

**SPECIAL MEETING  
MARCH 4, 2016-MINUTES**

**HEMPSTEAD PUBLIC SCHOOLS  
BOARD OF EDUCATION  
SPECIAL MEETING  
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The special meeting of the Hempstead Public Schools Board of Education was held in the Superintendent's Office, 185 Peninsula Boulevard, Hempstead, New York 11550. The purpose of the meeting was to appoint a business official and present a new policy to the Board for approval entitled Language Access. At approximately 1:39 P.M. the District Clerk was presented with a letter from the Nassau County District Superintendent of Schools, Dr. Robert R. Dillon, informing her and the Board of Education that he has used his authority to appoint Mr. David B. Gates to fill the vacancy created on October 27, 2015. The appointment was effective immediately. The District Clerk was then directed to swear in Mr. Gates. The special meeting was called to order at 3:40 P.M. News media was present interviewing the newly appointed Trustee and the Board President. Public participation was entertained. Various community members offered congratulations to Trustee Gates.

**BOARD MEMBERS PRESENT:**

LaMont Johnson	President
Maribel Touré	Vice president
Gwendolyn Jackson	Trustee
David B. Gates	Trustee

**BOARD MEMBERS ABSENT:**

JoAnn Simmons	Trustee
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**STAFF MEMBERS PRESENT:**

Susan Johnson	Superintendent of Schools
Dr. Rodney Gilmore	Associate Superintendent for Human Resources
Regina Armstrong	Assistant Superintendent for Elementary C & I
James Clark	Associate Superintendent for Secondary Education
Renee Hamilton	Executive Director for Testing, Research & Evaluation
Patricia Wright	District Clerk

**Trustee Touré moved, seconded by Trustee Jackson to approve the consent calendar.**

1. **RESOLVED**, that the Board of Education approves the attached professional agreement contract with WIMAC, LLC in the performance of general management, school business advisory, administrative, fiscal, and accounting services to the business office and authorizes the President of the Board of Education to execute same.



## LANGUAGE ACCESS POLICY

### Definitions:

The following defined terms are used throughout the Language Access Procedures:

1. **“BOCES”** means the Boards of Cooperative Educational Services of New York State.
2. **“Commissioner”** means the Commissioner of the New York State Education Department.
3. **“CSE”** means Committee on Special Education.
4. **“District”** means the Hempstead Union Free School District and schools within the Hempstead Union Free School District.
5. **“ELL”** means English language learner, sometimes formerly referred to as “limited English proficient” or “LEP.”
6. **“ENL”** means English as a new language, formerly called “English as a second language,” or “ESL.”
7. **“High-incidence language”** means a native language used by more than five percent of ELLs within the District, as reflected in data reported by the District to SED through the Student Information Repository System.
8. **“HLQ”** means the Home Language Questionnaire generated by the New York State Education Department.
9. **“Low-incidence language”** means a native language used by less than five percent of ELLs within the District, as reflected in data reported by the District to SED through the Student Information Repository System.
10. **“NYSED”** means the New York State Education Department.
11. **“NYSESLAT”** means the New York State English as a Second Language Achievement Test.
12. **“NYSITELL”** means the New York State Initial Test for English Language Learners.
13. **“Native language”** means the language normally used by the parents of the student except in all direct contact with a student, native language means the language normally used by the student in the home or learning environment.
14. **“Qualified personnel”** means 1) a certified bilingual or English to speakers of other languages teacher, who is fluent in the home language of the student and parent or person in parental relation, or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relation best understands; or 2) a certified teacher who has been trained in cultural competency, language development and the needs of English language learners, and who is proficient in the home language of the student or parent or person in parental relation or uses a qualified interpreter/translator of the language or mode of communication the student or parent or person in parental relations best understands.
15. **“Qualified interpreter/translator”** means a person who is fluent in the language in which he or she is communicating and in English, has a demonstrated ability to employ the mode of interpretation appropriate to the given situation (e.g. simultaneous interpretation for hearings or large-group parent meetings) and has received training in specialized issues such as confidentiality and any applicable technical vocabulary. School staff who meet this criteria, such as a certified bilingual or English to speakers of other languages teacher, may

be qualified to serve as an interpreter/translator.

**Procedure: Initial Screening for, and Annual Evaluation of, ELL Students**

*This procedure shall be used during the enrollment process when District personnel screen students for English language proficiency, as well as when District personnel annually assess the English language proficiency of ELL-designated students, pursuant to Parts 117 and 154, respectively, of the New York State Regulations on Identification and Services to ELL Students (8 NYCRR §§ 117, 154).*

**Initial screening:** The District will administer the HLQ to the student, parent, or guardian present at enrollment. The District shall provide a copy of the HLQ in English or in the student, parent, or guardian's native language, when necessary and available. The HLQ shall be administered by qualified personnel. The District shall also conduct an interview as part of the student's screening for English language proficiency. The interview with the student shall be conducted by qualified personnel.

In the event the District does not have a copy of the HLQ in a student, parent, or guardian's native language, either from NYSED or another source, and qualified personnel are not immediately available to administer the HLQ, the District shall make an appointment for the student, parent, or person in parental relation to return at a later time to complete the student's placement, and shall also determine whether, at that later appointment, whether the student, parent, or person in parental relation needs an interpreter for such appointment. At the appointment, the District shall have present qualified personnel to conduct the interview and complete the student's screening for English language proficiency.

**Annual assessment:** Annually, the District will administer the NYSESLAT to each ELL-designated student. The District shall provide notification to the parent/guardian of each ELL-designated student of the results of such assessment and the District's determination as to whether the student should continue receiving ENL/bilingual services. Such notification shall be provided to the parent/guardian in English and the language they understand, if it is a language other than English, as indicated on the HLQ, if such language is a high-incidence language. If such language is a low-incidence language, and the District does not have personnel fluent in the language who can translate the notification into such language, the District shall contract with a translation service to create a copy of the notification in the parent/guardian's native language. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to use a translation service to create a copy of the notification into such language.

**Procedure: Parental Notification of Student Placement in District Bilingual/ENL Program**

*This procedure shall be used to notify a\_2\_ student's parent/guardian upon the*

*District's determination that a student qualifies for placement in a bilingual or free-standing ENL program, pursuant to Part 154 of the New York State Regulations on Identification and Services to ELL Students (8 NYCRR § 154).*

Following a District assessment that a student qualifies for a bilingual or ENL program (e.g., via NYSITELL), the District shall notify the student's parent/guardian in both English and the language the parent/guardian understands, if it is a language other than English, as indicated on the HLQ. In the event the District does not have the notification in the language indicated by the parent/guardian on the HLQ, i.e., a low-incidence language, the District shall first contact NYSED to determine whether the notification can be obtained from NYSED in such language. In the event the District cannot obtain the notification in such language from NYSED, the District shall use a translation service to translate the notification into the low-incidence language indicated by the parent/guardian on the HLQ. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to use a translation service to translate the notification into such low-incidence language.

**Procedure: Notifications and Interpreters for District Bilingual/ENL Program Orientations & Annual Meetings**

*This procedure shall be used when the District provides parents/guardians of new-entrant ELL students an orientation on standards and program requirements for District bilingual/ENL programs, pursuant to Part 154 of the New York State Regulations on Identification and Services to ELL Students (8 NYCRR § 154).*

The District shall provide notification to the parents/guardians of ELL-designated students of orientation event(s) concerning District bilingual/ENL programs. Such notification shall be provided in English and the parent/guardian's native language, if it is a language other than English, as indicated on the HLQ. If the need arises for a notification in a low-incidence language, and the District does not have personnel fluent in the parent/guardian's native language who can translate the notification into such low-incidence language, the District shall contract with a translation service to create a copy of the notification in such low-incidence language. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to use a translation service to create a copy of the notification in such low-incidence language.

In such notification, the District shall ask whether the parent/guardian requires an interpreter to be present at the orientation event and shall provide instructions as to how the parent/guardian may request an interpreter from the District, at no cost to the parent/guardian. In the event the District does not employ personnel fluent in the parent/guardian's native language – i.e., a low-incidence language – who can attend and interpret at an orientation event, the District shall contract with an interpreting service to provide an interpreter for such event. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all

reasonable efforts made to use an interpreting service to provide such an interpreter.

The individual annual meetings with the parents/guardians of ELLs shall be conducted in the language or mode of communication the parent/guardian best understands, as indicated on the HLQ. If, however, the District does not have personnel fluent in the parent/guardian's native language who can conduct or provide interpretation/translation services for the meeting, the District shall contract with an interpretation service to interpret for such meeting. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to use an interpretation service for the meeting.

**Procedure: Parental Notification of Evaluation for Special Education Services**

*This procedure shall be used when the District communicates with the parents/guardians of students being referred, evaluated, or placed for special education services in the District, pursuant to Part 200 of the New York Codes, Rules, and Regulations (8 NYCRR § 200).*

The District shall provide notification to a student's parent/guardian of the student's referral to the Committee on Special Education. Such notification shall be in English and in the language used by the parent, if it is a language other than English, as indicated on the HLQ. If District does not have personnel fluent in the language used by the parent/guardian and who can translate the notification into such language, the District shall, unless it is clearly not feasible to do so, contract with a translation service to create a copy of the notification in such language.

At the time of the District's initial referral of a student for evaluation, the District shall also provide a copy of the Commissioner's procedural safeguards notice in English and the parent/guardian's native language, if it is a language other than English, as indicated on the HLQ. If the does not have personnel fluent in the language used by the parent/guardian and who can translate the notification into such language and the District cannot obtain the notice in the parent/guardian's native language from NYSED, the District shall, unless it is clearly not feasible to do so, contract with a translation service to create a copy of the notice in the parent/guardian's native language.

**Procedure: Evaluation for Special Education Services, Parental Notification of Results, and Parental Participation in CSE Meetings**

*This procedure shall be used when the District refers, evaluates, or places students for special education services, pursuant to Part 200 of the New York Codes, Rules, and Regulations (8 NYCRR § 200).*

**Evaluation:** When a student is being evaluated for special education services, the evaluation materials used to assess a student shall be provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and

functionally, unless it is clearly not feasible to so provide or administer.

**Notification of results:** The District shall, unless it is clearly not feasible to do so, provide the results of such evaluation in writing or orally to the student's parent/guardian in his/her native language, as indicated on the HLQ. If the District does not have personnel who can translate the results into such language (in written form or verbally), the District shall, unless it is clearly not feasible to do so, contract with a translation/interpretation service to do so.

**Participation in CSE meetings:** Once a student has been evaluated for special education services, the District shall provide notification to the student's parent/guardian of a CSE meeting and request the parent/guardian's attendance at such meeting. Such notification shall be provided in English and the parent/guardian's native language, if it is a language other than English, as indicated on the HLQ. If the District does not have personnel fluent in the parent/guardian's native language who can translate the notification into such language, the District shall, unless it is clearly not feasible to do so, contract with a translation service to create a copy of the notification in the parent/guardian's native language.

In such notification, the District shall ask whether the parent/guardian requires an interpreter to be present at the CSE meeting and shall provide instructions as to how the parent/guardian may request a qualified interpreter/translator from the District, at no cost to the parent/guardian. In the event the District does not employ personnel fluent in the parent/guardian's native language who can attend and interpret at the CSE meeting, the District shall, unless it is clearly not feasible to do so, contract with an interpreting service to provide an interpreter for such meeting.

**Procedure: Parental Notification of Disciplinary Action; Disciplinary Hearings**

*This notification procedure shall be used with students facing possible disciplinary action by the District, pursuant to New York Education Law § 3214 and Part 100 of the New York Codes, Rules, and Regulations (8 NYCRR § 100).*

**Notification:** Whenever the District proposes a suspension or disciplinary action against a student, the District shall provide written notification to the student's parent/guardian. Such notification shall be in English and in the dominant language or mode of communication used by the parent/guardian, if it is a language other than English, as indicated on the HLQ. If the need arises for the notification in a low-incidence language, and the District does not have personnel fluent in the parent/guardian's native language who can translate the notification into such language, the District shall contract with a translation service to create a copy of the notification in the parent/guardian's native language. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to do so.

The notification shall *inter alia*, ask whether the parent/guardian requires qualified interpreter/translator to be present at such an informal conference, and provide instructions as to how the parent/guardian may request a qualified interpreter/translator from the District at no cost to the parent/guardian.

In the event the District does not employ personnel fluent in the dominant language or mode of communication used by the parent/guardian who can attend and interpret at such informal conference, the District shall contract with an interpreting service to provide an interpreter for such conference. In the event it is clearly not feasible to do so, the District shall document and maintain records reflecting all reasonable efforts made to use an interpreting service to provide such an interpreter.

Hearings: Whenever the District intends to convene a disciplinary hearing for a student facing a proposed suspension longer than five days, the District shall provide written notification to the student's parent/guardian. Such notification shall, unless it is clearly not feasible to do so, be in English and in the dominant language or mode of communication used by the parent/guardian, if it is a language other than English, as indicated on the HLQ. If the District does not have personnel fluent in the language used by the parent/guardian and who can translate the notification into such language, the District shall, unless it is clearly not feasible to do so, contract with a translation service to create a copy of the notification in such language

The notification shall, *inter alia*, provide instructions as to how the parent/guardian may request a person fluent in the parent/guardian's native language to interpret the disciplinary hearing. In the event the District does not employ personnel fluent in the parent/guardian's native language who can attend and interpret at such disciplinary hearing, the District shall, unless it is clearly not feasible to do so, contract with an interpreting service to provide an interpreter for such meeting, at no cost to the parent/guardian.