

AGENDA

BOARD OF EDUCATION • LEVITTOWN, NEW YORK

LEVITTOWN UNION FREE SCHOOL DISTRICT • TOWN OF HEMPSTEAD • LEVITTOWN, NEW YORK
www.levittownschools.com

PLANNING SESSION

LEVITTOWN MEMORIAL EDUCATION CENTER

Wednesday, October 22, 2014

6:45 P.M. (Approx. immediately following the Audit Committee Meeting) Meeting convenes with anticipated adjournment to Executive Session

7:30 P.M. (Meeting reconvenes in Planning Session)

Success for Every Student

(Note: Items on this Planning Session appear in order of intended discussion. As per previous understanding with the Board, any items which are not reached during the meeting will be carried forward to subsequent Planning Sessions or Ad Hoc portion of Regular Meetings.)

Recognition: Board of Education

Comprehensive Security Plan

Policy #7670 Due Process Complaints: Selection and Board
Appointment of Impartial Hearing Officers - second read

Enclosure

Policy #7210 Student Evaluation, Promotion and Placement -
second read

Enclosure

Old business: Videostreaming of Board of Education Meetings

LEVITTOWN SCHOOLS**POLICY # 7670**

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STUDENTS**SUBJECT: DUE PROCESS COMPLAINTS; SELECTION AND BOARD
APPOINTMENT OF IMPARTIAL HEARING OFFICERS****Due Process Complaints**

The District is committed to making every effort to amicably resolve disputes regarding educational programs for students with disabilities. In the event such disputes cannot otherwise be resolved, either a parent or the District may file a due process complaint challenging the identification, evaluation or educational placement of a student with a disability, or a student suspected of having a disability, or the provision of a free appropriate public education to such student. The complainant may not have an impartial due process hearing until the complainant, or the attorney representing the complainant, files a due process complaint notice that meets the requirements set forth in law for such notice. Any and all due process hearings will be conducted in a manner consistent with the timelines and procedures set forth in law and regulation.

Except as otherwise provided by law, all requests for impartial due process hearings must be submitted within two (2) years of the date the parent or the District knew or should have known about the alleged action forming the basis of the complaint. Upon receipt or filing of the due process complaint notice, the District will provide a procedural safeguards notice to the parents. The District will also inform parents in writing of the availability of mediation and of any free or low-cost legal and other relevant services available in the area.

An impartial due process hearing will be conducted at a time and location reasonable and convenient to the parent and student involved. The hearing will be closed to the public unless the parent requests otherwise.

A student whose education is the subject of a due process complaint will remain in his/her current placement during the pendency of the impartial due process hearing unless both parties agree or as otherwise permitted by law.

All issues relating to a request for and conduct of an impartial due process hearing must be kept confidential by all District staff.

Resolution Process

Prior to the opportunity for an impartial due process hearing, the District will convene a meeting with the parents and the relevant member or members of the committee on special education or committee on preschool special education who have specific knowledge of the facts identified in the complaint. Such meeting will provide the parents with an opportunity to discuss their complaint and the facts that form the basis of the complaint, and an opportunity to resolve the complaint with the District. The District will take steps to ensure that one or both of the parents of the student with a disability are present at the resolution meeting, and will notify parents of the meeting early enough to ensure that they have the opportunity to attend. The resolution meeting will be at a mutually agreed upon time and place, and in a location that is

(Continued)

Attachment: Policy 7670 (1510 : Policy #7670 Second read)

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physically accessible to the parents. The District will ensure that all resolution meetings conform to the requirements set forth in the Regulations of the Commissioner of Education.

The parents and the District may agree, in writing, to waive the resolution process or agree to use the mediation process to resolve the dispute.

Selection and Board Appointment of Impartial Hearing Officers

In the event a due process complaint notice is filed pursuant to the Individuals with Disabilities in Education Act (IDEA), the Board of Education will arrange for an impartial due process hearing to be conducted. In such instances, the Board will immediately-but not later than two (2) business days after receipt of the due process complaint notice or mailing of the due process complaint notice to the parent-initiate the process to select an impartial hearing officer (IHO) through a rotational selection process. To expedite this process, the Board may designate one (1) or more of its members to appoint the IHO on its behalf.

The District will utilize the New York State Education Department's Impartial Hearing Reporting System (IHRS) to access the alphabetical list of the names of each IHO certified in New York State and available to serve in the District. The appointment of an IHO will be made only from such list and in accordance with the alphabetical rotation selection process and the timelines and procedures established by the Commissioner of Education. The District will record and report to the State Education Department required information relating to the selection of IHOs and the conduct of impartial due process hearings according to the manner and schedule specified by the Department.

The District will be responsible for compensating the IHO for prehearing, hearing and post-hearing activities at the rate agreed upon at the time of the IHO's appointment. The District will also reimburse the IHO for certain travel and other hearing-related expenses (e.g., duplication and telephone costs) pursuant to an annually determined schedule.

Administrative procedures will be developed governing the implementation of this policy.

Individuals with Disabilities Education Act (IDEA), 20 USC Section 1400 et seq.
34 CFR Part 300
Education Law Sections 4005, 4202, 4404(1) and 4410(7)
8 NYCRR Sections 200.2 and 200.5

NOTE: Refer also to Policies #7660 -- Parent Involvement for Children with Disabilities
#7690 -- Special Education Mediation
#7313 -- Suspension of Students

Re-Adopted: January 25, 2012

Revised:

Attachment: Policy 7670 (1510 : Policy #7670 Second read)

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POLICY # 7210

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SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT

Grade Promotion and Placement

Grade promotion and the placement of students within the District's instructional system shall be at the discretion of the school administration and shall be subject to review at any time. In making such decisions, the administrator or Building Principal will be guided by performance in class past records, including various measures of student growth; parent and teacher recommendations; and any other appropriate sources of information. With regard to student placement decisions, parents may submit written requests for teacher attributes that would best serve their child's learning needs; however, requests for specific teachers will not be honored.

Promotion and Retention

The promotion of pupils in the Levittown Union Free School District from one grade or level to the next higher grade or level shall be dependent on the pupils' satisfactory completion of a program of study designed to meet their individual needs. Whenever it is apparent that a pupil's progress is less than satisfactory, and failure or retention appears imminent, the teacher is to inform the Principal of the situation immediately. Satisfactory completion will be measured against the curriculum benchmarks for a given grade or subject. In the elementary grades, if students are identified as likely to be retained, the school must notify parents in writing of potential retention no later than March 1. Such notification, whenever possible, should also include a face-to-face discussion with the child's parents. In addition, no elementary child should be considered for retention unless the child's progress has been brought before the building CSE.

At the middle school, retention in a grade should only be considered if a student fails more than one subject. An exception to this will be possible retention in eighth grade. A student must pass at least three (3) of the following: English, Math, Social Studies and Science, in order to be promoted to ninth grade. Absent passing three (3) of these four (4) subjects, the student may be retained in eighth grade.

In high school, a student's progress towards graduation is measured by the accumulation of course credits and satisfying mandated assessments.

With respect to any retention, the input of all parties including parents, teachers, administrators, and support staff, should be considered. However, the ultimate responsibility for deciding upon retention should be that of the building Principal after notifying the Assistant Superintendent for Instruction.

Retention should only occur when it is in the best interest of the child, when there are firm expectations that the pupil can benefit significantly by another year in the same grade, and when there is agreement for retention on the part of appropriate staff members. In addition, any recommendation for retention must include a specific plan for remediation that is designed to meet the needs of the student.

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SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT (Cont'd)

Testing Program

The School District utilizes various ability, achievement, diagnostic, readiness, interest and guidance tests for the purpose of complying with state and federal law and/or aiding the implementation of quality educational services. The District will not make any student promotion or placement decisions based solely or primarily on student performance on the state administered English language arts and mathematics assessments for grades 3 through 8. The District may, however, consider student performance on such state assessments in making student promotion and placement decisions provided that multiple measures be used in addition to such assessments and that such assessments do not constitute the major factor in such determinations.

Alternative Testing Procedures

The use of alternative testing procedures shall be limited to:

- a) Students identified by the Committee on Special Education and/or Section 504 Team as having a disability. Alternative testing procedures shall be specified in a student's Individualized Education Program or Section 504 Accommodation Plan; and
- b) Students whose native language is other than English (i.e., English language learners) in accordance with State Education Department Guidelines.

The alternative testing procedures employed shall be based upon a student's individual needs and the type of test administered.

The District shall report the use of alternative testing procedures to the State Education Department on a form and at a time prescribed by the Commissioner.

Reporting to Parents and Persons in Parental Relation to Students

Parents, guardians, and/or persons in parental relation to District students shall receive an appropriate report of student progress at regular intervals.

The District will not place or include on a student's official transcript or maintain in a student's permanent record any individual student score on a state administered standardized English language arts or mathematics assessment for grades 3 through 8. However, the District will comply with state and federal requirements regarding the maintenance and transfer of student test scores. Any test results on a state administered standardized English language arts or mathematics assessment for grades 3 through 8 sent to parents or persons in parental relation to a student shall include a clear and conspicuous notice that such results will not be included on the student's official transcript or in the student's permanent record and are being provided to the student and parents for diagnostic purposes.

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STUDENTS**SUBJECT: STUDENT EVALUATION, PROMOTION AND PLACEMENT (Cont'd)**

When necessary, attempts will be made to provide interpreters for non-English speaking parents, guardians, and/or persons in parental relation to District students.

Section 504 of the Rehabilitation Act of 1973, 29 USC Section 794 et seq.

Education Law Sections 305(45) - (47), 1709(3)

8 NYCRR Sections 100.2(g), 100.2(ll), 100.3(b)(2)(iv), 100.4(b)(2)(v), 100.4(e)(6)

8 NYCRR Parts 117 and 154

Adoption Date: January 25, 2012

Revised: