

**BYRAM HILLS CENTRAL SCHOOL DISTRICT**

**SPECIAL EDUCATION DISTRICT PLAN**

Adopted: January 22, 2013

## **BOARD OF EDUCATION**

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## **GENERAL BOARD OF EDUCATION POLICIES**

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

- To ensure that students with disabilities have the opportunity to participate in school district programs to the maximum extent appropriate to the needs of each student, including nonacademic and extracurricular programs and activities, which are available to all other students in the public schools of the District.
- To ensure that each preschool student with a disability residing in the District has the opportunity to participate in preschool programs, including timely evaluation and placement.
- To appoint and train appropriately qualified personnel, including the members and chairpersons of the Committee on Special Education and the Committee on Preschool Special Education.
- To implement the provisions of Section 200.6 (a) of the Commissioner's Regulations and to provide special services or programs, to the extent appropriate to the needs of the student, and to enable the student to be involved in and progress in the general education curriculum.
- To ensure that parents have received and understand the request for consent for evaluation of a preschool student.
- To ensure the confidentiality of personally identifiable data, and information or records pertaining to a student with a disability. Such personally identifiable information will not be disclosed except in accordance with the Regulations.
- To implement school-wide approaches, which may include a response to intervention process, and pre-referral interventions in order to remediate a student's performance prior to referral to special education.
- To ensure the establishment of plans and policies for the appropriate declassification of students with disabilities.
- To ensure the selection and board appointment of an impartial hearing officer consistent with Regulations.
- To ensure, to the extent possible, that all instructional materials to be used in the schools in the District are available in a usable alternative format for each student with a disability in accordance with the student's educational

needs and course selections at the same time that such materials are available to non-disabled students. Alternative format materials not readily on hand will be ordered in a timely manner. The process for obtaining such materials for students who move into the School District during the school year will be initiated without unnecessary delay.

- To ensure that personnel responsible for implementing or assisting in the implementation of a student's IEP receive or are provided access to a copy of the IEP for review prior to its implementation, and are informed of their responsibility to implement the recommendations of the IEP.
- To ensure that measurable steps are taken to recruit, hire, train and retain highly qualified personnel to provide special education programs and services.
- To ensure the establishment of guidelines for the provision of appropriate accommodations necessary to ensure the academic achievement and functional performance of the student in the administration of district-wide assessments.
- To ensure that universal design principles be used, to the extent feasible in developing and administering any district-wide assessment programs.
- To ensure that adequate and appropriate space is made available to meet the needs of preschool and school age students with disabilities.
- To ensure that students who reside in the District have received the protection of all other applicable State and Federal laws and regulations.

## **IMPLEMENTATION OF SCHOOL-WIDE APPROACHES AND PRE-REFERRAL INTERVENTIONS**

In accordance with the Individuals with Disabilities Education Improvement Act (IDEIA) and Part 200 of the Commissioner's Regulations, the District must develop a policy and implement a plan to establish pre-referral interventions to assist a student's education process before consideration of referral to the Committee on Special Education (CSE). In keeping with this policy, it is the responsibility of the school's principal and building level team to investigate all possible avenues of general education support services that would enable the student to achieve the learning standards. Such services may include, but are not limited to, Academic Intervention Services and Educationally Related Support Services. These services must be afforded to all students who do not meet the minimum designated standards on State assessments, and to English Language Learners (ELL) students who do not achieve the annual Commissioner's Regulations Part 154 performance standards. Supplemental instruction in English, language arts, math, social studies, and science as well as support services to deal with barriers to student progress such as attendance, discipline, health, family nutrition, and transient issues will be afforded to students who score below level 3 on elementary or intermediate state assessments or who score below the local state designated performance levels on any one of the state examinations required for graduation. All school-wide approaches to provide remediation activities for students who are at risk of not meeting state standards or meeting graduation requirements will be considered prior to making referrals to the CSE. These approaches may also include but are not limited to extra teacher or teacher aide support, student or volunteer tutorial assistance, counseling support, and computer assisted programs. The school district may include the RTI process as part of a district's school-wide approach. The principal shall notify each student's parents whenever Academic Intervention Services (AIS) are provided and the reasons these services are necessary. The parent will also be notified about the duration of AIS and/or the ending of these services. These school-wide approaches shall serve as pre-referral interventions prior to consideration of special education programs through the Committee on Special Education (CSE).

The referral form to the CSE used by the District staff will describe, in writing, intervention services, programs used to remediate the student's performance prior to services, or instructional methodologies, including any supplementary aids or support services provided, or the reasons why no such attempts were made. The principal and/or building level team shall maintain a record of pre-referral interventions implemented for each student. Each referral shall be reviewed to determine its appropriateness and whether pre-referral interventions have been adequately utilized, and if further interventions are deemed necessary.

Within ten (10) days of receipt of referral to the CSE, the building administrator may request a meeting with the parent or person in parental

relationship to the student, the student, and the referring person, if a staff member, to determine whether the student would benefit from additional general education support services as an alternative to special education. These services may include, but are not limited to, speech and language improvement services, educationally related support services, academic intervention services, and any other services designed to address the learning needs of the student and maintain the student's placement in general education. At this meeting, if there is a written agreement that with the provision of additional general education support services the referral is unwarranted, the referral shall be deemed withdrawn and the building administrator shall provide a copy of this agreement to the Chairperson of the CSE, the referring person, the parent or person in parental relationship, and the student if appropriate. The copy of the agreement will be in the native language of the parent and will name the additional general education support services that will be provided as well as the length of time of each service. This agreement will be placed in the student's cumulative educational record file. If there is no written agreement reached at this meeting, the required timelines of the CSE will be maintained.

These pre-referral interventions will not be utilized as a barrier to prevent appropriate referrals for special education services, but shall be used to assess the ability of the student to benefit from general education services.

**PROVISION OF APPROPRIATE SPECIAL EDUCATION  
SERVICES TO ENABLE INVOLVEMENT AND PROGRESS IN  
THE GENERAL EDUCATION CURRICULUM**

All students with disabilities who reside in the School District shall be provided with an appropriate Individual Education Program (IEP) that meets the student's unique educational needs as determined and recommended by the Committee on Special Education (CSE) and arranged for by the Board of Education. This IEP shall be designed to enable involvement and foster progress in general education to the extent appropriate to the needs of the student. In designing the IEP, the CSE will consider the present levels of performance and the expected learning outcomes of the student. The student's academic, social development, physical development, and management needs will be the basis for written annual measurable goals.

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

The District will ensure equal access to a diploma for all students with disabilities through its establishment of heterogeneous Regents classes, inclusion classes and special education classes that provide equivalent instruction. Appropriate academic intervention services shall also be considered and determined by the building principal to assist students with disabilities in meeting their academic goals. These services shall be in addition to the special education services deemed appropriate by the CSE. No student, by virtue of designation as a student with a disability, shall be precluded from receiving equivalent instruction unless the CSE has determined that the student requires a Skills and Achievement Commencement Credential. If the student has the potential to achieve a high school diploma but requires a restrictive environment outside the District, the CSE will seek placement in a program that provides equivalent instruction.

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



**COMMITTEE ON SPECIAL EDUCATION (CSE) AND**  
**COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE)**  
**APPOINTMENT AND TRAINING**

To implement its commitment to the education of students with disabilities, the Board of Education annually appoints a Committee on Special Education (CSE), Subcommittee and a Committee on Preschool Special Education (CPSE). The Committees are appointed in accordance with the provisions of New York Education Law, Sections 4402 and 4410 and Section 200.3 of the Regulations of the Commissioner of Education. Section 4410 of the Education Law, which established the Committee on Preschool Special Education, was signed into law on July 5, 1989, and the CPSE was established for the first time during the 1989/90 school year. Major functions of the CSE and CPSE include:

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

## **RESPONSIBILITIES**

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

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

Upon a written request from a parent or a legal guardian of a student, the subcommittee will immediately refer to the Committee on Special Education for its review any recommendation of the subcommittee concerning the identification, evaluation, educational placement or provision of a free appropriate public education to a student that is not acceptable to the parent or person in parental relationship to the student.

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

## **TRAINING CSE/CPSE MEMBERS**

The District is committed to ensuring that all members of the CSE and CPSE are appropriately trained for their responsibilities on their respective committees. Committee members are made aware of their responsibilities to insure that services are identified to allow the student to be involved in and progress in the general education curriculum. Specific administrative practices for training these members, including general education teachers and parents, to carry out the provisions of Part 200 include:

- arranging for attendance at meetings of OSERS regarding CSE/CPSE issues;
- conducting district based training on a regular basis;
- providing copies of written guidelines pertaining to district practices and procedures for referring and evaluating preschool and school-age students suspected of having a disability;

- disseminating all amendments to the Regulations of the Commissioner, and informational bulletins and pamphlets, including memorandum from SED, to all committee members;
- inviting committee member(s) to periodic site visits of out-of district special education placements to familiarize them with placement options available to resident special education students;
- utilizing SETRC as a training resource; and
- utilizing the District attorney as a resource person, if needed to interpret specific information for the committee members.

### **GENERAL STAFF DEVELOPMENT**

The Board of Education is committed to hiring, training and retaining highly qualified personnel responsible for carrying out all of the mandates of IDEIA and the Commissioner's Regulations regarding students with disabilities. Accordingly, it is the Board's policy to recruit, hire and train appropriately qualified special education personnel to provide special education programs and services, including members and chairpersons of the Committee on Special Education and the Committee on Preschool Special Education.

All special education personnel shall be appropriately qualified to carry out their duties regarding students with disabilities, and shall possess the training, licensing and certification required by the No Child Left Behind Act and New York State Law.

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

In addition to staff meetings, in-service courses, Superintendent's Conference Day, as well as individual meetings between special and general education teachers, the State Education Department has directed districts to include, as part of its professional development plan a description of the professional development activities provided to all professional staff and supplementary school personnel who work with students with disabilities to assure that they have the skills and knowledge necessary to meet the needs of students with disabilities.

## **EXTENDED SCHOOL YEAR (ESY) SERVICES**

The Committee on Special Education or Committee on Preschool Special Education will determine whether a student requires extended school year special education services in order to prevent substantial regression. Substantial regression as defined by regulations would be indicated by a student's inability to maintain developmental levels due to a loss of skill, set of skill competencies or knowledge during the months of July and August. In accordance with Section 200.6(j) of the Commissioner's Regulations, students will be considered for twelve-month (12) special services and/or programs to prevent substantial regression if they are:

- Students whose management needs are determined to be highly intensive and require a high degree of individualized attention and intervention and who are placed in special classes;
- Students with severe multiple disabilities, whose programs consist primarily of rehabilitation and treatment;
- Students who are recommended for home and hospital instruction whose special education needs are determined to be highly intensive and require a high degree of individualized attention and intervention or who have severe multiple disabilities and require primarily habilitation and treatment;
- Students whose needs are so severe that they can be met only in a seven-day (7) residential program; or
- Students receiving other special education services, who, because of their disabilities exhibit the need for a twelve-month (12) special service and/or program provided in a structured learning environment of up to twelve (12) months duration in order to prevent substantial regression.

Both quantitative and qualitative information will be reviewed by the Committee to substantiate the need for providing such services and programs. A student is eligible for a twelve-month (12) service or program when the period of review or re-teaching required to recoup the skill or knowledge level attained by the end of the prior school year is beyond the time ordinarily reserved for that purpose at the beginning of the school year. The typical period of review or re-teaching ranges between twenty (20) and forty (40) school days. As a guideline for the purpose of determining eligibility for an extended school year program, a review period of eight (8) weeks or more would indicate that substantial regression has occurred.

Parent consent is required for initial placement in a twelve (12) month program or service.

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

The District is committed to ensuring that assistive technology devices and/or services are made available to a student with a disability, when appropriate, as part of the student's Individualized Education Program (IEP).

The IEP must describe any specialized equipment and adaptive devices needed for the student to benefit from instruction. IDEIA requires each school district to ensure that assistive technology devices and/or services are made available to a preschool or school-age student with a disability as part of the student's special education, related services or supplementary aids or services as described in the IEP. IDEIA defines assistive technology devices and assistive technology services, as follows:

Assistive technology devices means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. Such term does not include a medical device that is surgically implanted, or the replacement of such device.

Assistive technology service means any service that directly assists a student with a disability in the selection, acquisition, or use of an assistive technology device. The term includes:

- The evaluation of the needs of a child with a disability, including a functional evaluation of the student in the student's customary environment;
- Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;
- Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive technology devices;
- Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
- Training or technical assistance for a child with a disability, or if appropriate, that child's family; and
- Training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to employ, or are otherwise substantially involved in the major life functions of that student.

A student's need for assistive technology is determined through the individual evaluation. The District's CSE/CPSE is responsible for this functional evaluation

of the student. The need to conduct an assistive technology component of an evaluation must be considered for students on a case-by-case basis.

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

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

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

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

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

- Test accommodations must be provided on a consistent and uniform basis, as provided by each student's IEP and should not be excessive not alter the standard administration of the test to the least extent possible;
- Test accommodations are neither intended nor permitted to:
  - a. alter the construct of the test being measured or invalidate the results;
  - b. provide an unfair advantage for students with disabilities over students taking tests under standardized conditions;
  - c. substitute for knowledge or abilities the student has not attained.
- The following students are eligible to receive test accommodations:
  - a. students classified by the CSE or CPSE as having a disability;
  - b. students identified as having a disability pursuant to Section 504 of the Rehabilitation Act by a 504 Multidisciplinary Team;
  - c. students who incur disabilities for 30 days or less before administration of a district-wide test and who are authorized by the principal to receive test accommodations;
  - d. students previously declassified by the CSE or CPSE who are provided with declassification accommodations.

- The following individuals are authorized to make the decisions regarding test accommodations for a student with a disability:
  - a. the CSE or CPSE, if the student is classified under IDEIA and the Commissioner's Regulations or if the student has been declassified;
  - b. the Section 504 Multidisciplinary Team for those students identified as having a disability pursuant to Section 504 of the Rehabilitation Act;
  - c. the school principal, for general education students who have incurred a short or long-term disability within 30 days before administration of assessments and where sufficient time is not available for the development of an IEP or 504 Plan.
- all appropriate testing accommodations will be designated in a student's IEP or 504 Accommodation Plan and will be reviewed at least annually by the CSE or CPSE or 504 Multidisciplinary Team (except for declassification accommodations).
- steps shall be taken to ensure that teachers and service providers are aware of test accommodations for students and how they are to be implemented.



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

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

1. The Committee on Special Education (CSE) will annually review the special educational needs of each student with a disability. At each annual review after the student has entered the Middle School, the CSE will make an assessment as to whether or not the student's capabilities indicate probable success in passing state-developed or state-approved assessments or whether such student shall be evaluated using an alternate assessment in lieu of required state assessments. Where appropriate, the student will participate in this decision-making process.
2. The decision will be reviewed annually. The CSE will consider the following factors:
  - current levels of achievement;
  - learning rate;
  - preference of student and family.
3. The CSE will consider if the student requires testing modifications to participate in state or district-wide assessments. These modifications will be clearly stated on the student's IEP.
4. The District will offer appropriate remedial instruction for all students.
5. The CSE will identify and recommend support services and supplementary instruction necessary to assist students to benefit from credit courses.
6. If the student's special educational needs require instruction in small classes from certified special education teachers, the IEP shall so indicate and placement will be made in or outside the District in special education classes. In any such case, instruction in subjects granting credit toward graduation and a Regent's or local high school diploma will be provided in accordance with curriculum objectives and required levels of achievement determined by the special education teacher in consultation with a teacher certified in the subject being taught.

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

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

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

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

- Until the 2012-2013 school year, the Board of Education may award a high school individualized education program diploma (IEP diploma) to a student with a disability at the end of the school year in which the student reaches age twenty-one (21) provided that the educational goals in the student's current IEP have been achieved.
- Alternately, upon application of the student or parent, such diploma may be awarded upon the completion of twelve (12) years of attendance or its equivalence, excluding kindergarten, provided that the educational goals in the student's current IEP have been achieved.
- Any student under age twenty-one (21) who is awarded such diploma shall receive written notice of his entitlement to attend the District tuition free until the end of the school year in which that age is reached or a high school diploma is earned.

- Beginning with the 2013-14 school year and thereafter, the board of education may issue a skills and achievement commencement credential to a student who, upon the recommendation of the Committee on Special Education, has taken the State alternate assessment for students with severe disabilities, as defined in Section 100.1(t)(2)(iv) of the Regulations of the Commissioner of Education, in lieu of a required State assessment.
- Before a skills and achievement commencement credential is issued to a student with a severe disability, such student will be offered appropriate opportunities to participate in community experiences and development of employment and other instructional activities in preparation for post-secondary living, learning and employment.
- A skills and achievement commencement credential will be issued together with a summary of the student's academic achievement and functional performance.
- If the student receiving the commencement credential is less than twenty-one years of age, the credential will be accompanied by a written assurance that the student shall be eligible to return to school without the payment of tuition until he or she has earned a regular high school diploma or until the end of the school year in which such student turns twenty-one.

## **INDEPENDENT EDUCATIONAL EVALUATIONS**

The Byram Hills Central School District has established the following procedures for obtaining an independent educational evaluation (IEE) for children who are classified by the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) as having a disability or who are suspected of having a disability.

If a parent disagrees with an evaluation obtained by the School District, the parent may, under certain circumstances, obtain an independent evaluation at public expense. The rules for obtaining an IEE at public expense are set forth in New York State Regulations of the Commissioner of Education Sections 200.5(g)(1) and in the Code of Federal Regulations at CFR 300.502. Copies of the regulations, as well as **A Parent's Guide to Special Education: Your Child's Right to an Education in New York State** and the Procedural Safeguards Notice, which detail IEE requirements, are available from the Byram Hills School Services Office.

### **Definitions**

An independent educational evaluation (IEE) means an evaluation conducted by qualified examiners who are not employed by the school district. If a parent or guardian disagrees with the evaluation conducted by the District, the parent or guardian may have the right to obtain one IEE at public expense for each district evaluation.

If a parent requests an IEE at public expense, or shares with the School District an evaluation obtained at private expense by a qualified evaluator, the results of the evaluation will be considered by the Committee on Special Education or CPSE in any decision made with respect to classification or placement of the student.

Public expense may mean reimbursement of costs by the School District or arrangement by the School District to have the evaluation completed at no cost to the Parent through other public or private sources

### **Criteria for Independent Evaluations**

An IEE can be provided at public expense only if it is conducted by an individual who possesses a current license or certification from the NY State Education Department in the area of the evaluation.

The evaluator must be located within a 50-mile radius of the District. The District is not responsible for mileage to and from the evaluation site. Requests for exception to this geographic limitation may be allowed by the District if justified by the student's individual circumstances. Any request for such an

exception should be forwarded in writing to the Director of Special Services.

The District has set the following rates as the maximum allowable fees per evaluation:

Psycho-Educational Evaluations	\$2,500.00
Neurological Evaluation	\$ 1,500.00
Speech/Language Evaluation	\$ 700.00
Occupation Therapy Evaluation	\$ 700.00
Physical Therapy Evaluation	\$ 700.00
Psychiatric Evaluation	\$1,500.00
Neuropsychological Evaluation	\$2,500.00
Audiological Evaluation	\$ 500.00
CAP Evaluation	\$ 750.00
Assistive Technology Evaluation	\$1,000.00

Requests for exception to the maximum allowable fees may be approved by the District if justified by the student's individual circumstances. Any request for such an exception should be forwarded in writing to the Director of Special Services.

### Procedures

If a parent requests an IEE at public expense, the District will, without unnecessary delay, either: (a) file a due process complaint to request an impartial hearing to contest the IEE for failure to comply with the District's criteria and/or to defend the appropriateness of the evaluation conducted by the District, or (b) provide the IEE at public expense. If the impartial hearing officer determines that the District's evaluation is appropriate, the parent/guardian would not have the right to a publicly funded IEE or the right to reimbursement for the IEE.

If the parent requests an IEE, the District will ask why the parent objects to the evaluation obtained by the School District. The District will not, however, delay its response if parents do not wish to discuss the nature of their objections.

### Timeline

A parent may request an IEE at public expense from the District at any time, but an IEE should not be requested simply to update an evaluation that is more than one year old. If an evaluation is more than one year old and the parent believes it no longer reflects the Student's current levels of functioning or needs, a School District reevaluation should be requested, and a new evaluation will be provided by the School District prior to the Student's next annual review.

If the Parent disagrees with the results of the new evaluation, the School District will consider a request for an IEE. and may provide prior authorization for such re-evaluation by an agreed-upon provider. The School District will not authorize more than one IEE at public expense for each evaluation conducted by the School District.

If a parent obtains an evaluation at private expense without prior authorization and wishes to submit the private evaluation to the District for reimbursement as an IEE at public expense, a copy of the private evaluation report and an itemized invoice must be attached by the parent to the request for IEE reimbursement.

Requests should be in writing to: Byram Hills Central School District

Director of Special Services  
12 MacDonald Avenue  
Armonk, New York 10504

The School District will respond to the request either by reimbursing costs to the extent consistent with the approved payment schedule, or filing a due process complaint to request impartial review.

### Responsibilities

The District can, upon request, recommend qualified professionals who are in private practice or employees of other public agencies to who parents may go to secure an IEE. It is the responsibility of the independent evaluator to contact the School District to arrange for payment, date(s) of visitations and discussions with school staff. The independent evaluator is also responsible for sending a copy of his/her current NYS certification/license to the Director of Special Services.

34 Code of Federal Regulations Section 300.502

New York Code of Rules and Regulations (NYCRR) Sections 200.1(z) and 200.5(g)

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

### **Notice of Rights Concerning Student Records**

**Following is an explanation of the rights of parents/guardians concerning school records relating to their student pursuant to the Federal “Family Educational Rights and Privacy Act of 1974”:**

- Parents of a student under 18, or a student 18 or older, have a right to inspect and review any and all records, files and data directly related to their student, including all material that is incorporated into each student’s cumulative record folder, and intended for school use or to be available to parties outside the school or school system and specifically including, but not necessarily limited to, identifying data, academic work completed, level of achievement (grades standardized achievement test scores), attendance data, score on standardized intelligence, aptitude, and psychological tests, interest inventory results, health data, family background information, teacher or counselor ratings and observations, and verified reports of serious recurrent behavior patterns.
- A parent of a student under 18 years of age or a student 18 years of age or older shall make a request for access to a student’s (their own) school records, in writing, to the principal of the building to which such student is assigned or the guidance counselor in the Secondary School. Upon receipt of such request, arrangements shall be made to provide access to such records within a reasonable period of time, but in no case, no more than forty-five (45) days after the request has been received.
- Such parents and students are also entitled to an opportunity for a hearing to challenge the content of such records, to ensure that they are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading or otherwise inappropriate data contained therein. Any questions concerning the procedure to be followed in requesting such a hearing should be directed to the District Clerk.
- Student records and any material contained therein which is personally identifiable, are confidential and may not be released or made available to persons other than parents or students without the written consent of such parents or student. There are a number of exceptions to this rule, such as other school employees and officials and certain State and Federal officials who have a legitimate educational need for access to such records in the course of their employment.
- The District shall maintain directory information regarding its students. Directory information consists of personal information about individual

students and includes the student's name, address, telephone listing, date and place of birth, dates of attendance, degrees and awards received and previous educational institutions attended.

- At the beginning of each school year this policy remains in effect. The District shall notify parents, guardians and students eighteen years old and older ("eligible students"), either by direct mail or by other district-wide publication, or both, of those categories of information that constitute directory information. Thereafter, parents, guardians or eligible students shall have a reasonable period of time in which to inform the District that any or all of the information designated as directory information may not be released without the individual's consent. Any objection to such disclosure of directory information, and any request to be excluded from the list of directory information to be disclosed, shall be submitted in writing to the Superintendent of Schools, no later than three weeks after the mailing of notice to parents, guardians or eligible students, or notice in a district-wide publication.

## **Student Records Regulations**

### **Definitions**

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

**Student:** any person who has received educational services or instruction within the District.

**Eligible Student:** a student or former student who has reached the age of eighteen or who is attending an institution of post-secondary school education, unless the parent has legal guardianship of the student. An "eligible student" (not his/her parent) has full access to his/her own records and is the only person who is authorized to consent to the release of such records. Such student may expressly authorize a parent or guardian to exercise access and release rights on his/her behalf, but such authorization must be in writing, and must be signed by the student in the presence of a third party.

**Parent:** either parent, unless his/her right to access to school records has been specifically revoked by court order or a legally binding document, and the District has received notice of such court order or document. The term "parent" also includes a guardian who has been appointed by a court or who had demonstrated, to the satisfaction of the principal, that he or she is the actual and only person responsible for the child and for making decisions on the student's behalf.

Non-custodial parents have the same rights concerning access to their student's educational records as do parents who have custody. Boards may use the 45-day period to inform the custodial parent and afford him or her the opportunity to



present a court order or other binding instrument barring the release of the date requested.

**Education Record:** a record which is maintained within the school district which relates to the preschool, elementary, or secondary school education of a student within the District and which is accessible to more than one educator or other professional within the school district.

**Personally Identifiable:** information that includes the name or address of the student, the student's parent or other family member, a personal identified such as the student's social security or student identification number, or a list of personal characteristics or other information that would make it possible to identify the student with reasonable certainty.

### **Records Kept In The District, Their Location And Custodian**

**Student Cumulative Records:** The student cumulative record is initiated upon the student's entry into school, and follows the student through his/her school career. By the time the student completes secondary school, the record will include the following kinds of information: personal identification data; attendance records, health history; end-of-the year development suggestions; academic history including subjects and teachers by semester and year, units of study, summer school credits, subjects and grades failed and subjects dropped, secondary school subject sequences, type of diploma and date of graduation, report cards; standardized transcript, correspondence which is pertinent to the educational development of the student; records of suspensions or other disciplinary matter; and honors and awards.

### **Custodians and Locations**

	<b><u>Custodian</u></b>	<b><u>Location</u></b>
Records Maintained at		
• Elementary Schools	Principal	Main Office
• Middle Schools	Principal	Main Office
• High Schools	Guidance Counselor	Guidance Office
• Health Records	School Nurse	Nurse's Office
• Speech Records	Director of Special Services	Special Services Office
• CSE Records	Director of Special Services	Special Services Office
• School Psychologist Records	Psychologist	Psychologist's Office

## **INSPECTION OF SCHOOL DISTRICT RECORDS**

1. Parent(s), guardians(s) and eligible students may inspect and review the student's records files and data directly related to the student upon compliance with the following conditions:
  - The parent or eligible student should submit to the student's school principal in the elementary schools or guidance counselor in the secondary schools a written request to see the student's file. If a student's records are maintained in several locations, the school principal will, upon request, collect the records, as described below. Such review will be scheduled promptly after receipt of the written request for access and in no case take place more than forty-five (45) days from the date of that receipt.
  - Records in the custody of the Department of Special Education may be obtained upon request to the Director of Special Services. Appointments for review of special education records will be made upon a minimum of three days' notice at the mutual convenience of staff, parent or eligible student.
  - Upon request, record review will be arranged prior to any Committee on Special Education or Committee on Preschool Special Education meeting or any discussion regarding an Individualized Education Program.
  - Personal notes kept by a teacher or administrator or other staff member and not made available to others in the school district, except a temporary substitute, are not considered "education records" and are not subject to this policy.
  - Appropriate school district personnel will be present during record inspection to interpret and explain records during the school year. Records may be inspected between 9:00 a.m. and 3:00 p.m. Copies of documents will be made available at a cost of \$.25 per page. Parents may be accompanied by any person in reviewing records or may have an appropriately authorized representative inspect and review only the information relating to their child.

### **Transmittal of Records**

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

The previous school in which the student was enrolled will take reasonable steps to promptly respond to this request from the new school.

## **Release of Student Records to Third Parties**

1. **Release with Consent** – Except under certain limited circumstances set forth in this policy and permitted by the Family Educational Rights and Privacy Act, education records will be released to third parties only with the prior written consent of the parent or eligible student.
2. **Release without Consent** – Records may be released without consent only under the following circumstances:
  - a. “Directory Information” may be disclosed, where appropriate without consent.
  - b. Educational records concerning a particular student may be released only to staff members who have responsibility for the student, and then only if it is educationally necessary to consult the records.
  - c. Records in the custody of the Department of Special Services may be released to school officials and members of the Committee on Special Education or Committee on Preschool Special Education only for purposes of the identification of a student’s disability and development of an individualized education program.

Portions of the cumulative record or current evaluations and IEP from special education records may be released without consent to another school under the circumstances indicated below:

- If the principal of the school maintaining the record has received written notification of the student’s intent or attempt to enroll there, or
- If the Committee on Special Education has recommended application for or placement in such school.

**Records disclosed pursuant to this provision without express written consent, will be only those deemed by the Director of Special Services to be essential for the provision of educational services or educational planning. The District will notify parents of eligible students prior to transfer of records. They may request and receive copies of records transferred under this provision. Transcripts will not identify courses as “special education” courses without the written consent of parent or eligible students.**

- d. Records may be released without consent to federal and state officials in connection with evaluation of federally supported education programs or enforcement of federal requirements. Persons reviewing records under this provision must sign a written form, to be kept in the student's folder, indicating their interest in the records.
- e. With the approval of the Superintendent of Schools, records may be released without consent to organizations, public and private, conducting studies for or on behalf of educational agencies for institutions. The District shall require recipients of such information to provide written assurances that personally identifiable information will not be further released and that all the information received will be destroyed when no longer needed for the study.
- f. Records may be released without consent to accrediting organizations to carry out their accrediting functions.
- g. Records may be released without consent to comply with judicial orders or lawfully issued subpoenas. A subpoena will be considered to be "lawfully issued" when it is issued by a court, or when counsel to the school has reviewed it and found it to be "lawfully issued". Before making such a disclosure the District must send written notice to the parent or eligible student.
- h. Records may be released without consent in health or safety emergencies, if such disclosure is deemed by the official making the disclosure to be warranted by the seriousness of the threat to the health or safety of the student or other persons and if the information is necessary to meet the emergency. Such records will be released without written consent only in the event that the person to whom the information is disclosed, is qualified to deal with the emergency and time is an important factor in dealing with the emergency.

### **Records of Request for Access to Education Records**

Current special education staff and administration have the right to continuous access to the special education student files. In addition, for all others, the District will maintain a record of all requests for disclosure of information from, or permission for access to, a student's special or general education record and will keep a record of all information disclosed and access permitted. Such record will not include request for access by the parents who have responsibility for the student, the student, persons whose request is accompanied by prior written consent or a party seeking Directory Information. The access record will be kept with the cumulative record, or, in the case of records pertaining to special

education, with those records. It will be available only to the record custodian, the eligible student, the parent of the student, or to public officials for the purpose of auditing or enforcing the requirement of federally supported educational programs. The record will include:

- The name of the person or agency that made the request, the interest the person or agency had in the information, the date of the request,
- Whether the request was granted and if so, the date access was permitted,
- Such record will be maintained as long as the student's education record is maintained.

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

Student records and files are kept in locked files in an office that is also locked when left unattended.

The CSE/CPSE secretaries monitor access to student files. They acknowledge and are familiar with all staff who have access. Professionals visit the CSE/CPSE office when they need access to a file. The CSE/CPSE secretary obtains the file and the professional proceeds to a designated area where review can take place. When the professional review is complete, the file is returned to the CSE/CPSE secretary.

Only professionals who are working with the student and parents who are members of the CSE are allowed access to the records. Specified support staff are also allowed access to student files in order to complete tasks such as filing, sending and receiving records, etc. The student's original record is **not** allowed out of the office at any time.

### **Procedures to Seek to Correct Education Records**

Parents and eligible students have a right to seek to change any part of a student's record which they believe to be inaccurate, misleading, or in violation of the student's rights.

1. The parent or student shall notify the principal or Director of Special Services of objections and shall prepare and sign a statement identifying the records believed to be inaccurate, misleading or otherwise in violation of rights together with a reason for challenge. Upon receipt of such statement, the principal or Director of Special Services will hold an informal conference with the parent or student and, when possible, with the maker of the record. If after reviewing the record and objections to it, the principal or Director of Special Services finds no basis for amendment, he or she shall so advise the student or parent in writing and advise them of the right to a hearing.

2. The principal or Director of Special Services will also advise the student or parent of the right to place in the education record a statement on the challenged information and/or setting forth any reason for disagreeing with this decision. An explanation placed in an education record under this paragraph shall be maintained by the District as part of the education record as long as the record is maintained by the district. It will be released by the District with the education record whenever such release is authorized by the provisions of this policy.
3. An appeal from a hearing concerning the educational records of a regular educational student may be made to the FERPA Office of the U.S. Department of Education.

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

The procedures to locate, identify, and evaluate all nonpublic school students with disabilities, including students attending religiously-affiliated schools, must be comparable to activities undertaken for students with disabilities in public schools.

The school district where the nonpublic elementary or secondary school is located will be responsible for the equitable provision of services, child find and consultation requirements in IDEIA 2004.

If the school district where the nonpublic school is located determines through its child find process that a student is suspected of having a disability, it must immediately schedule evaluation and review of the Student's educational needs.

The school district in which the nonpublic school is located must conduct the evaluation and eligibility determination and, for a student determined to be eligible for special education services, develop the IESP.

The school district of location must provide the services as recommended in the IESP.

The school district where the nonpublic school is located, if the school district is located within New York State must implement the IESP of students with disabilities attending nonpublic schools in the jurisdiction of its public school.

The school district where the nonpublic school is located can recover costs for evaluation and tuition from the District of residence for special education services provided to nonresident students. Such tuition must exclude costs for such services paid with federal or State funds.

State and local funds must supplement and in no case supplant the proportionate amount of federal funds required to be expended by the school district in which the nonpublic school attended by the student is located.

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

It is the policy and practice of the Board of Education to ensure, to the fullest extent possible, that students with disabilities residing in the District shall be educated within the school district.

It is the policy and practice of the Board of Education to ensure, to the fullest extent possible, the allocation of appropriate space within the District for special education programs that meet the needs of school-age students with disabilities. Special education services shall not be denied simply because of a lack of appropriate space.

The Byram Hills School District will consider organizing new or additional special education classes whenever five (5) eligible students with similar educational needs who are not already placed in such a program (based upon CSE identification, classification and recommendation) are located in the District. When a present class exceeds the legal limit of either twelve (12) or fifteen (15) students permitted by education law, a variance from the State Education Department will be obtained or a new class will be formed.

Further, it is the policy and practice of the Board of Education to ensure, to the fullest extent possible, that appropriate space will be available to meet the needs of resident students with disabilities who attend special education programs provided by the Board of Cooperative Educational Services (BOCES). At least once per year, a staff member from the District's Special Education Department will visit the placement of each resident student who attends a BOCES special education program to assure the appropriateness of the space allocated for that placement.

The District will continue to provide space, to the extent available, for school-age students from other school districts who need self-contained classes not available in their home schools. The District will also continue to meet with Southern Westchester BOCES to work toward New York State Education Department's requirement in developing the regional plan that reduces the number of special education students in center based non-integrated settings.



## **METHODS FOR EVALUATING PROGRAM OBJECTIVES**

The goal of the special education program in the District are to provide each student with individualized instruction designed to help each student compensate for his or her disability in order to more fully reach his or her potential.

The methods used to evaluate the extent to which the objectives of the special education program have been achieved are:

- Ongoing evaluation of student achievement using various standardized diagnostic tests, state assessments and other teacher made assessments;
- Annual reviews of students' progress and programs, resulting in revised comprehensive IEP's;
- Qualitative techniques such as teacher observations and conferences, classroom observations, anecdotal reports, and end-of-year student summary;
- Re-evaluations of each student with a disability;
- Periodic review of the District Plan

## DISTRICT PROGRAMS

The Byram Hills School District operates a variety of programs and services for students with disabilities. These services are provided to district residents at no cost and in the least restrictive environment upon the recommendations of the Committee on Special Education and with the approval of the Byram Hills Board of Education.

These services are available to students with disabilities through the end of the school year during which their 21<sup>st</sup> birthday occurs, or until a regular high school diploma has been attained, whichever occurs first.

The following is a description of each of the special education program options, organized from least restrictive to most restrictive:

### Transitional Support Services

Upon the recommendation of the Committee on Special Education, this temporary service may be provided to a regular or special education teacher to aid in the provision of appropriate services to a student with a disability transferring to a regular program or to a program or service in a less restrictive environment. A student is eligible for this service at any age or grade level.

### Declassification Support Services

Declassification support services are provided to a school aged student who has been declassified from special education. The services are provided for only one year following declassification. A student is eligible for this service at any age or grade level.

### Consultant Teacher Services

Consultant teacher services are recommended in order to provide direct and/or indirect services to student with disabilities who attend general education classes and/or to such student's regular education teachers.

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

## Related Services

Related services are those developmental, corrective and other supportive services as are required to assist a student with a disability and include speech-language therapy, occupational therapy, counseling services, orientation and mobility services, medical services as defined by regulation, parent counseling and training, school health services, school social work, assistive technology services, appropriate access to recreation, including therapeutic recreation, other appropriate developmental or corrective support services, and other appropriate support services and include the early identification and assessment of disabling conditions in students. The term does not include a medical device that is surgically implanted, or the replacement of such device. The Committee on Special Education recommends any related service that is appropriate to a youngster's individual needs.

Related services currently provided in district include psychological services, counseling services, assistive technology services, speech and language therapy, medical services for diagnostic purposes, physical therapy, occupational therapy, vision services, hearing services, and parent counseling and training.

The District employs six school psychologists and contracts with private agencies for the provision of speech-language therapy, occupational therapy and physical therapy services. Teacher of the hearing impaired and vision services are provided through Southern Westchester BOCES and/or Putnam Northern Westchester BOCES. Specialized reading services may be provided through either Southern Westchester or Putnam Northern Westchester BOCES.

### Speech and Language Therapy

The goal of speech and language therapy is the early identification of communication disorders and the remediation of articulation and phonological deficits, stuttering, voice disorders, and receptive and expressive language problems, which adversely affect a student's educational performance. Services are provided either individually or in small groups of up to five students at a frequency rate established by the Committee on Special Education. Speech and language therapy is also provided as a push-in service in the District's special class programs in grades kindergarten through eight. Speech and Language Therapy Services are provided through Northern Westchester Center for Speech Disorders (NWCSD) or through Isa Marrs Speech Language Pathology, PC.

### School Psychological Services

School psychologists have a number of responsibilities including the following: Individual assessments of cognitive and social/emotional functioning and interpretation of testing results, chairing CSE and 504 Committee meetings, participation in Child Study Team meetings and Committee on Special Education meetings, consultation with staff, parents and outside agencies and other professionals. Crisis intervention is another facet of the responsibilities of the school psychologist. The psychologist works with school staff to conduct

Functional Behavioral Assessments and implement Behavioral Intervention Plans.

The school psychologist is also responsible for the provision of IEP mandated counseling for individual students and parent training, as prescribed by the Committee on Special Education. These services are provided to those students whose psychosocial needs interfere with their ability to benefit from education. The focus of school-based counseling must be on the school-related difficulties of the student with a disability and is designed to assist the student in overcoming the social or emotional difficulties that interfere with the educational process. Counseling services are provided district-wide by school psychologists.

### Occupational Therapy and Physical Therapy

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

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

Occupational Therapy is provided through Byram Occupational Therapy, LLC and Physical Therapy is provided through Summit Occupational and Physical Therapy Services, PLLC.

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

Hearing and vision impaired services are designed to provide direct specialized instruction to students with hearing and visual impairments. Itinerant Services for the Hearing or Visually Impaired are provided through Southern or Putnam Northern Westchester BOCES.

### Consultant Teacher Services

Consultant teacher services are direct and/or indirect services provided to a school-age student with a disability in the student's general education classes,

and/or to such student's general education teachers. Direct consultant teacher services means specially designed instruction provided to an individual student with a disability or to a group of students with disabilities by a certified special education teacher to aid the student(s) to benefit from the general education class instruction. Indirect consultant teacher services mean consultation provided by a certified special education teacher to a general education teacher to assist the general education teacher in adjusting the learning environment and/or modifying his/her instructional methods to meet the individual needs of a student with a disability who attends the general education class. Indirect consultant teacher services can be combined with direct consultant teacher services.

### Resource Room Services

Resource room services are supplemental in nature and are designed to remediate academic skill deficits and to develop the study skills and organizational skills to effectively manage the general education curriculum. The goal of the resource room program is to promote independence and self-advocacy skills.

Ongoing consultation with general education classroom teachers is an integral part of this service. The instructional group in each resource room period does not exceed five students, who are grouped according to similarity of need. Each resource room period is instructed by a special education teacher. Students receive at minimum of three hours per week of resource room services unless combined with consultant teacher services for a total of at least 180 minutes per week. Resource room services are available at the elementary, middle and high school levels.

### Special Class Instruction

Special class means a class consisting of students with disabilities who have been grouped together because of similar individual needs for the purpose of being provided specially designed instruction. Specially-designed instruction means adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to address the unique needs that result from the student's disability; and to ensure access of the student to the general curriculum, so that he or she can meet the educational standards that apply to all students. Special educators meet regularly with related service providers to coordinate instruction and monitor student progress. All students participate in general education for specials, including art, music and library. When needed, a teacher aide can accompany a student to specials.

At the elementary level, part-time and full-time special classes are available. The full-time class at the Coman Hill School is designed for students with intensive needs and has a small student-to-teacher ratio. The full-time special class located at the Wampus School is also designed for students with intensive needs and also has a small student-to-teacher ratio. For both full-time special classes at the Coman Hill and Wampus schools, the school psychologist provides social skills

instruction and the speech and language pathologist provides language instruction on a regular basis as part of the program.

The remaining special classes at both the Coman Hill and Wampus Schools provide educational programming for a portion of the school day. Children participate for one to two periods per day in English Language Arts (ELA) and Math classes consisting of a maximum of twelve students and one teacher. The special education teacher or aide pushes into the students' general education science and social studies classes.

At the middle school level, the special class program is departmentalized so that students are scheduled by subject: language arts, mathematics, science, social and studies. Students can be placed in the grade appropriate special class for one subject, several subjects or all four core academic subjects. In the eighth grade, direct consultant teacher services are provided to students in the science class for up to three periods per week. When the special education teacher is not in the science class, a special education aide is providing support to the students.

At the high school, special classes are available at all grade levels for English. Other special classes are available in selected math, social studies, and science courses. Direct consultant teacher services can support students and the content area teachers in selected science and social studies courses, as well as in both levels of the Spanish Communications program.

## **OUT OF DISTRICT PROGRAMS**

### **Sound Shore Consortium**

If the Byram Hills School District is unable to meet the needs of a student with a disability within its own schools, it may look first to neighboring public schools which are part of the Sound Shore Consortium. The school districts in the consortium are:

Byram Hills Central School District

Blind Brook Public Schools

Harrison Central School District

Mamaroneck Union Free School District

Port Chester Public Schools

Rye City School District

Rye Neck School District

White Plains City School District

## **Other Public School District & Board of Cooperative Educational Services (BOCES)**

If appropriate consortium programs are not available, The Byram Hills School District may provide services not available within the School District through a contract with another public school district within the state or with the Board of Cooperative Educational Services (BOCES) for Southern Westchester or with Putnam/Northern Westchester BOCES. BOCES services may be provided in another public school district or on a BOCES campus.

Additional Information about BOCES programs can be accessed through the websites listed below:

### **Putnam/Northern Westchester BOCES**

www.pnwboces.org

### **Southern Westchester BOCES**

www.swboces.org

## **Approved Private/State Supported Schools**

When the needs of the individual student cannot be met in any of the previous programs, the Committee on Special Education may consider placement in approved private school programs. Schools that are on the list of Schools approved by the Commissioner of Education for School District contracts can be found at the web site for the New York State Education Department, at

<http://www.p12.nysed.gov/specialed/privateschools/853-statewide.htm>

## **Home/Hospital Instruction**

The Committee on Special Education may assign a student to home/hospital instruction if he/she becomes ill or physically unable to attend school. Documentation from a physician indicating the diagnosis and anticipated date of return to school is required prior to the initiation of instruction.

The Committee on Special Education may also use this restrictive program option when all parties agree that a student needs to be removed from his/her current placement. This may occur when a student presents a danger to himself and/or others or when a current placement is deemed to be inappropriate for the child's needs. This option is considered short-term in nature, pending exploration of more appropriate program options.

**2012-13 Special Education Budget**  
**(Excluding Salaries and Benefits)**

<b>ACCOUNT</b>	<b>ACCOUNT NAME</b>	<b>BUDGET</b>
A 2250.240-11-5600	EQUIPMENT	\$2,000.00
A 2250.400-11-5600	CSE MAINTENANCE SUMMER/SCHOOL YEAR	\$75,184.00
A 2250.401-11-5600	CONSULTANTS	\$16,000.00
A 2250.402-11-5600	PURCHASED SERVICES: NON-PUBLIC SCHOOLS	\$202,000.00
A 2250.404-11-5600	MEMBERSHIPS	\$400.00
A 2250.410-08-5500	TRAVEL/HS	\$200.00
A 2250.410-11-5600	TRAVEL/ CONFERENCE	\$3,000.00
A 2250.449-11-5600	PROF SPEECH/HEARING SERV	\$674,348.00
A 2250.470-10-5600	TUITION/CONSORTIUM	\$819,563.00
A 2250.470-11-5600	TUITION/HANDICAPPED	\$640,000.00
A 2250.471-11-5600	COMMITTEE/HANDICAPPED	\$42,000.00
A 2250.472-11-5600	TUITION/OTHER SCHOOLS	\$281,667.00
A 2250.481-05-5500	TEXTBOOKS/CH	\$750.00
A 2250.481-07-5500	TEXTBOOKS/HARD/HCC	\$1,167.00
A 2250.481-08-5500	TEXTBOOKS/HARD/HS	\$381.00
A 2250.490-10-5600	SPECIAL EDUCATION	\$845,487.00
A 2250.491-11-5600	BOCES COPIER LEASE	\$5,294.00
A 2250.501-11-5600	SUPPLIES	\$19,000.00
A 2250.505-04-5500	L.D.SUPPLIES/WA	\$4,400.00
A 2250.505-05-5500	L.D.SUPPLIES/CH	\$1,900.00
A 2250.505-07-5500	L.D. SUPPLIES/HCC	\$4,000.00
A 2250.505-08-5500	L.D. SUPPLIES/HS	\$1,965.00
A 2250.516-05-5500	ESL SUPPLIES/CH	\$300.00
A 2250.522-05-5500	TESTING MAT/CH	\$950.00
A 2250.540-08-5500	MAG/PERIODICALS/HS	\$200.00
A 2250.540-11-5600	PERIODICALS	\$600.00