THE FLAG REGULATION

### Flags Displayed Out-of-Doors and on Movable Hoists Indoors

A United States flag shall be displayed in front of our school building in every day that school is in session, weather permitting and at such other times as the Superintendent of Schools shall direct. Unless otherwise stated, the flags shall be flown at full-staff. The flags may also be displayed at night upon special occasions, at the discretion of the Superintendent, when it is desired to produce a patriotic effect. During inclement weather, the flag shall be placed conspicuously in the main room of the school building.

Weather permitting, the flags will be displayed on or near the main administration building of the district whenever the building is open to the public, and on the following days: New Year's Day, Martin Luther King, Jr. Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Flag Day, the Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Pearl Harbor Day and Christmas Day. If any of these days (except Flag Day) falls on a Sunday, the flag shall be displayed on the next day. In addition, the flag shall be displayed on each general election day and each day appointed by the President of the United States or by the Governor of New York as a day of general thanksgiving or for displaying the flag.

Flags shall also be displayed in or near every polling place on election days.

Flags shall be flown at half-staff on December 7th, Pearl Harbor Day, on September 11th, Remembrance Day, on days commemorating the death of a personage of great importance, and on days designated by the President or the Governor.

Flags on individual buildings will be flown at half-staff for 30 days if a present employee or student in that building dies. The flag shall also be flown at half-staff the day of the funeral of any former employee well-known in the school. This should be at the discretion of the Superintendent.

All flags in the district are to be flown at half-staff when a present Board member dies and are kept at half staff for 30 days. All flags are put at half-staff on the day of the funeral of a former Board member. All flags in the district are flown at half staff on the day of the funeral of a present employee or a present student.

The flag will not be displayed on days when the weather is inclement.

#### Hoisting of the Flag

The flag shall be hoisted briskly and lowered ceremoniously.

In half staffing the flag, it first should be hoisted to the peak for an instant and then lowered to the half-staff position. The flag shall be again raised to the peak before it is lowered for the day. The flag shall never be put at half mast in the middle of the day. It must be put at half mast in the morning only.

#### Indoor Flags and Those Not on Movable Hoists

There shall be a United States flag in each assembly room of the school. It is the duty of the teacher or other person in charge of each assembly room to ensure that the flag in the room is displayed from a staff standing at the audience's right as they face the stage. If the flag is placed on the platform, it should stand at the right of the speaker as he/she faces the audience and at the audience's left as they face the stage.

Adoption date: 4/9/13

Amended: 9/20/18



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**PROGRAMS FOR STUDENTS WITH DISABILITIES  
UNDER THE IDEA AND NEW YORK'S EDUCATION LAW ARTICLE 89**

The Board of Trustees shall make available a free appropriate public education to all students with disabilities who reside within its district and are eligible for special education and related services under the Individuals with Disabilities Education Act and Article 89 of New York's Education Law, and their implementing regulations. Special education and related services will be provided to eligible students with disabilities in conformity with their individualized education program (IEP) and in the least restrictive environment appropriate to meet their individual educational needs. Special education services or programs will be designed to enable a student with disabilities to be involved in and progress in the general education curriculum, to the extent appropriate to his/her needs.

The Board also shall make available special education and related services to eligible students with disabilities parentally placed in a nonpublic school located within the district, regardless of whether they are residents of the district. However, this obligation does not extend to resident students with disabilities who are placed by their parents in a nonpublic school within district boundaries because of a disagreement between the parents and the school district over the provision of a free appropriate public education. Nonpublic school students with disabilities who are not district residents but who reside within New York State will be provided programs and services in accordance with their individualized education services program (IESP). Nonpublic school students with disabilities who reside out-of-state will be provided services in accordance with their services plan (SP). (Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89 for more guidance on this topic).

In addition, to the maximum extent appropriate to their individual needs, eligible students with disabilities residing within the district and attending the district's public schools will be entitled to participate in school district academic, co-curricular and extracurricular activities available to all other students enrolled in the district's public schools. Such co-curricular and extracurricular activities may include athletics, transportation, recreational activities, school-sponsored special interest groups or clubs, and referrals to agencies that provide assistance to individuals with disabilities and the employment of students (including both employment by the school district and assistance in making outside employment available).

In providing a free appropriate public education to students with disabilities eligible under the IDEA and Article 89, the Board will afford the students and their parents the procedural safeguard rights they are entitled to under applicable law and regulations.

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The Board also will provide them with notice of such rights as required by law and regulation, using the form prescribed by the commissioner of education.

For purposes of this policy and others related to the provision of services to eligible students with disabilities, and consistent with applicable law and regulation, the word parent

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means a birth or adoptive parent, a legally appointed guardian generally authorized to act as the child's parent or authorized to make educational decisions for the child; a person in parental relationship to the child as defined in section 3212 of the Education Law; an individual designated as a person in parental relation pursuant to title 15-A of the General Obligations Law, including an individual so designated who is acting in the place of a birth or adoptive parent (including a grandparent, stepparent, or other relative with whom the child resides; or a surrogate parent who has been appointed in accordance with commissioner's regulations.

Eligible students with disabilities will be entitled to special education and related services until the end of the school year in which they turn 21 or until they receive a local high school or Regents diploma.

Students with disabilities who graduate with a local high school or Regents diploma; or a skills and achievement commencement or career development and occupational studies commencement credential remain eligible for services in districts that provide post-graduation services to non-disabled students under section 3202 of New York's Education Law.

Students with disabilities may not be required to take medication as a condition for receiving a free appropriate public education.

To ensure the provision of a free appropriate public education to all eligible students with disabilities:

1. School district staff will take steps to locate, identify, evaluate and maintain information about all children with disabilities within the district, including homeless children and children who are wards of the state, and children attending nonpublic school within the district (including religious schools), who are in need of special education.
2. The district will establish a plan and practice for implementing school-wide approaches and interventions in order to remediate a student's performance prior to referral for special education services. The district will provide general education support services, instructional modifications, and/or alternative program options to address a student's performance before referring the student to the Committee on Special Education (CSE). The Superintendent and Head Teacher will develop, implement and evaluate pre-referral intervention strategies (4321.2, School-wide Pre-referral Approaches and Interventions).

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3. School district staff will refer for evaluation a student who has not made adequate progress after an appropriate period of time when provided instruction under a response to intervention program.
4. The Board will appoint a committee on special education (CSE), and, as appropriate, CSE subcommittees, to assure the timely identification, evaluation and placement of eligible students with disabilities.
5. The Board will arrange for special education programs and services based upon the recommendation of the CSE or CSE subcommittee.

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6. The Superintendent shall establish a plan for the recruitment, hiring and retention of staff appropriately and adequately prepared to meet the needs of students with disabilities including, but not limited to, highly qualified special education teachers.
7. The Superintendent shall establish a comprehensive professional development plan designed to ensure that personnel necessary to carry out IDEA and Article 89 possess the skills and knowledge required to meet the needs of students with disabilities.
8. The Superintendent will establish a process for ensuring that district staff understand the right of students with disabilities to access and participate in the same academic, co-curricular and extracurricular programs and activities as all other students enrolled in the district's public schools, to the maximum extent appropriate to their individual needs.

### *Locate and Identify Students with Disabilities*

The district will conduct an annual census to locate and identify all students with disabilities who reside in the district, and establish a register of such students who are entitled to attend the public schools of the district during the next school year, including students with disabilities who are homeless or wards of the State. The census shall be conducted, and the registry maintained, in accordance with the requirements established in Commissioner's regulations.

The Superintendent will determine what other activities might be appropriate to help locate and identify students with disabilities. These may include, but are not limited to, the mailing of letters to all district residents regarding the availability of special education programs and services and their right to access such services, and/or the publication of a similar notice in school newsletters and other publications.

(Refer to policy 4321.10, Programs and Services for Parentally-placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89, for more information regarding how to locate and identify nonpublic school students with disabilities).

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### *Evaluation of Students with Disabilities*

To initially determine a student's eligibility for a free appropriate public education under the IDEA and Article 89, the district will conduct a full evaluation of the student in accordance within legally prescribed time lines. As set forth in Commissioner's regulations, the initial evaluation will include, at least, a physical examination, an individual psychological evaluation unless the school psychologist determines it unnecessary, a social history, an observation of the student in the student's learning environment to document the student's academic performance and behavior in the areas of difficulty, and other appropriate assessments or evaluations (including a functional behavioral assessment for a student whose behavior impedes his or her learning or that of others) to ascertain the physical, mental, behavioral and emotional factors that contribute to the suspected disabilities.

Once a student has been determined eligible to receive a free appropriate public education, the district will reevaluate the student with a disability whenever the student's parent requests a reevaluation, and when the district determines the educational and related services

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needs (including improved academic achievement and functional performance) of the child warrant a reevaluation. However, a reevaluation must take place at least once every three years, unless the student's parent and the district agree it is unnecessary.

### *Parental Consent for Student Evaluations*

Before conducting any type of evaluation, district staff will take steps to obtain written informed consent from a student's parent, as required by applicable law and regulations. They also will keep a detailed record of those attempts and their results, including phone calls and correspondence, visits to the parent's home and any responses received.

1. If a parent refuses to give consent for an initial evaluation, or fails to respond to such a request, the parent will be given an opportunity to attend an informal conference and ask questions about the proposed evaluation. Unless the referral for evaluation is withdrawn, if the parent continues to withhold consent, the Board will commence due process proceedings to conduct an initial evaluation without parental consent within the time lines established in Commissioner's regulations.
2. If a parent refuses to give consent for a reevaluation, or fails to respond to such a request, district staff will proceed with the reevaluation without parental consent if it has engaged in documented reasonable efforts to obtain such consent and the parent has failed to respond. If the district cannot document its efforts to obtain consent, the Board will commence due process proceedings to conduct a reevaluation without parental consent.

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3. If district staff is unable to obtain consent for the initial evaluation or reevaluation of a home schooled or a parentally-placed nonpublic school student, the Board will not commence due process proceedings to conduct the evaluation without parental consent, and will consider the student as not eligible for special education.

### *Conduct of Evaluations*

In conducting evaluations of students with disabilities, the district will use a variety of assessment tools and strategies, including parent-provided information, to gather relevant functional, developmental, and academic information for determining a student's eligibility for special education and related services, and the content of the student's individualized education program or individualized education services program or services plan in the case of nonpublic school students with disabilities (including information related to enabling the student to be involved in and progress in the general education curriculum).

The district also will assess a student in all areas of suspected disability, and the assessment and other evaluation used will not be discriminatory on a racial or cultural basis. In addition, students will be assessed in the language and form most likely to yield accurate information on what the student actually knows and can do academically, developmentally, and functionally, unless it is not feasible to do so.

In the case of students suspected of having a specific learning disability, the district will follow the procedures established in commissioner's regulations.

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The district will notify a student's parent of any determination that no additional data is needed and the reasons for such a determination. It will also inform the parent of his or her right to request an assessment, notwithstanding that determination.

### *Eligibility Determination*

The CSE or CSE subcommittee will determine whether a student is eligible for special education and related services under the IDEA and Article 89, as well as the student's educational needs.

The CSE or CSE subcommittee may not determine that a student is eligible for special education and related services if the determining factor is lack of appropriate instruction in the essential components of reading, including phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills), and reading comprehension strategies; or lack of appropriate instruction in math; or limited English proficiency.

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### *Committee on Special Education*

The members of the CSE and CSE subcommittees will include those individuals identified in applicable law and regulations, and their attendance at CSE and CSE subcommittee meetings will be required except as otherwise provided in law and regulations.

The parent of a student with disabilities is one of the mandated CSE and CSE subcommittee members and as such has a right to participate in CSE and CSE subcommittee meetings concerning the identification, evaluation, educational placement, and the provision of a free appropriate public education to their child. District staff will take steps to ensure the parent's participation, in accordance with the following:

1. CSE and CSE subcommittee meetings will be scheduled at a time and place that is mutually agreeable to the parent and the district.
2. The parent will be given at least five days notice of the time and place of a CSE or CSE subcommittee meeting, except as otherwise provided in law and regulation, along with notice of the purpose of the meeting, those who will attend (including name and title), and the parent's right to be accompanied to the meeting by person(s) the parent considers to have knowledge and special expertise about their child.
3. The parent and the district may agree to use alternative means of participation at CSE meetings, such as videoconferences or telephone conference calls.
4. District staff will take any action necessary to ensure that the parent understands the proceedings at CSE meetings, including arranging for an interpreter for deaf parents or parents whose native language is other than English.

The CSE or CSE subcommittee may meet without a student's parent only if district staff has been unable to obtain either parent's participation, and has a record of its attempts to arrange a mutually agreed upon time and place. Similarly, the CSE or CSE subcommittee may make a decision without the involvement of the student's parent only if district staff has been unable to

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obtain parental participation, even through the use of alternative means of participation, and has a record of its attempts to ensure parental involvement.

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### *Provision of Services:*

The Board will arrange for appropriate special education and related services recommended by the CSE or CSE subcommittee within 60 school days of the district's receipt of parental consent to evaluate a student not previously identified as a student with a disability, or within 60 school days of referral for review of a student with a disability, except as otherwise provided in law and regulations.

All staff responsible for the implementation of a student's individualized education program, or an individualized education services program or services plan in the case of parentally placed nonpublic school students with disabilities, will be provided information regarding those responsibilities (Refer to policy 4321.5 for more information on this topic).

### *Parental Consent for the Provision of Services:*

The Board acknowledges that parental consent for initial evaluation does not constitute consent for placement for the provision of special education and related services. Therefore, district staff will take steps to obtain written informed consent for the initial provision of special education and related services to an eligible student. The Board will be precluded by applicable law and regulations from commencing due process proceedings to override the parent's refusal to provide such consent or override the parent's failure to respond to such a request.

Cross ref: 1900, Parental Involvement (Title I)  
4000, Student Learning Objectives and District Instructional Goals  
5500, Student Records  
6700, Purchasing

Ref: The Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 *et seq.*;  
34 CFR Part 300  
N.Y. Education Law Article 89, §§4401 *et seq.*  
8 NYCRR Part 200

Adoption date: 6/11/13

Amended: 10/8/13

**(X) Required**

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**PROVISION OF SPECIAL EDUCATION SERVICES  
IN THE LEAST RESTRICTIVE ENVIRONMENT**

The Board of Trustees recognizes its responsibility to ensure that students with disabilities eligible for special education programs and services under the IDEA and Article 89 of New York's Education Law receive those services in the least restrictive environment appropriate to meet their individual educational needs.

Therefore, the district will not place students with disabilities in special classes or separate schools, or otherwise remove them from the regular educational environment unless the nature or severity of their disability is such that their education cannot be achieved satisfactorily in regular classes, even with the use of supplementary aids and services. In addition, the district will provide special services or programs to enable students with disabilities to be involved in and progress in the general curriculum, to the extent appropriate to their needs.

To fulfill its responsibility to educate students with disabilities in the least restrictive environment, the district will implement the provisions of section 200.6 of commissioner's regulations.

Furthermore, and pursuant to those provisions, students with disabilities placed together for purposes of receiving special education will be grouped by similarity of individual needs including their range of academic achievement, functional performance and learning characteristics; social and physical development, and management needs.

The Superintendent will establish a process for ensuring that the CSE or CSE subcommittee Chairperson, as appropriate, obtains an up-to-date copy of those provisions at the beginning of each school year, and copies of any amendments that become effective during the school year.

The Board also recognizes that the least restrictive environment requirements established by applicable law and regulations also extend to nonacademic settings. Therefore, the district will provide students with disabilities the opportunity to participate with non-disabled students in school-sponsored co-curricular and extracurricular activities, to the maximum extent appropriate to each individual student's needs. The district also will provide students with disabilities with supplementary aids and services the CSE or CSE subcommittee, as applicable, determines to be appropriate and necessary for the students to participate in such activities.

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.  
8 NYCRR §§200.2(b)(4); 200.6

Adoption date: 6/11/13

**(X) Required**

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**SCHOOL-WIDE PRE-REFERRAL APPROACHES AND INTERVENTIONS**

The Board of Trustees recognizes that the provision of academic and behavioral supports and targeted interventions for students who are not making academic progress at expected levels in the general curriculum may improve a student's performance, and help avert the need for referral for possible classification as a student with a disability. Therefore, the district will implement on a school-wide basis practices appropriate to enable all of the district's students to succeed in the general education environment.

The Superintendent will identify and take steps to implement a variety of practices appropriate to comply with this policy. Consistent with applicable law and regulation, those practices may include, for example:

1. Providing early intervention services with funds available under the IDEA and which may be coordinated with similar activities conducted under the Elementary and Secondary Education Act. Such services would be made available to students not currently identified as needing special education and related services, but who need additional support to succeed in a general education setting. This may include professional development that enables teachers and other staff to deliver scientifically based academic instruction and behavioral interventions, such as scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive and instructional software. It also may include educational and behavioral evaluations, services and supports.
2. Implementation of a Response to Intervention (RtI) program that includes the minimum requirements established by commissioner's regulations, and allows teachers and other staff to determine whether a student responds to scientific, research-based instruction or requires interventions beyond those provided to all students in the general education classroom.
3. Implementation of a Positive Behavioral Intervention and Support (PBIS) System that reduces school and classroom behavioral problems, and creates and maintains a safe and positive learning environment by promoting positive behavior in all students.

District implementation of any of the above practices will not impede or delay the appropriate evaluation of a student suspected of having a disability, and the student's right to a free appropriate public education.

**Note: As per New York School Board Association, a district's Response to Intervention Plan (RtI) can be used in lieu of AIS (8 NYCRR 100.2 (ee)(9) as long as the RtI program otherwise meets the requirements applicable to AIS. As a result, the Sagaponack Board of Trustees voted to rescind Policy 4325- Academic Intervention Services at their February 16, 2017 meeting and through formal resolution adopted the amended Response to Intervention (RtI) Plan at the same meeting.**

Cross-ref: 4000, Student Learning Objectives and Instructional Goals

Ref: Individuals with Disabilities Education Act, 20 USC §§1413(f); 1414(b)(6)(B)

34 CFR §§300.226; 300.307(a)(2)

8 NYCRR §§100.2(ii); 200.2(b)(7)



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### **ALLOCATION OF SPACE FOR SPECIAL EDUCATION PROGRAMS**

The Board of Trustees recognizes its responsibility to ensure that appropriate space is available for:

1. Special programs and services provided to meet the needs of students and preschool students with disabilities both within its own facilities, and in programs provided by the board of cooperative educational services (BOCES) and attended by district residents; and
2. Serving students with disabilities in settings with non-disabled peers, as well.

The district will address such space allocation needs as part of its annual budget cycle, during the annual or any more frequent re-evaluation of its long-range educational facilities plan.

Through the Superintendent, the district also will share with the BOCES District Superintendent information relevant for the BOCES to determine its own facility space needs for serving the district's resident students and preschool students with disabilities.

As part of the process for ensuring the allocation of appropriate space for special education programs and services and serving students with disabilities in settings with non-disabled peers, the Superintendent, in consultation with appropriate school personnel will, at a minimum:

1. Periodically gather information regarding the number of students and preschool students with disabilities presently participating and anticipated to continue to participate in the district's special education programs and services, the type of programming they presently receive and may receive in the future, as well as the setting in which those services are and/or will be provided.
2. Review the results of the district's latest census, and other district child find efforts, including child find activities conducted with respect to parentally-placed nonpublic school students with disabilities.

3. Anticipate any projected increase in the number of students and preschool students with disabilities the district will be responsible for providing special education programs and services to, the anticipated type of services they will be receiving and the settings in which those services will be provided.
4. Based on the above information, review current space capacity, and identify any additional space requirements to meet both current and future needs.

Cross-ref: 4321, Programs and Services for Students with Disabilities under the IDEA and New York's Education Law Article 89  
4321.10, Programs and Services for Parentally-Placed Nonpublic School Students with Disabilities under the IDEA and New York's Education Law Article 89

Ref: Individuals with Disabilities Education Act, 20 USC §§1400 et seq.  
Education Law §§3602(10)  
8 NYCRR §§155.1(a); 200.2(c)(iv),(v); 200.2(g)

Adoption date: 4/9/13  
Amended date: 3/11/14

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### INDEPENDENT EDUCATIONAL EVALUATIONS

The Board of Trustees recognizes the right of parents or guardians of a student who has or is thought to have a disability to receive an independent evaluation at public expense if they disagree with the evaluation obtained by the Committee on Special Education (CSE) or the Committee on Preschool Special Education (CPSE).

The independent examination shall be conducted by a qualified examiner who is not employed by the school district responsible for the child's education. Upon request, parents will be provided with a list of public and private agencies and professional resources where independent evaluations may be obtained. These publicly-funded independent evaluations shall be limited to the same geographic and fiscal limitations as used by the district when it initiates an evaluation.

The district has the right to initiate an impartial hearing to demonstrate that its evaluation is appropriate. If the hearing officer determines that the district's evaluation was appropriate, a parent or guardian is not entitled to reimbursement at public expense.

The Board directs the Superintendent of Schools to develop regulations establishing maximum allowable fees for specific tests, the geographic area in which such evaluations may take place, and minimum qualifications of the professionals who administer and interpret various tests; and a reasonable timeline for seeking reimbursement.

Cross-ref: 4321, Programs for Students with Disabilities

Ref: 20 USC §1415(d)(2)(A)  
34 CFR §300.502  
8 NYCRR §§200.1(z); 200.5(a); 200.5(b); 200.5(c); 200.5(g)

Adoption date: 6/11/13

**(X) Required** Local Notice

**CONFIDENTIALITY AND ACCESS TO INDIVIDUALIZED EDUCATION  
PROGRAMS, INDIVIDUALIZED EDUCATION SERVICES PROGRAMS AND  
SERVICE PLANS**

The Board of Trustees recognizes the importance of ensuring the confidentiality of personally identifiable data pertaining to a student with a disability. Personally identifiable data will not be disclosed by any school district employee or member of a CSE/CPSE to any person (other than the parent of such student), organization or agency unless the parent or guardian of the child provides written consent; there is a valid court order for such information; or disclosure is permitted by law.

Personally identifiable data is defined in the policy on Student Records, 5500.

The Board of Trustees, while acknowledging the confidentiality requirement, believes that in order for each student with disabilities to receive the full benefit of his/her Individualized Education Program (IEP), Individualized Education Services Program (IESP) (for New York State resident students placed by their parents in nonpublic schools located in the district) or Services Plan (SP) (for out-of-state resident students placed by parents in nonpublic schools located in the district), individuals responsible for implementing the program or plan must, prior to the implementation, fully understand the scope of their responsibility and the specific accommodations, modifications, supports and/or services to be provided.

To this end, this policy establishes procedures to ensure that any person having a responsibility to provide a service support, accommodation or program modification for the student in accordance with that student's IEP, IESP or SP will be informed of his/her responsibilities under the IEP, and receive or have access to a copy of or have access to the student's IEP, IESP or SP as specified below.

**I. IEP, IESP or SP Copies**

At a CSE, CSE Subcommittee or CPSE meeting for each student, a determination will be made as to which regular education teachers, special education teachers, related service providers and other service providers have responsibility to implement the recommendations on the student's IEP, IESP or SP. "Other service provider" means a representative of another public school district, charter school, BOCES program, child care institution school, Special Act school district, State-supported school, approved private in-state or out-of-state school and an approved preschool provider where the student receives or will receive IEP, IESP or SP services.

Prior to implementation of any IEP, IESP, or SP, the CSE, CSE Subcommittee and CPSE Chairpersons must ensure that a paper or electronic copy of each student's IEP, IESP or SP is provided to each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for implementation of the

program or plan, or they are able to access it electronically. If access is provided electronically, the CSE Chairperson or designee will notify and train the individuals on how to access the document.

These individuals responsible for implementing an IEP, IESP or SP will, in turn, ensure that all supplementary school personnel (teacher aides and teacher assistants) and other providers responsible for assisting in implementation are given the opportunity to review their copy of the IEP, IESP or SP prior to program implementation as well as have ongoing access to such copy.

## II. Notification of Responsibilities

In addition to disseminating copies of a student's IEP, IESP or SP, CSE, CSE Subcommittee and CPSE Chairpersons must designate one or more professional employees of the district with knowledge of the student's disability and program to inform each regular education teacher, special education teacher, related service provider, and any other service providers, supplementary school personnel, other provider, and support staff person (who has direct contact with the student based in their assigned duties) of their responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP, IESP or SP. In selecting the professional staff person(s), the chairperson could select themselves for this responsibility, another administrator, or a teacher, related service provider or other professional, as appropriate.

## III. Confidentiality

All copies of a student's IEP, IESP or SP provided or made accessible under this policy must remain confidential, and will not be redisclosed to any other person, except in accordance with the Individuals with Disabilities Education Act (IDEA) and the Family Educational Rights and Privacy Act (FERPA). To ensure such confidentiality, the CSE and CPSE Chairpersons must include with each IEP, IESP or SP copy provided or made accessible under this policy, a copy of the Board's policy on student records (Policy 5500). All IEP, IESP or SP copies must remain in a secure location on school grounds at all times. If IEP copies are transmitted and/or provided electronically, security systems (e.g., password protect a file or folder) must be implemented to prevent unauthorized internal and external access to the student's IEP, IESP or SP.

## IV. Documentation

The designated professional employee(s) defined in section II above must obtain the signature of each person covered by this policy, indicating that he or she:

1. has received either a copy of or electronic access to the student's IEP, IESP or SP or the opportunity to review the IEP, IESP or SP prior to its implementation, as required under state law and regulation;
2. has been informed of their responsibilities for implementation;
3. has knowledge of where the IEP, IESP or SP is to be maintained and how to access it;
4. has an understanding of the confidentiality requirements.

At the end of the school year or whenever the IEP has been revised, the CSE and CPSE Chairperson shall collect all IEP copies provided under this policy and destroy them.

Cross-ref: 4321, Programs for Students with Disabilities Under IDEA and Article 89  
5500, Student Records

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1400 et seq.  
Family Educational Rights and Privacy Act (FERPA), 20 USC §1232g; 34 CFR Part 99  
Education Law §4402(7)  
8 NYCRR §§200.2(b) (10); 200.4(e)(3); 200.16(e)(6)  
New York State Education Department, Vocational and Educational Services for  
Individuals with Disabilities (VESID), SED Guidance Document, Providing copies of the  
IEPs for Students with Disabilities, 5/13/03,  
(<https://www.p12.nysed.gov/specialed/publications/policy/chap408final/pdf>)

Adoption Date: 6/11/13  
Amendment Date: 5/9/23

**Required**

Local

Notice

### **AVAILABILITY OF ALTERNATIVE FORMAT INSTRUCTIONAL MATERIALS FOR STUDENTS WITH DISABILITIES**

The Board of Trustees recognizes its responsibility to ensure that all the instructional materials used in the district's schools are made available in a usable alternative format for students with disabilities in accordance with their individual educational needs and course selection at the same time as those materials are available to non-disabled students. In accordance with applicable law and regulations, any such alternative format procured by the district will meet the National Instructional Materials Accessibility Standard.

For purposes of this policy, alternative format will mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a student with a disability enrolled in the school district, including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file. An electronic file must be compatible with at least one alternative format conversion software program.

The Superintendent will develop a plan to ensure the availability of alternative format materials in accordance with the timeliness requirements of this policy. Such a plan will provide for:

1. Preference to vendors who agree to provide instructional materials in alternative formats, and to reflect this requirement in the bidding specifications used for the procurement of instructional materials.
2. Consultation with appropriate school personnel regarding how students will access electronic files. The district's staff will be notified of any need to convert electronic files into an accessible format such as Braille, large print, audio, or alternative display.
3. The availability of hardware and/or software a student with disabilities in need of alternative format materials might require to access the instructional material.
4. The yearly review of the district's ordering timelines for the purchase of instructional materials to ensure sufficient lead time for obtaining needed alternative format materials.



5. Notification to appropriate school personnel by the CSE, CSE subcommittee, CPSE and Section 504 Committee Chairperson whenever it is determined that a student needs instructional materials in alternative format. Such notice also will identify the particular alternative format needed, and any assistive technology devices or services the student might need to access the alternative format materials.
6. Notification by classroom teachers of the books they will be using in class and any list of required readings with sufficient lead time in anticipation of the district's timelines for the purchase of instructional materials.
7. Timely request of state assessments in alternative format.

Cross-ref: 6700, Purchasing

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1474(e)(3)(B)  
Education Law §§1604(29-a); 1709(4-a) 1950(4-a); 2503(7-a); 2554(7-a); 3602(10)(b)  
8 NYCRR §§200.2(b)(10)  
State Education Department, Office of Vocational and Educational Services for Individuals with Disabilities (VESID), Policy 02-05 Amendment to Section 200.2 of the Regulations of the Commissioner Implementing Chapter 377 of the Laws of 2001: Plans to Provide Instructional Materials in Alternative Formats for Students with Disabilities, May 2002, available electronically from the VESID website at [www.vesid.nysed.gov/specialed/publications/policy/alterformat502.htm](http://www.vesid.nysed.gov/specialed/publications/policy/alterformat502.htm)

Adoption date: 6/11/13

**(X) Required**

(x) Local

(x) Notice

## **DISTRICTWIDE AND STATEWIDE ASSESSMENTS OF STUDENTS WITH DISABILITIES**

The Board of Trustees recognizes the importance of offering access and appropriate testing accommodations to eligible students so that they can participate in assessment programs on an equal basis with their nondisabled peers. Two elements that contribute to an effective assessment program are proper use of accommodations and use of universal design principles in developing and administering tests.

### Testing Accommodations

Testing accommodations provide an opportunity for students with disabilities to:

- Participate in the instructional and assessment program;
- Demonstrate their strengths, knowledge and skills without being restricted by their disability; and
- Provide an accurate measure of the standards being assessed so that appropriate instruction and services can be provided.

Testing accommodations are changes made in the administration of the test in order to remove obstacles to the test-taking process that are presented by the disability without changing the constructs being tested. Examples of testing accommodations are: flexibility in scheduling/timing; flexibility in the setting for the administration of the test; changes in the method of presentation and changes in the method of response. Testing accommodations are neither intended nor permitted to: alter the construct being measured or invalidate the results, provide an unfair advantage for students with disabilities over students taking the test under standard conditions or substitute for knowledge or abilities that the student has not attained.

The Committee on Special Education, the Subcommittee on Special Education or the Committee on Preschool Special Education is responsible for recommending the appropriate test accommodations and including those recommendations on the student's Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Service Plan (SP). If it is determined that a student should participate in alternative assessments instead of the standard statewide or district-wide tests, the CSE must indicate the reasons for doing so on the IEP, IESP or SP. The 504 Multidisciplinary Committee will include the appropriate test accommodations as part the 504 plan.

The recommendations will be reviewed annually by the CSE, CSE subcommittee, CPSE or 504 team. The Board acknowledges the importance of integrating the assessment program with the instructional program and, to that end, encourages effective communication among district staff so that

**4321.7**

implementation is consistent and fair. The goal is to provide effective assessments that allow students to benefit from their educational program.

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In some situations, a building principal may authorize the use of testing accommodations in accordance with this policy. Those instances are limited to cases where a regular education student incurs a disability, such as, but not limited to, a broken arm, without sufficient time for the CSE, CPSE and/or Section 504 Committee to make a recommendation prior to a test. They do not include cases where the student is already being evaluated to determine his or her eligibility for status as a student with a disability. In exercising this authority, the building principal will rely on his or her professional judgment. He or she also may confer with CSE, CPSE and/or Section 504 Committee members.

### Universal Design Principles in District wide Assessments

The Board of Trustees recognizes the benefits of using the principles of universal design to further the goal of ensuring equal access to district wide assessments and to ensure the most accurate measure of the performance of all students. The Board directs the Superintendent, in consultation with appropriate school staff, to examine how universal design principles can be incorporated into the district's assessment program, and to facilitate its use to the extent feasible. Any steps taken in this regard will be consistent with this policy and applicable State Education Department policy and/or guidance on the use of universal design principles.

At a minimum, the Superintendent will explore how district assessments can be:

1. Made more usable by students with diverse abilities.
2. Designed to better accommodate a wide range of individual preferences and abilities.
3. Made more understandable.
4. Made to communicate necessary information to students more effectively.
5. Designed to minimize adverse consequences of accidental or unintended actions.
6. Used more efficiently and comfortably and with a minimum of student fatigue.

Cross-ref: 4321, Programs for Students with Disabilities  
4321.5, Confidentiality and Distribution of IEP, IESP and SP  
5020.3 Students with Disabilities and Section 504

Ref: Individuals with Disabilities Education Act (IDEA), 20 USC §§1401(35);  
1412(a)(16)(E);  
34 CFR §§ 300.44  
Assistive Technology Act, 29 USC 3002(19)  
8 NYCRR §§ 200.1(jjj); 200.2(b)(13,14); 200.4(d)(2)(vi)

Adoption date: 6/11/13

**(X) Required** Local Notice**IMPARTIAL HEARING OFFICER APPOINTMENT AND COMPENSATION**

The Board of Trustees will appoint impartial hearing officers (IHO), as needed, to hear complaints regarding the identification, evaluation, or placement of students with disabilities, or the provision of a free appropriate public education to such a student in accordance with the rotational selection process and other applicable procedures described in Commissioner's regulations.

*Selection*

The updated list of certified IHOs for this county promulgated by the New York State Education Department will be used in connection with requests for impartial hearings. The list shall also include the names of those other certified IHOs whose names appear on the state list and who have indicated to the district their interest in serving as an IHO in the district.

Upon receipt of a request for an impartial hearing, the rotational selection process for the IHO shall be initiated immediately and always within two (2) business days after receipt by the district of such written request. Should an IHO decline appointment, or if within 24 hours the IHO fails to respond or is unreachable after reasonable efforts by the District Clerk or designee, such efforts will be documented through independently verifiable efforts. The district representative shall then proceed through the list to determine availability of the next successive IHO.

The District Clerk or other person so designated, under the direction of the Superintendent of Schools, shall initiate the selection process by contacting the impartial hearing officer whose name first appears after the impartial hearing officer who last served. The District Clerk or designee shall canvass the list in alphabetical order as prescribed by the Regulations of the Commissioner of Education until an appointment is accepted. Pursuant to the Regulations of the Commissioner of Education, if an impartial hearing is currently pending for the same student when a new hearing request is received, the district will appoint the same IHO, if available, who will determine whether or not to consolidate the hearings. Additionally, if the new hearing request concerns an issue which had been previously withdrawn in the 12 months prior, the district shall appoint the same IHOI, if available.

An IHO on the district's rotational list may not accept appointment unless he or she is available to:

1. Make a determination on the sufficiency of the due process complaint that will be heard at the hearing within five days of receiving such a request; and
2. Initiate the hearing within the first 14 days after either:
  - The date on which he or she receives written notice that the parents and the district waived their right to hold a resolution meeting to resolve their differences prior to commencement of the hearing, or met but were unable to reach agreement; or
  - The expiration of the 30-day period beginning with the receipt of the due process complaint, whichever occurs first.

*Appointment*

The Board President, or in his or her absence or inability the Vice President, will appoint an IHO immediately after the IHO selected from the rotational list indicates he or is available.

## SAGAPONACK

The Board will rescind the appointment of an IHO and appoint a new one if, the parties to the hearing mutually agree that the IHO is either incapacitated or otherwise unavailable or unwilling to continue the hearing or issue a decision. The appointment of a new IHO in such an instance will be made in accordance with the selection and appointment procedures established by this policy.

### *Compensation*

The district shall compensate an impartial hearing officer for his or her services at the rate established for such purpose by the Director of the Division of the Budget. Currently, this rate is \$100.00 per hour for pre-hearing, hearing, and post-hearing activities. In addition, impartial hearing officers may be reimbursed for reasonable, actual and necessary expenses for automobile travel, meals and overnight lodging in accordance with the current district reimbursement rate set for district employees. Mailing costs associated with the hearing will also be reimbursed. The District will not reimburse impartial hearing officers for administrative assistance, secretarial or other overhead expenses.

### *Cancellation*

The district shall attempt to provide an Impartial Hearing Officer with two (2) business days' advance notice of the cancellation or re-scheduling of an impartial hearing. Should the district request the cancellation or re-scheduling of a hearing date and fail to provide an Impartial Hearing Officer with two (2) days notice, the district agrees to pay the Impartial Hearing Officer a fee of \$100.00. The district shall not be responsible for costs associated with a parent or guardian's cancellation or adjournment of a hearing.

A copy of this policy will be forwarded to the impartial hearing officer at the time of appointment.

Records relating to the IHO process including, but not limited to, the request for initiation and completion of each impartial hearing will be maintained by the district and such information will be reported to the Office of Vocational and Educational Services for Individuals with Disabilities of SED as required by Commissioner's regulations.

Ref: 8 NYCRR §§200.2; 200.5; 200.21

Adoption date: 4/9/13

Amended date: 3/11/14

**(X) Required** Local Notice**DECLASSIFICATION OF STUDENTS WITH DISABILITIES**

The Board of Trustees recognizes that it may be appropriate to declassify some students with disabilities. A student may mature and develop skills such that they no longer require the special program, support services or accommodations offered by an Individualized Education Program (IEP), Individualized Education Services Program (IESP) or Services Plan (SP). The Committee on Special Education (CSE), the CSE Subcommittee or, the Committee on Preschool Special Education (CPSE), as applicable, is responsible for making this judgment, while adhering to the requirements of federal and state law and regulation.

*Reevaluation*

Prior to determining that a student is no longer eligible for special education services and should be placed in a full-time regular education program, the CSE, CSE subcommittee, or CPSE, as applicable, will conduct a declassification evaluation of the student in accordance with the process and procedures prescribed for the evaluation and reevaluation of students with disabilities, by applicable law and regulations. However, the CSE, CSE subcommittee, or CPSE members may determine after reviewing existing evaluation data that no additional information is needed to determine the student's continued eligibility for services.

When a determination is made that no additional data is needed for reviewing a student's continued eligibility for special education services, the CSE, CSE subcommittee, or CPSE Chairperson, as applicable, will notify the student's parents of that determination and the reasons for it, and of their right to nonetheless request an assessment. Unless the student's parents make such a request, the district will not conduct any further assessments.

The district will provide the student's parents with a copy of the reevaluation report and documentation regarding the eligibility determination.

Consistent with applicable law and regulation, the district will not conduct a declassification evaluation if the reason why a student is determined to be ineligible for special education services is that he or she has either:

1. Graduated with a regular high school or Regents diploma; or
2. Exceeded the age of eligibility for services.

However, in such an instance the district will provide the student with a summary of his or her academic achievement and functional performance that also includes recommendations on how to assist the student in meeting his or her post-secondary goals.

#### *Declassification Support Services*

It is the goal of the Board of Trustees to provide an opportunity for the student to succeed in the transition to the regular education program. In order to facilitate that success, the CSE/CPSE may offer educational and support services for a period of time, not to exceed one year. Declassification support services may include:

1. For the student, psychological services, social work services, speech and language improvement services, non-career counseling, and other appropriate support services.
2. For the student's teachers, the assistance of a teacher aide or a teaching assistant, and consultation with appropriate personnel.

The CSE/CPSE will ensure that the appropriate teachers and service providers are informed of the need for the transition services, and will specify the nature and duration of those services.

Cross-ref: 4321, Programs for Students with Disabilities

Ref: 8 NYCRR §§100.1 (q); 200.2 (b)(8), 200.4 (b)(4-6), (c)(3)

Adoption date: 4/9/13

**Required**

Local

Notice

**PUBLIC REPORT ON REVISIONS TO DISTRICT POLICIES, PRACTICES AND PROCEDURES UPON A FINDING OF SIGNIFICANT DISPROPORTIONALITY**

The Board of Trustees recognizes that, despite the district's best efforts, there may be times when there might be a disproportionate representation of racial and ethnic groups in its special education programs and services, and/or with respect to the suspension of students with disabilities. To minimize the risk of such an occurrence, the Board has endeavored to adopt policies, practices and procedures for the district that are consistent with the IDEA and Article 89 of New York's Education Law, and their implementing regulations.

Nonetheless, upon learning of a significant dis-proportionality either in the suspension, identification, classification and/or placement of the district's students with disabilities, the Board will immediately review the district's policies, practices and procedures to determine whether they are fully compliant with the requirements of the IDEA and Article 89, or require revisions. If changes are needed, the Board will take immediate steps to adopt and implement any and all necessary revisions.

The Board will inform the public of any revisions to the district's policies, practices and procedures undertaken as a result of a finding of significant dis-proportionality. The Superintendent will notify school personnel responsible for implementing the revisions.

Cross-ref: 4321 *et seq.* as appropriate.

Ref: Individuals with Disabilities Education Act, 20 USC §§1412(a)(24); 1418(d);  
34 CFR §§300.173; 300.646  
8 NYCRR §§200.2(b)(15).

Adoption date: 4/9/13



**Required**

Local

Notice

### **PRESCHOOL SPECIAL EDUCATION**

The Board of Trustees recognizes the value of early intervention to address the needs of preschool children with disabilities. The Board further recognizes its responsibility to ensure that all resident preschool children with disabilities have the opportunity to participate in preschool programs, approved by the Commissioner of Education, from which they may benefit educationally. The Board authorizes the Superintendent of Schools to establish administrative practices and procedures which shall include:

1. locating, identifying, evaluating, referring and placing all preschool children (generally ages three and four) with disabilities. The register of children eligible to attend a preschool program is to be maintained and revised annually by the Committee on Preschool Special Education (CPSE);
2. ensuring that the parent(s)/guardian(s) of preschool age children with disabilities have received and understand the request for consent for evaluation of their child;
3. developing an individualized education program (IEP) for each preschool age child with a disability;
4. appointing and training appropriately qualified personnel, including the members of the CPSE;
5. maintaining lists of impartial hearing officers and of State Education Department-approved special education programs within the county and adjacent counties in which the district is located;
6. preparing and keeping on file summary reports of student data including the number of preschool students with disabilities served, as well students referred but not served and the reasons why they are not served; and
7. reporting to the State Education Department the data on preschool children with disabilities as required, on a form prescribed by the Commissioner.

The duties described above will be carried out within the timeframes established by statute and regulation.

The Board of Trustees hereby establishes the CPSE as required under the Education Law. Its responsibilities will include the evaluation and recommendation for placement in appropriate approved programs and the provision of appropriate special education programs and services for each preschool child with a disability. The CPSE shall review, at least annually, the status of each preschool child with a disability. It is ultimately the responsibility of the Board to arrange for the appropriate approved preschool program and services for the district's children. Should the Board disagree with the CPSE's recommendations, it shall send the recommendation back to the CPSE so that they may schedule a timely meeting to review the Board's concerns and to revise the IEP, as deemed appropriate.

In the event that a parent/guardian files a due process complaint, a meeting must be convened between the parent/guardian and representatives of the district to try and resolve the complaint within 15 days of receiving the notice, and before the initiation of an impartial hearing. Parents/guardians and the district will jointly determine who should be present at this meeting.

If an agreement cannot be reached, parent/guardians shall be offered mediation to resolve complaints regarding the education of preschool children with disabilities at the same time notice of the availability of an impartial hearing is provided.

The CPSE shall make an annual report on the status of each preschool child with a disability and report on the adequacy of preschool special education programs and services to the Board.

The Board directs the Superintendent to develop and maintain a plan which incorporates information concerning the provision of services for preschool children with disabilities, pursuant to the Regulations of the Commissioner of Education.

Cross-ref: 4321 Programs for Students with Disabilities  
4321.3 Allocation of Space for Special Education Programs  
4321.4 Independent Educational Evaluations  
4321.5 Confidentiality and IEP Distribution  
4321.8 Hearing Officer Appointment and Compensation  
4321.14, Special Education Personnel

Ref: Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.  
34 CFR §§300.12; 300.503  
Education Law §4410  
8 NYCRR Part 200, 200.2, 200.5, 200.16

Adoption date: 4/9/13

**(X) Required**

( ) Local

( ) Notice

### **SPECIAL EDUCATION PERSONNEL**

The Board acknowledges its responsibility to recruit, hire, train and retain highly qualified personnel, as defined in the federal Individuals with Disabilities Education Act (IDEA) and its accompanying regulations and in Article 89 of New York State Education law and its accompanying regulations, to provide special education programs and services. In addition, the Board is committed to appointing appropriately qualified personnel to the Committee (and subcommittee) on Special Education (CSE) and Committee (and subcommittee) on Preschool Special Education (CPSE).

The Board will fulfill its obligation with regard to special education personnel by taking measurable steps including, but not limited to the following:

1. Actively recruit personnel who possess prior experience working with students with disabilities.
2. Solicit resumes from graduates of institutions of higher education that offer programs in special education.
3. Seek candidates for teaching positions who are dually certified, to the extent possible.
4. Ensure that every member of the professional staff participates in annual professional performance reviews and professional development plans.
5. Provide appropriate on-going training and professional development to CSE and CPSE members, and other special education program and service providers to ensure their continuing awareness of their obligations and responsibilities under the law.

The Superintendent is responsible for ensuring that the professional staff is appropriately certified, licensed and trained and that they meet the “highly qualified” standard established in federal and state law. In the event that highly qualified individuals are not available, despite the best efforts of the administration, the Board recognizes its responsibilities to meet the alternative standards established by the State Education Department. The Superintendent, shall prepare an annual report to the Board which provides information about the certifications and qualifications of the special education professional personnel, as well as a summary of the professional development opportunities offered.

Cross-ref: 4321, Programs for Students with Disabilities  
9240, Recruiting and Hiring  
9700, Staff Development

Ref: Individual with Disabilities Education Act, 20 USC §§ 1412(a)(14), 1413(a)(3)  
34 CFR §§ 300.156, 300.207  
Education Law §4410  
8 NYCRR § 200.2(b)(3,12)

Adoption date: 4/9/13

**(X) Required**

(x) Local

( ) Notice

**PROGRAMS FOR THE GIFTED AND TALENTED**

The Board of Trustees encourages the utilization of activities for the gifted to provide a flexible program to promote individual academic growth. The Superintendent shall be responsible for providing innovative leadership required for such a program.

Ref: Education Law §§3602(23); 4451-4453  
8 NYCRR Part 142; §§117.3(c)(3),(f)

Adoption date: 4/9/13

( ) Required

**(X) Local**

(x) Notice

### **ACADEMIC INTERVENTION SERVICES**

The Board of Trustees is committed to providing academic intervention services to students at risk of not meeting the state learning standards. Such services may include additional instruction supplementing the instruction provided in the general curriculum and/or student support services such as guidance, counseling, attendance and study skills needed to support improved academic performance.

Eligibility for academic intervention services will be determined based on a student's performance on state assessment exams and/or in accordance with the uniformly applied district-developed district-adopted procedures. Eligible students will receive services consistent with law and regulations which shall commence no later than the beginning of the semester following a determination that a student is eligible for such services.

#### Parental Notification and Involvement

Notification on Commencement of Services. The Head Teacher will notify the parents of a student determined to be in need of academic intervention services, in writing, upon the commencement of such services. Such notification will include:

- A summary of the academic intervention services to be provided;
- The reason the student needs such services; and
- Consequences of not achieving expected performance levels.

Notification on Ending of Services. The Head Teacher will notify the parent in writing when academic intervention services are no longer needed. Such notification will include:

- The criteria for ending services; and
- The performance levels obtained on district selected assessments, if appropriate.

In addition, the district will provide for ongoing communication with parents which must include opportunities to consult with teachers and other professional staff, regular reports on the student's progress and information on ways to monitor and work with educators to improve the student's performance.

All parental notifications and communications will be done in English and translated, when appropriate, into the native language or mode of communication of the parents.

Description and Review of Academic Intervention Services

The Superintendent of Schools, in consultation with the Head Teacher, shall maintain a description of academic intervention and/or student support services for the school. This description will include any variations in services in the district and will specifically delineate:

- the district-wide procedures used to determine the need for academic intervention services;
- the academic intervention instructional and/or support services to be provided;
- whether instructional services and/or support services are offered during the regular school day or during an extended school day or year; and
- the criteria for ending services, including, if appropriate, performance levels that students must obtain on district-selected assessments.

The Superintendent, bi-annually, shall review and revise the description of academic intervention services based on student performance results and present such revised description to the Board for approval.

Ref: 8 NYCRR §§100.1(g); 100.2(r), (ee); 100.4(b)(4), (d) (Academic Intervention Services)

Adoption date: 4/9/13

Required

Local

Notice

### **PROGRAMS FOR ENGLISH LANGUAGE LEARNERS**

The Board of Trustees believes that students who, by reason of foreign birth or ancestry, have limited English proficiency (referred to here as “English Language Learners” or ELLs), will be more effective learners of both the language and the curriculum if they receive instruction in both their native language and English. The district will therefore take steps to identify ELL students and provide ELL students with an appropriate program of either Bilingual Education or English as a New Language.

Pursuant to this policy and the regulations of the Commissioner of Education, the Superintendent of Schools is directed to develop appropriate administrative regulations to ensure that students are:

1. screened to determine if the student is an ELL, in accordance with Parts 117 and 154 of the Commissioner's Regulations, a process that will include interviews and assessments and will assign each ELL student to the appropriate subpopulation (newcomer, developing, long term, former or inconsistent/interrupted formal education);
2. identified, as appropriate, as an ELL student with a disability;
3. annually evaluated to determine continued ELL eligibility. Included in the evaluation shall be each student's performance in English language proficiency and academic progress in content areas;
4. assured of access to appropriate instructional and support services, including guidance programs within the timeframes provided by Commissioner's Regulations; and
5. assured of having equal opportunities to participate in all school programs and extracurricular activities as non-ELL students.

The Superintendent shall be responsible for ensuring that the Commissioner of Education is provided with a comprehensive plan that describes the district's ELL program and includes all information specified in the Commissioner's Regulations, before the start of each school year. The district will also provide assurances that the district is providing appropriate school-related information to the parents (or persons in parental relation) of ELL students in English and the language they best understand.

The district will provide an orientation program annually for ELL parents and will meet individually with ELL parents at least once a year, in addition to regular parent/teacher meetings.

## SAGAPONACK

In addition, the Superintendent shall ensure that all teachers employed in any Bilingual and/or English as a New Language program are properly certified in accordance with the Commissioner's Regulations, and that all staff receive appropriate professional development on ELL students.

Cross-ref: 4321, Programs for Students with Disabilities  
9700, Professional Development

Ref: Education Law §3204  
English Acquisition, Language Enhancement, and Academic Achievement Act, 20 USC §§6801 et seq  
Equal Educational Opportunities Act of 1974, §§201 et seq.,  
20 U.S.C. §§1701 et seq.  
8 NYCRR §§80-2.9; 80-2.10; 117; Part 154  
*Lau v. Nichols*, 414 U.S. 563 (1974)  
*Rios v. Read*, 480 F. Supp. 14 (1978)  
*Cintron v. Brentwood UFSD*, 455 F. Supp 57 (1978)  
*Aspira of New York v. Board of Educ. (City of New York)*, 394 F. Supp. 1161 (1974)

Adoption date: 4/9/13

Amended date: 6/8/15



**PROGRAMS FOR ENGLISH LANGUAGE LEARNERS EXHIBIT  
PLACEMENT IN A LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM –  
PARENTAL NOTIFICATION**

Dear Parent/Guardian:

Your child (insert child's name) has been identified as an "English Language Learner;" a student in need of help to learn English and the district is recommending placement in a (insert name of program). We have determined (insert child's name) eligibility, and placed (him or her) in such a program based on (insert reasons). Please review this letter, choose one of the options (see below) and sign and return the attached form within 5 school days.

(Child's name) is performing at (insert status of child's academic achievement). We have determined (his or her) level of English proficiency at (insert level) based on (insert how the district assessed that level).

We believe that placement in a (insert name of English instruction program) will help (insert child's name) both to learn English and increase (his/her) level of academic performance. Attached is a series of questions and answers we hope will help you better understand the program in which we have placed (insert child's name) and the benefits of that program.

The district will hold regular meetings at least twice a year for parents/guardians of English learners and we encourage you to attend. At those meetings, we will provide you with information about New York State's Learning Standards and the school's expectations that will help you to better understand the goals of your child's program, and suggest ways you can help (insert child's name). In between meetings we are always ready to listen and respond to any questions and recommendations you might have. District staff will also meet with you individually once a year, in addition to regular parent/teacher meetings, to discuss your child's language development progress, English language proficiency assessment results, and language development needs in all content areas.

However, you should know that you have the right to:

1. request that (insert child's name) be immediately withdrawn from the instructional bilingual program that the district has offered your child and schedule a meeting with the building principal and the district supervisor of bilingual education. At a minimum, however, (insert child's name) must participate in an English as a New Language program;
2. request placement in another available program or method of instruction;
3. request assistance in selecting from among the various programs and methods of instruction available; and

4. accept the district's recommended placement.

Whatever your decision, we encourage you to help (insert child's name) attain English proficiency and high academic achievement levels. Some ways in which you can do this include: (insert some examples).

If you have any questions about this notice or the attached information, please contact (insert the name of the Superintendent or the program's coordinator). All of us in the district look forward to working with you to help (insert child's name) improve (his or her) English and overall academic skills.

Sincerely,

Superintendent

\* \* \*

### **Questions and Answers About Your Child's English Instruction Educational Program**

*NOTE: In this exhibit, the district/school will have to fill in the answers to the questions below. Those answers will be specific to the individual child involved.*

1. What methods of instruction will be used in my child's program?
2. Does the district offer any other programs for English language learners?
3. How do these other programs differ from the one offered my child in terms of methods of instruction, content, instructional goals and the use of English and a native language in instruction?
4. On what basis did the district select my child's program as opposed to another one?

5. How will my child's program specifically help (him or her) learn English and meet age appropriate academic achievement standards for grade promotion and graduation?
  
6. My child is classified as a student with a disability. How will my child's English learning program meet the objectives set out in (his or her) individualized education program?

Adoption date: 6/8/15

**PROGRAMS FOR ENGLISH LANGUAGE LEARNERS EXHIBIT  
PLACEMENT IN A LANGUAGE INSTRUCTION EDUCATIONAL PROGRAM –  
PARENT RESPONSE FORM.**

*NOTE: This form must be returned within 5 school days.*

I, as parent/guardian of \_(insert child's name)\_, acknowledge receipt of the district's notification regarding my child's eligibility for an English Language Learner program. I elect the following option:

*(check one box)*

I accept the district's recommended placement.

\_\_\_\_\_  
*Print Name (Parent)*

\_\_\_\_\_  
*Parent Signature*

\_\_\_\_\_  
*Date*

*Mail to: (district provide mailing address)*

*Or email to: (provide district email address)*

Adoption date: 6/8/15

( ) Required  
(X) Local  
(X) Notice

### HOMEBOUND INSTRUCTION

Homebound instruction is a service provided to students who are unable to attend school due to medical, emotional or disciplinary problems. Elementary students receive instruction for one hour per day, if possible (and starting July 1, 2023, at least ten hours per week, for at least two hours per day, if possible). Students receive credit for their work while on homebound instruction.

Once approved, the district makes provisions for homebound instruction for all students residing in the district attending public and nonpublic schools in grades Kindergarten to age 21. Homebound instruction may be provided by the district, or by a tutor, who must hold a New York State teaching certificate and who may be employed by a BOCES. Hospital or institutional instruction may be provided via contract with a school connected with that hospital or institution, or the district where it is located. Homebound instruction may include remote instruction as defined in state regulations 8 NYCRR §100.1(u).

Homebound instruction will strive to keep students on pace to rejoin their class and maintain academic progress. The Board recognizes that students who are out of school for extended periods of time are at risk of falling behind academically and/or losing connection to the school community. The Board directs the administration to evaluate periodically whether steps to improve instruction and implement approaches and/or offer services that support the transition back to school.

Cross-ref: 5100, Attendance

Ref: Education Law §§1709(24); 4401 et seq.  
8 NYCRR §175.21

Adoption date: 5/14/13

Amended: 10/16/14

Amended: 1/17/23

( ) Required  
(X) Local  
(X) Notice

### TEXTBOOK SELECTION AND ADOPTION

The Board of Trustees is responsible for the selection and designation of all textbooks to be used in the district schools. The Superintendent of Schools, in cooperation with the Lead Teacher, shall recommend suitable lists of textbooks to be used in the schools for the Board's consideration.

A textbook is any book, or a book substitute, including hard-covered or paperback books, work books, or manuals, as well as any courseware or other content-based instructional materials in an electronic format, which students are required to use as a text, or a text-substitute, in a particular class or program in the school they legally attend.

The Superintendent shall establish procedures for the selection and recommendation of textbooks.

The following criteria are to be considered in the selection of textbooks:

1. textbook or material should have been copyrighted within the past three years except for literary works;
2. qualifications of the author(s) on the subject;
3. adaptability to existing instructional program;
4. accuracy of the information presented;
5. sufficient scope to meet the requirements of the curriculum as developed locally and approved by the State Education Department;
6. objectivity and impartiality in treatment of subject matter and freedom from bias and prejudice;
7. high quality format in respect to typography, arrangement of materials or pages, cover design, size and margins;
8. appropriateness to grade level as to vocabulary, sentence structure, and organization;
9. textbook series should meet grade-to-grade requirements. They should contain supplementary aids to learning, when desirable and necessary, such as a table of contents, introduction, study activities, exercises, questions, problems, selected references, bibliography, index glossary and appendices;
10. texts should include appropriate illustrative materials--pictures, maps, charts, graphs, diagrams, etc., which clarify the text and enrich the content;
11. materials should fairly represent the many ethnic and cultural groups and their contribution to American heritage and the fields of history, the arts, mathematics, and science, particularly those groups which have been historically marginalized; and
12. a reasonable balance of viewpoints regarding controversial issues should be presented.

The following criteria are to be considered in the selection of literary works for classroom use in teaching literature, as well as the assignment of such works to particular grade levels:

## SAGAPONACK

1. use of a compositional style which contributes to the reader's critical and appreciative understanding of the work;
2. sophisticated use of literary devices (i.e., metaphor, point of view, tone) to further student understanding of written concepts;
3. levels of student maturity and experience necessary for empathic reading of literature;
4. capacity of a work to capture student interest;
5. thematic treatment which promotes sound and healthy values for students;
6. intrinsic qualities that establish a work as a significant part of the literary heritage; and
7. inclusion in the body of works as a whole characters and settings which reflect the racial, ethnic, cultural and religious makeup of the student body and the country as a whole;
8. promotion of understanding and appreciation of culture, class, language, race, ethnicity and other differences that contribute to the diversity of American culture; and
9. variety to avoid duplication of theme, plot, setting, etc., unless such duplication affords opportunities for comparison and contrast or serves to reinforce understanding.

Cross-ref: 1420, Complaints about Curricula or Instructional Materials

Ref: Education Law §§701 et seq.; 1711; 2508; 2566

Adoption date: 5/14/13

Amended: 12/16/2020

- Required
- Local**
- Notice

### **COMPUTER AND NETWORK USE**

The Sagaponack Board of Trustees affirms the District's commitment to preparing students for the 21<sup>st</sup> century. Students need to be technologically literate to become successful, productive citizens and to succeed in an internationally competitive work force.

It is important for students to understand and use the Internet, an electronic superhighway connecting thousands of computers all over the world and millions of individual subscribers. The key concept underlying the Internet is interconnectivity, which will allow students, as well as administrators and teachers, to access an unparalleled array of communication and information resources.

Educational technology should be appropriately and equitably integrated into instruction and management to promote student learning while enhancing both the teaching process and the operations of the school system. The use of technology is a means of delivery of instruction, which enables students and adults to access, process, manage and communicate information.

The proper use of computers and technology will be communicated to all users throughout the District. The use of computers and networks will provide for the facilitation of the exchange of information to further communication, education and research and is, accordingly, consistent with the mission of the Sagaponack Common School District. The messages and documents residing on, created and/or transmitted on any computer or network may be subject to the District's monitoring and review. The District's designated employees reserve the right to supervise the use of all computers and networks and to inspect the information and content they contain. An authorization form must be completed by each person requesting access to the District's computers or networks. Any use without authorization is prohibited.



Use of District computers and networks for private or commercial business and political or religious purposes is prohibited. Use of District computers and/or networks to engage in illegal activity or to access or transmit obscene or pornographic material is prohibited. Transmitting, displaying or storing offensive or objectionable material is prohibited on District computers or networks. The District's determination as to whether the nature of any materials is considered offensive or objectionable is to be considered as final. Using programs that harass or infiltrate a computing system and/or damage the hardware or software components is prohibited.

Any use of District computers to access outside resources must conform to the terms and conditions of the Sagaponack Common School District's Internet Use Agreement. Subscribers to listservs, bulletin boards, and online services must be pre-approved by the District.

Adoption date: 5/14/13

## COMPUTER AND NETWORK USE REGULATION

### Responsibilities of All Computer Users Sagaponack Common School Computer Network

#### Privileges, Rights and Responsibilities

The use of the District's computer resources is a privilege. It is expected that all individuals utilizing the District's computers and networks will undertake responsibility for their actions and words and will, furthermore, respect the rights and privileges of other network users. Users need to familiarize themselves with these responsibilities. Failure to adhere to them may result in the loss of network and/or computer privileges, suspension and possible legal actions.

**Exemplary behavior is expected at all times. The following actions are not permitted:**

- Sharing your password or account number with anyone
- Using impersonation, anonymity or pseudonyms
- Leaving your account open and unattended (You have full responsibility for the use of your account, and you will be held responsible for any policy violations that are traced to your account.)
- Damaging, abusing or breaking the hardware, software or the network
- Plagiarizing or using copyrighted material without permission (Do not quote personal communications, software, art, music or any other media without the original author's prior consent.)
- Using the computers for illegal activities or for commercial gain. Sending, using or displaying inappropriate language, pictures or any other type of communication, including profanity, pornography or inflammatory speech
- Disrespecting the rights and property of others
- Improperly accessing, destroying or misusing files or data of others
- Attempting to work in or modify the Network Operating System
- Exploring or changing any system files
- Intentionally wasting limited resources
- Installing or attempting to install software, which only designated employees are allowed to do

#### Safety from Harassment

Users who feel harassed or threatened by somebody on the network should bring the situation to the attention of a teacher or system administrator immediately.

Adoption date: 5/14/13

**COMPUTER AND NETWORK USE EXHIBIT****Sagaponack Common School  
Computer, Network and Internet Use Agreement  
Authorization Form**

User:

I understand and will abide by the District's Computer and Network Use Policy and Internet Use Agreement. I further understand that any violation of the regulations is unethical and may constitute a criminal offense and that should I commit a violation, my access privileges may be revoked, and school disciplinary and/or appropriate legal actions may be taken.

User Name (please print): \_\_\_\_\_

User Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent or Guardian:

As the parent or guardian of this student, I have read the District's Computer and Network Use Policy and Internet Use Agreement. I grant permission for my son or daughter to access networked computer services, such as electronic mail and the Internet. I understand that this access is denied for educational purposes. I accept the fact that use of the Internet is a privilege and not a right. I further accept the fact that the Sagaponack Common School District has reserved the right to review all materials and revoke each person's privilege to use the Internet service as stated in the Privileges, Rights and Responsibilities section of the agreement. With regard to commercial services on the Internet, I will be liable for fees that the student incurs outside the framework of school authorizations.

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian's Signature: \_\_\_\_\_

Telephone: \_\_\_\_\_ Date: \_\_\_\_\_

Adoption date: 5/14/13

**(X) Required**

( )

Local

( ) Notice

**INTERNET SAFETY**

The Board of Trustees is committed to undertaking efforts that serve to make safe for children the use of district computers for access to the Internet and World Wide Web. To this end, although unable to guarantee that any selected filtering and blocking technology will work perfectly, the Board directs the Superintendent of Schools to procure and implement the use of technology protection measures that block or filter Internet access by:

- adults to visual depictions that are obscene or child pornography, and
- minors to visual depictions that are obscene, child pornography, or harmful to minors, as defined in the Children's Internet Protection Act.

Subject to staff supervision, however, any such measures may be disabled or relaxed for adults conducting bona fide research or other lawful purposes, in accordance with criteria established by the Superintendent or his or her designee.

The Superintendent or his or her designee also shall develop and implement procedures that provide for the safety and security of students using electronic mail, and other forms of direct electronic communications; monitoring the online activities of students using district computers; and restricting student access to materials that are harmful to minors. Appropriate training opportunities for staff and instruction for students will be administered as necessary.

In addition, the Board prohibits the unauthorized disclosure, use and dissemination of personal information regarding students; unauthorized online access by students, including hacking and other unlawful activities; and access by students to inappropriate matter on the Internet and World Wide Web. The Superintendent or his or her designee shall establish and implement procedures that enforce these restrictions. Violations to this Internet Safety Policy by students and/or staff shall be reported to the Superintendent or his designee as soon as possible.

All users of the district's computer network, including access to the Internet and World Wide Web, must understand that use is a privilege, not a right, and that any such use entails responsibility. They must comply with the requirements of this policy in addition to generally accepted rules of network etiquette, and the district's Acceptable Use Policy. Failure to comply may result in disciplinary action including, but not limited to, the revocation of computer access privileges.

Ref: Public Law No. 106-554  
47 USC §254  
20 USC §6801

Adoption date: 5/14/13

Amended: 9/21/17

( ) Required

**(X) Local**

(X) Notice

### **FIELD TRIPS AND EXCURSIONS**

The Board of Trustees recognizes the desirability of providing off-campus experiences which will enhance the educational program of the school system. The Superintendent of Schools will determine the frequency and content of class field trips. Each student must secure the permission of his/her parent or guardian before participating in such activity.

Factors relevant in consideration of approval of such field trips may include the relationship to the curriculum, the distance of the trip, availability of transportation, the cost involved, weather conditions, and full utilization of transportation. In order to make necessary transportation arrangements, all requests for day field trips must be submitted to the appropriate Building Principal at least one week prior to the trip date.

#### **Overnight Field Trips**

Trips in excess of one day involving overnight travel should be approved by the Superintendent of Schools prior to making any commitments or arrangements. Requests for overnight trips should be made at least three months in advance of the planned event.

#### **Transportation**

When the district provides transportation to students on a school-sponsored field trip, extracurricular activity or any other similar event, it shall provide transportation back to either the point of departure or to the appropriate school in the district unless:

1. the parent or legal guardian of a student participating in such event has provided the district with a written notice authorizing an alternative form of return transportation for the student; or
2. intervening circumstances make such transportation impractical.

Where intervening circumstances have made transportation back to the point of departure or to the appropriate school in the district impractical, a representative of the district shall remain with the student until such student's parent or legal guardian has been contacted and the student has been delivered to his/her parent or legal guardian.

Medications

The district shall accommodate the needs of students who must take medications during a field trip. Depending on the student's needs and abilities to administer and carry their own medications, district staff or other appropriate adults (e.g., the voluntary participation of the student's parents/guardians or a designee appointed by them) may need to be available during the trip for assistance. Regulation 5420-R, Student Health Services Regulation, outlines the requirements and responsibilities for these scenarios. If no district staff or other appropriate adult is available, and if the medication schedule cannot be adjusted by the student's prescriber, the trip will either be rescheduled or canceled.

Cross-ref: 5420, Student Health Services

Ref: Education Law §§1604; 1709; 1804; 1903; 2503; 2554; 2590-e  
Guidelines for Medication Management in Schools (Sept. 2015),  
<http://www.p12.nysed.gov/sss/documents/MedicationManagement-final2015.pdf>

Adoption date: 5/14/13

Amended date: 7/11/17

Required  
 **Local**  
 Notice

### **SCHOOL VOLUNTEERS**

The Board of Trustees recognizes that the use of volunteers strengthens school/community relations through positive participation, builds an understanding of school programs among interested citizens, and can assist district employees in providing more individualized and enriched opportunities in instruction. The Board encourages volunteers from all backgrounds and age groups who are willing to share their time, training, experience or personal characteristics to benefit the students of the district. The final decision to permit a person to act as a volunteer will rest with the Superintendent/Building Principal or Lead Teacher.

No volunteer shall be permitted to have unsupervised direct contact with students.

The district prohibits volunteers from accessing student information. The district expects that if volunteers discover any information about students in the course of their volunteer duties, they shall not redisclose such information to anyone other than a school official with a legitimate educational interest.

School personnel who are responsible for tasks or projects that involve the use of volunteers shall identify appropriate tasks and time schedules for such volunteer activities, as well as make provisions for adequate supervision and evaluation.

All volunteers are required to act in accordance with district policies, regulations and school rules. Any staff member who supervises volunteers may ask any volunteer who violates district policies, regulations or school rules to leave school grounds.

Adoption date: 5/14/13

Amended: 6/13/17

Amended: 7/11/17

( ) Required

**(X) Local**

( ) Notice

## GRADING SYSTEMS

Grading is considered a positive tool to indicate achievement and development in each class or subject in which a student is enrolled. The Board of Trustees recognizes that the classroom teacher has the primary responsibility to evaluate students and determine student grades.

The district shall use a uniform grading system. Classroom teachers shall evaluate students and assign grades according to the established system.

Grading shall be based upon student improvement, achievement, and participation in classroom discussions and activities. Parents/guardians shall be provided a written report card at least four (4) times a year regarding their child's progress. The use of marks and symbols will be appropriately explained.

Grading shall not be used for disciplinary purposes, i.e., reducing grade for an unexcused absence, although a lower grade can be given for failure to complete assigned work or for lack of class participation.

All students are expected to complete the assigned class work and homework as directed. Students are also expected to participate meaningfully in class discussions and activities in order to receive course credit. If work is missed due to absence, the student is expected to make up the work. The student and/or the student's parent(s) or guardian(s) should discuss with the student's teacher an appropriate means of making up the missed work. With the possible exception of absences intended by the student as a means of gaining an unfair academic advantage (e.g., to secure more time to study for a test), every effort will be made to provide students with the opportunity and assistance to make up all work missed as a result of absence from class.

The professional judgment of the teacher shall be respected. Once a grade is assigned to a student by a teacher, the grade may only be changed by a district administrator after notification to the teacher of the reason for such change. Should an administrator enforce a grade change, he/she shall be prepared to report to the Superintendent of Schools and/or the Board.

Cross-ref: 5100, Attendance

Ref: Education Law §§3202; 3205 et seq.  
*Matter of Nathaniel D.*, 32 EDR 67 (1992)  
*Matter of Hegarty*, 31 EDR 232 (1992)  
*Matter of Shepard*, 31 EDR 315 (1992)  
*Matter of Handicapped Child*, 32 EDR 83 (1992)  
*Matter of Ackert*, 30 EDR 31 (1990)

*Matter of Augustine*, 30 EDR 13 (1990)



*Matter of Boylan*, 24 EDR 421 (1985)  
*Matter of Burns*, 29 EDR 103 (1989)  
*Matter of Chipman*, 10 EDR 224 (1971)  
*Matter of Dickershaid*, 26 EDR 112 (1986)  
*Matter of Fitchett-Delk*, 25 EDR 178 (1985)  
*Matter of Gibbons*, 22 EDR 134 (1982)  
*Matter of LaViolette*, 24 EDR 37 (1984)  
*Matter of MacWhinnie*, 20 EDR 145 (1980)  
*Matter of McClurkin*, 28 EDR 136 (1988)  
*Matter of Reid*, 65 Misc 2d 718 (1971)  
*Matter of Rivers*, 27 EDR 73 (1987)  
*Matter of Shamon*, 22 EDR 428 (1983)

Adoption date: 5/14/13

Required  
 **Local**  
 Notice

## **PROMOTION AND RETENTION OF STUDENTS**

It is essential that each child experience both challenge and success from school activities. To this end, the district will make every effort to place each student in the most appropriate learning level for a successful educational experience.

The district's curriculum identifies goals for achievement at each grade level. However, academic growth, like physical growth, does not take place at the same pace or time for all individuals. Certain students may achieve mastery in a shorter period, while others need additional time. Early identification and intervention, promotion and retention are methods of meeting the needs of such children.

The following guidelines shall govern student progression:

### ***Early Identification/Intervention***

Classroom teachers are expected to make every effort, consistent with the district's implementation of response to intervention (RTI), to identify early those students at risk of failing. The Head Teacher and the parents/guardian must be notified promptly if retention is anticipated, and a special support program shall be designed for each child identified as in danger of failing. Such support services may include, but are not limited to, individualized assistance before, during or after the school day; remedial classes; a change in instructional approach and, where appropriate, referral to the Committee on Special Education for evaluation.

### ***Promotion/Retention***

Students who pass all subjects will be promoted. Students who do not make satisfactory progress in one or more basic subjects -- Reading, English, Mathematics, Spelling, Social Studies and Science -- shall have their cases considered on an individual basis and may be retained. Retention shall be limited to those situations where the best interest of the child is reasonably assured. Diligent effort shall be made to use all available resources to determine the child's appropriate placement.

Academic standards

The Head Teacher shall be responsible for ensuring that written standards for student progress at each grade level are available to parents and others upon request. Such academic standards are to be forwarded to the Superintendent of Schools each year.

Retention

A decision to retain shall be arrived at by consensus from a case conference approach involving the teacher, Head Teacher, Superintendent, school psychologist, and parent/guardian. Factors to be considered include teacher recommendation; classroom achievement and attitude; standardized test scores; social and emotional development; results of the family conference; and, for identified students, recommendations by the Committee on Special Education. Standardized test scores will not be the sole or primary factor in decision. If a consensus cannot be reached, the decision of the Superintendent shall be final.

No student will be retained without an appropriate educational plan defining what will occur that is instructionally different for the student. Once the educational plan has been implemented, the student will be monitored regularly. The educational plan will be revised until the student demonstrates acceptable performance.

Ref: Education Law §§1709; 2503(4); 3202  
8 NYCRR §100.4  
*Isqwith v. Levitt*, 285 App. Div. 833; 137 N.Y.S.2d 497 (1955)  
*Matter of Eckert*, 13 EDR 270 (1979)  
Op. Counsel, 1 EDR 775 (1952)

Adoption date: 5/14/13

Amended: 10/16/14

( ) Required  
(X) Local  
(X) Notice

## ONLINE, DISTANCE, AND REMOTE LEARNING

### Use of Remote Learning

The Board of Trustees recognizes that new technologies are changing the way instructional material can be delivered to students. These technologies may permit the district to more effectively reach all students and provide expanded and enriched curriculum opportunities, as well as provide instruction remotely during emergency school closures. Therefore, the Board encourages teachers and administrators to utilize online instructional opportunities for students.

### Formats and Methods of Remote Learning

Remote learning may be delivered by teachers through a variety of formats and methods. Instruction may be provided through video, audio, and/or written materials. Communication between teachers and students may occur through video conferencing, prerecorded videos, online discussion boards, and/or other instruction that relies on technology. Remote learning can occur synchronously, which involves real time interactions between teachers and students and self-directed learning.

Determinations about how to best deliver remote learning will take into account a variety of factors including, but not limited to, the number of students involved, the subject matter, the students' grade levels, and technological resources of both the school and students. Consideration will also be given to whether accommodations need to be made for students with disabilities or English language learners.

### Emergency Utilization During School Closures

During emergency school closures (due to situations including, but not limited to: extraordinary adverse weather conditions, insufficient heat/water/fuel, destruction of a school building, or a communicable disease outbreak), the district may utilize remote instruction as defined in commissioner's regulations 8 NYCRR 100.1 (u), pursuant to the district's emergency remote instruction plan included in the district-wide school safety plan, in order to maintain continuity of the instructional program. The district will survey parents to obtain information on student access to devices and internet connectivity. The district will ensure students have adequate technological capacity to participate in remote learning during the emergency school closures, such as providing computing devices and temporary internet access devices.

### Compliance with Policies, Procedures, and the Code of Conduct

Teachers and students are required to comply with any and all applicable policies, procedures, and other related documents as they normally would for in-person instruction. Examples include, but are not limited to, policies and procedures on non-discrimination and anti-harassment, acceptable use, and copyright. Students

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will also be required to abide by the rules contained within the Code of Conduct at all times while engaged in remote learning.

### Privacy and Security of Student and Teacher Data

In compliance with law, regulation, and Board policy, Sagaponack CSD will take measures to protect the personal information of students and teachers from unauthorized access when using remote learning technologies.

Cross-ref:

0115, Student Bullying and Harassment Prevention and Intervention

4200, Curriculum Management

5100, Student Attendance

5300, Code of Conduct

8130, School Safety Plans and Teams

8131, Pandemic Planning

Ref:

8 NYCRR §§100.1 (u);100.5(d)(10);155.17

*Matter of Boyd*, Decision No. 16364, (2012)

Adoption Date: 2/9/21

Amendment Date:

- Required
- Local**
- Notice

## **DIPLOMA AND CREDENTIAL OPTIONS FOR STUDENTS WITH DISABILITIES**

The Board of Trustees is committed to supporting all students so they are college- and career-ready upon graduation. The Committee on Special Education (CSE), which includes parents/guardians, will work with students with disabilities to attain the appropriate diploma or credential based on their Individualized Education Plan (IEP).

### Regents Diploma or Regents Diploma with Advanced Designation

Students with disabilities are encouraged to work toward the completion of requirements for a Regents diploma or Regents diploma with an advanced designation, as established by New York State and the Board.

### Local Diploma

Students with disabilities may work toward completion of the requirements of a local diploma. The local diploma may be earned by meeting the standards set forth in state regulations.

### Career Development and Occupational Studies Commencement Credential

Students with disabilities, who are not students with severe disabilities under Commissioner's Regulations, may be issued a New York State Career Development and Occupational Studies Commencement Credential (CDOS), pursuant to the requirements of those regulations. The student may pursue a CDOS either in addition to or instead of a high school diploma. The district shall ensure that such students have been provided with appropriate opportunities to earn a high school diploma.

### Skills and Achievement Commencement Credential

A student who meets the state definition of a student with severe disabilities, who has taken the State assessment for students with severe disabilities, may be issued a skills and achievement commencement credential pursuant to the requirements of Commissioner's Regulations 8 NYCRR §100.6.

### Continued Right to Educational Services

SAGAPONACK

If a student receiving a Career Development and Occupational Studies Commencement Credential or a Skills and Achievement Commencement Credential is less than twenty-one years of age, the credential shall be

**4773**

accompanied by a written assurance of the student's continued right to attend public school until the end of the school year in which the student reaches the age of twenty-one or until the student has earned a high school diploma, whichever is earlier.

Cross-ref: 4321, Programs for Students with Disabilities

Ref: 8 NYCRR §§100.1; 100.5; 100.6; 100.9

Adoption date: 10/8/13

( ) Required

**(X) Local**

( ) Notice

### TEACHING ABOUT CONTROVERSIAL ISSUES

The Board of Trustees recognizes its broad responsibility for providing for a course of study in the school that is appropriate to the readiness of the students in the district. The Board also recognizes that within the broad parameters of curriculum, a teacher must be free to engage the class in discussion and debate in order to stimulate the exchange of ideas and critical thinking. The goal is for students to learn to disagree respectfully and discuss and examine issues rationally, objectively and thoroughly, to enable students to draw informed conclusions, and function productively and with civility in our democratic society.

The Board also acknowledges that schools do not exist in a vacuum; they are part of communities and wider societies. Controversial issues are those which deal with matters about which there are varied levels of opposing or conflicting views, biases emotions, and/or opinions. The Board encourages teachers to address controversial topics in school, which are related to the approved curriculum, to provide a safe, supportive, inclusive and structures environment where ideas and viewpoints can be discussed.

Discussions of controversial topics in the classroom is at the discretion of the teacher. Issues with no factual basis for controversy are not treated as controversial for purposes of this policy.

The Board wishes to ensure that controversial issues are presented in a manner that preserve the academic integrity of the district, are of significant interest to the community, have political, economic, cultural, or social significance, and encourage students to come to their own opinions while respecting the opinions of others, and promote inclusivity and dignity for all students.

The Board establishes the following guidelines for teachers to follow when presenting controversial issues in the classroom:

1. In the classroom, matters of a controversial nature are encouraged.
2. When presenting various positions on a controversial issue, in order for classroom discussion to be rigorous, the teachers will take care to:
  - balance major views
  - assure that as many sides of the issues as possible are presented in a fair manner; and
  - not support one position as the only one acceptable.
3. Grading is based on objective criteria, without bias toward students' positions on the subject matter.
4. Discussion of controversial issues is conducted in a manner that takes into account students' age and development level.
5. Teachers will present adequate background information so that students can have informed discussions and be able to discuss the issue intelligently.



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6. Teachers will review and ensure that their use of sources of supporting information dealing with controversial topics outside the scope of the prescribed curriculum:
- have educational value and are relevant to the curriculum;
  - are appropriate to the developmental level of the students; do not adversely affect the attainment of the district's instructional goals .

### Ref:

*Appeal of Malverne Union Free School District*, 29 Educ. Dep't. Rept. 363 (1990) (teachers First Amendment rights in an educational setting)  
*Appeal of O'Connor*, 29 Educ. Dep't. Rept. 48 (1989) (notification prior to dissemination of controversial materials)

Adoption date: 5/14/13

Amended date: