

resource rooms, alternate "A" placements, alternate "B" placements, and related services for LEP students.

3. City defendants have developed a plan to provide IEP-driven specialized equipment and adaptive devices to all special education students who require such items and to provide programmatic specialized equipment, adaptive devices and related software to students in Citywide special education programs and in certain related services (the "SEAD" plan). A copy of the SEAD plan is attached as Appendix A. The SEAD plan, which was effective June 25, 1992, fulfills City defendants' obligation to serve and file a plan providing IEP-driven and programmatic specialized equipment and adaptive devices to those groups of students described in this paragraph. The SEAD plan shall become a part of a modified judgment as of March 31, 1993, or as of the date of the acceptance by the Court of a revised version of the SEAD plan if City defendants revise such plan pursuant to paragraph 15 below.

4. City defendants' obligation to plan for providing appropriate specialized instructional material and equipment to all other students and their obligation to plan for providing appropriate specialized instructional material to students covered by the SEAD plan shall be met by compliance with the provisions of paragraphs 5-14 of this stipulation and order, and by compliance with the final version of the plan described in paragraphs 5-14 as accepted by the Court.

5. City defendants shall serve on State defendant and plaintiffs and file with the special master by March 31, 1993 a plan for providing all special education students with appropri-

ate specialized instructional material and equipment needed and not provided by the SEAD plan to enable those students to receive a free appropriate education, except that those aspects of the plan dealing with LEP students shall be served and filed by September 30, 1993.

6. The plan shall incorporate and apply, with respect to the programmatic and individual needs of special education students, a process for identifying the goals, objectives and outcomes consistent with City defendants' January 22, 1992 "Instructional Supplies and Materials for High Incidence Special Education Programs."

7. The plan shall identify the specialized instructional materials and equipment appropriate for students receiving programs and services in all the categories and at all the levels in the continuum. Selections can be made from the specialized instructional material and equipment identified. The plan will contain provisions to ensure that sufficient amounts of appropriate specialized instructional material and equipment needed by special education students or classes have been identified and are being provided to students.

8. The plan shall identify those programs and services -- by language -- provided to special education LEP students for which appropriate specialized instructional material or equipment do not exist as of the date of the plan. City defendants will specify in the plan, from among those programs and languages identified, those for which City defendants will develop or cause to be developed appropriate specialized instructional material or equipment.

9. The plan shall include procedures and timeframes for obtaining the needed specialized instructional materials and equipment and delivering them to the students or classes that need them. The plan shall provide that

- a) all ordered specialized instructional material and equipment are delivered for use promptly considering the students' needs and the nature of the material or equipment;
- b) all specialized instructional material and equipment reasonably anticipated to be needed for the beginning of each school year are provided by mid-September; and
- c) City defendants establish a system which will enable them to provide in a timely fashion all specialized instructional material and equipment needed to create new classes promptly and to respond promptly to emergency needs in existing ones.

10. City defendants' plan shall reasonably ensure that the specialized instructional material and equipment is properly maintained and promptly repaired or replaced.

11. City defendants' plan shall provide for a reasonable procedure and timeframe for City defendants' periodic review and modification, in consultation with a panel of appropriate professionals, of the specialized instructional materials and equipment described in paragraph 7 above for the purpose of ensuring that students continue to be provided an appropriate education.

12. City defendants' plan shall include procedures and timeframes for training, supervision, and oversight reasonably designed to insure that appropriate specialized instructional material and equipment is provided in accordance with the plan; these procedures and timeframes shall include, but not be limited to,

- a) procedures and timeframes for informing teachers,

other providers, students and parents of the specialized instructional material and equipment identified under the plan and for allowing them to bring to the attention of a designee of the Chancellor the lack of appropriate specialized instructional materials or equipment for a particular student or class. Such designee shall insure that the missing specialized instructional material or equipment is promptly provided; and

- b) procedures and timeframes for professional training of teachers, paraprofessionals, SBST and CSE members, and related service providers (including teachers and paraprofessionals providing services to LEP students in alternate placements), as appropriate, with respect to how to obtain and use the specialized instructional material and equipment provided in the plan.

13. In support of the plan, City defendants shall serve and file explanatory material justifying the plan, including at least the following items:

- (a) an explanation of the aspects of the plan set forth in paragraph 7;
- (b) an explanation of why the procedures for providing specialized instructional material and equipment to students and classes are sufficient to insure that needed specialized instructional material and equipment will be provided within the timeframes set out in the plan; and
- (c) an accurate determination of the numbers of LEP students in each category and level of special education program and service.

14. City defendants may submit in support of the plan specific directives, forms and other documents ("documents") intended to be used by staff in its implementation. City defendants may amend, supplement or supersede such documents in accordance with the procedures set forth in paragraph 54 of the judgment. In addition, City defendants may amend, supplement, or supersede any learning outcomes, goals, or objectives set forth in the plan in accordance with the procedures set forth in paragraph 54 of the judgment.

15. City defendants may also revise the SEAD plan in a manner which, without substantially changing City defendants' obligations, divides their commitments into a basic plan and supporting documents analogous to those described in the preceding paragraph. Any proposals for such revisions to the SEAD plan shall be served by March 31, 1993 and will be subject to the approval procedures and timeframes set forth in paragraph 16 below. Any such documents which support the revised SEAD plan as accepted by the Court may thereafter be amended, supplemented, or superseded in accordance with the procedures set forth in paragraph 54 of the judgment.

16. Any comments which plaintiffs or the State defendant wish to make regarding City defendants' plan shall be served on the other parties and filed with the special master on or before April 30, 1993. City defendants may serve and file a reply to any comments on or before May 15, 1993. If there are any issues in dispute on May 31, 1993, the parties may submit on or after that date the issues in dispute to the special master for resolution, subject to the right of any party to appeal to the Court. The dates for comments, replies, and submissions of disputes for those aspects of the plan dealing with LEP students shall be six months later than the dates set out above. The plan accepted by the Court shall become part of a modified judgment as of the date of acceptance. The parties intend that the modifications in the

judgment resulting from the acceptance of the plan shall be appealable.

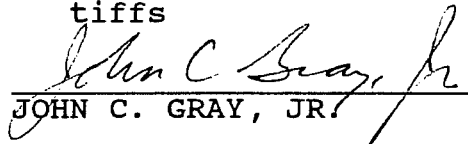
DATED: BROOKLYN, NEW YORK
SEPTEMBER 25, 1992

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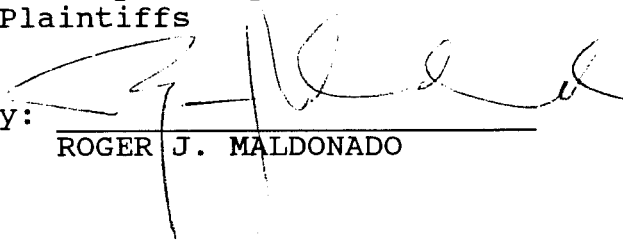
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By: 
NORMA KERLIN

SO ORDERED:

EUGENE H. NICKERSON, U.S.D.J.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
JOSE P., et al.,

- v. -

THOMAS SOBOL, et al.,

-----X
UNITED CEREBRAL PALSY OF
NEW YORK CITY, INC., et al.

- v. -

THE BOARD OF EDUCATION OF THE CITY
SCHOOL DISTRICT OF THE CITY OF
NEW YORK, et al.

-----X
DYRCIA S., et al.,

- v. -

BOARD OF EDUCATION OF THE CITY
SCHOOL DISTRICT OF THE CITY OF
NEW YORK, et al.

79 Civ. 270
79 Civ. 560
79 Civ. 2562
(Nickerson, J.)

-----X
**CITY DEFENDANTS' PLAN FOR
PROVIDING IEP-DRIVEN SPECIALIZED
EQUIPMENT AND ADAPTIVE DEVICES
TO ALL SPECIAL EDUCATION
STUDENTS AND FOR PROVIDING
PROGRAMMATIC SPECIALIZED
EQUIPMENT, ADAPTIVE DEVICES AND
RELATED SOFTWARE TO STUDENTS IN
CITY WIDE SPECIAL EDUCATION
PROGRAMS AND IN CERTAIN RELATED
SERVICES (THE "SEAD" PLAN).**

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UNITED STATES DISTRICT COURT
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I. IEP-Driven Adaptive Devices and Specialized Equipment

A. When individual students, determined to be eligible for special education services, require adaptive devices and/or specialized equipment on an individual basis in order to participate in their educational program, or in conjunction with the related services they are receiving, the student's IEP includes a recommendation for this equipment in both the specialized equipment/adaptive devices and the special alerts sections. See 8NYCRR 200.4(2)(vi). The need for such devices and equipment is supported by medical documentation and specialized assessments which clearly indicate the type of equipment required.

B. Equipment and devices intended for individual use include adaptive classroom chairs, lap boards which serve as desks, writing splints for students who cannot use writing implements, tape recorders for students unable to write, and augmentative communication devices, including laptop computers and head pointers. The New York City Public School System ("NYCPSS") provides IEP-driven adaptive devices and specialized equipment for use in school or at home, if appropriate, and if the student does not already have the equipment.

C. "Guidelines for Determining Need and Ordering Procedures for Adaptive Device/Specialized Equipment" (hereafter "Guidelines") developed by the Division of Special Education's Office of Related and Contractual Services ("ORCS") include a request form for adaptive devices/specialized equipment to assist the SBST/CSE in initiating a request to the Board for the purchase of such equipment

and devices. See Exhibit A. The Guidelines also identify the supporting documentation which must be submitted along with the request form in order to ensure that the equipment is purchased.

D. Upon receipt of the completed request and supporting documentation, ORCS expedites the processing of the purchase order or requisition. Once processed, a copy of the request form is returned to the district for inclusion in office records. In addition, a copy of the purchase order/requisition is sent to the student's school along with a memorandum instructing school staff to follow-up on the delivery of the supplies or equipment. School staff is responsible for notifying ORCS of the date of receipt of the equipment or devices.

E. Medically related, life sustaining types of equipment are delivered prior to the arrival of the student, and other medically related equipment within 24 hours of the student's arrival. NYCPSS makes maximum reasonable efforts to ensure prompt delivery of non medically related IEP driven equipment. Requests for such equipment are processed by ORCS within 24 hours.

II. Programmatic Specialized Equipment and Adaptive Devices For Citywide Programs and Certain Related Services

A. Programmatic adaptive devices/specialized equipment, as distinguished from IEP-driven adaptive devices or specialized equipment, is equipment used by more than one student at a school site. These devices and equipment are chiefly used in the Citywide/District 75 programs, low incidence programs for the most

severely, profoundly, and multiply handicapped students, and in related services for vision and hearing impaired students.

B. During 1991-92 District 75 established an Adaptive Technology Advisory Board which identified adaptive devices and specialized equipment for serving the needs of students in District 75. This equipment is described in Exhibit B. The Board will continue to meet regularly to update and modify the devices and equipment identified on Exhibit B in light of current technology. The 20 member Adaptive Technology Advisory Board will continue to include in its membership Betty Rosa, the current principal of P 53, the multilingual, multicultural school, three parents, and two individuals with appropriate expertise who are not employees of the Board of Education, one of whom is to be designated by United Cerebral Palsy of New York City, Inc.

C. NYCPSS has committed to purchase, repair and maintain all the equipment and devices identified in Exhibit B, and to continue to provide all equipment and devices listed on any revised versions of Exhibit B, as developed by Adaptive Technology Advisory Board, in accordance with changes in educational approaches, student needs, and technological advances. In accordance with this commitment, NYCPSS, in December 1991, allocated \$11,954,914 to be used solely for the purchase, repair, and maintenance of non-IEP-driven programmatic specialized equipment for the Citywide programs and certain speech-, vision-, and hearing-related services during fiscal years 1992, 1993, 1994, and 1995. This equipment includes augmentative communications devices, computers, specialized

furniture, and appliances for use in teaching all relevant curriculum domains. See Exhibit B.

D. In FY 92, (i.e., from July 1, 1991 - June 30, 1992) District 75 purchased augmentative communications equipment and computers and special devices intended for hearing and vision related services. The FY 92 specialized equipment and adaptive devices were purchased at a cost of \$2,012,000.

E. During FY 93 (July 1, 1992 - June 30, 1993), \$3,977,262 is to be made available for specialized equipment. Of the nearly \$4 million, it is projected that \$1.3 million will be spent on augmentative communication devices; \$750,000 on computer technology; \$500,000 on specialized furniture; \$500,000 on equipment for hearing and visually impaired students who are receiving related services; \$150-200,000 on daily living skills equipment; \$425,000 for additional equipment; and \$290,000 for replacements.

F. District 75 has completed its analysis of equipment needs of each of its schools. This analysis will enable the district to establish a baseline of all appropriate equipment in all schools. In a series of eight meetings scheduled for early June, the staff at the central headquarters of District 75 met with all principals in District 75 programs to give them their FY 93 allocation in each of five equipment areas (augmentative communication devices; computer technology; specialized furniture; equipment for hearing and visually impaired students who are receiving related services; and daily living skills equipment.) Substitution of items or additions, if a need is demonstrated, will be considered at that time. Administrators have

been instructed that all purchase orders using the FY 93 allocation must be completed by July 15, 1992.

G. By July 24, 1992, the FY 93 funds will be encumbered, and the purchase orders processed and sent to the vendors. It is expected that all equipment ordered will be delivered to the schools within six weeks of the order. Since the first date that students will attend school for the 1992-1993 school year will be subsequent to September 7, 1992, all of the equipment purchased with FY 93 monies should be delivered before any students attend school.

H. In September, 1992, an anticipated 900 students new to the system will be enrolled in District 75 programs or classes which use adaptive devices. After individualized physical assessments of each child's need are undertaken in September, 1992, additional specialized furniture and adaptive devices will be purchased promptly, as required. The funds for this purpose will, at least initially, come from the \$425,000 fund identified in paragraph E.

I. Administrators, teachers or parents may make requests for purchases of additional specific devices and equipment, if they deem such purchases necessary to meet students' needs. Such requests will be made to the designee of the Superintendent of Citywide (District 75) Services. Funds to meet these needs will be taken in the first instance from the \$425,000 special needs fund. Any requests denied by the Superintendent's designee may be appealed to the Superintendent. No language contained herein precludes teachers or parents from pursuing other remedies available to them.

J. The NYCPSS will make maximum reasonable efforts to assure actual delivery of equipment ordered pursuant to this plan to all school sites prior to school opening each September. If delays in delivery should nevertheless occur, substitute equipment may be borrowed from each of the regional Adaptive Technology Centers (ATC's).

K. The remaining funds of \$5,965,652 will be used in FY 94 to purchase additional new equipment, and in subsequent years for replacement costs. Procedures for ordering and distributing equipment to be made available in FY 94 will be similar to the procedures described in paragraphs "F-H" above.

L. City defendants have established six Adaptive Technology Centers (ATC's) intended to provide training, and to provide information and consultation on the use of specialized and adaptive equipment. At ATC's, staff learn how to assess student needs, how to use the equipment, and to identify appropriate technology. ATC's make equipment available to schools on a limited basis to enable them to determine what should be purchased, and as temporary loaners when other equipment is being repaired. Six ATC's are presently open, and a seventh will open in September, 1992.

M. Since November, 1991, District 75 has aggressively pursued efforts to make training available to its personnel. Three standard courses are provided to District 75 personnel at the ATC's: an overview of the available equipment and devices; the use of laser disks and interactive technology; and adaptive switches or alternate

access options. In general, however, training is tailored to the specific needs of the students served by the individuals attending the course.

N. Teacher trainers who serve as coordinators of each of the ATC's provide individualized "hands-on" training. The teacher trainers have been trained both by the vendors and by the Center for Adaptive Technology at St. Lukes/Roosevelt Hospital. The training focuses on the adaptive devices available in the ATC's and the schools, as well as those which will eventually be made available to the school sites. Training is available during school hours, and if funding from the State Incentive Grant Fund is approved, training will also be available two evenings a week and one weekend day. Although on-site training at the ATC's is encouraged, coordinators also visit District 75 schools. District 75 also publishes newsletters periodically which describe equipment and how it is used in specific sites.

O. District 75 will provide training to all teachers who teach students who use specialized equipment and adaptive devices, to all SBST team members in self contained District 75 schools and at least one member of each CSE. District 75 will offer training to all other teachers in District 75.

P. NYCPSS will ensure that the equipment provided pursuant to this plan is promptly repaired. District 75 has established an "Independence Through Technology" ("IND/TECH") laboratory which will produce specific plastic and wood equipment and devices for certain Citywide programs. District 75 has also outfitted

a van with all necessary equipment to travel to schools and work places in order to provide portable ramps, and adaptations at the sites, and in the workplace. The van will bring back to the IND/TECH lab all equipment that cannot be produced or adapted on site. The NYCPSS computer repair office continues to perform all necessary computer repairs for District 75 programs. District 75 will maintain service contracts that assure prompt repair of all equipment covered by this plan that cannot be repaired by the methods described above.

Limited English Proficient Students

Q. It is the policy of the NYCPSS to make maximum reasonable efforts to ensure that appropriate specialized equipment and adaptive devices, as described in previous sections of this Plan, are made available to LEP students whether LEP students are in bilingual classes or in alternate placement. Where such specialized equipment and/or associated software is unavailable in a particular language, existing specialized equipment and/or associated software is adapted in order to meet the needs of LEP students.

R. Augmentative Communications Devices Some augmentative communications devices are language neutral, and are provided to both LEP and non LEP students as appropriate and without consideration of the student's proficiency in English. Appropriate augmentative communication devices which are not language neutral which presently exist will be made available to all Spanish speaking LEP students in bilingual programs and alternate placements. Appropriate augmentative communications devices which

are not language neutral will be made available to all LEP students to the extent that such devices utilizing their native languages are available, or can be made available, or can be adapted for their use. Devices to be used by bilingual paraprofessionals in alternate placement classes will be adapted or programmed by, or under the supervision of, speech teachers who are certified in the students' native language, bilingual teachers, or if no teachers certified in the students' native language are available in the District, by certified ESL teachers.

S. Computer Technology Appropriate software associated with the specialized equipment provided pursuant to this Plan, intended to address students' needs as reflected in their IEPs, will be made available to all Spanish speaking LEP students in bilingual programs and alternate placements. To the extent that appropriate programs to meet the needs of other LEP students are available in languages other than Spanish, such programs will be obtained. District 75 will continue to review catalogues and other information provided by software producers to remain informed of newly-available programs. District 75 will order as promptly as possible programs appropriate for meeting the need of LEP students. NYCPSS also will communicate with software producers and encourage them to produce appropriate programs to meet the needs of all LEP students; toward this end, NYCPSS will initiate efforts to cooperate with other large city school districts to explore the feasibility of issuing RFPs to develop new programs to meet the needs of LEP students, particularly those who speak languages other than Spanish.

T. Adaptations of existing programs for the use of LEP students will be made by, or under the supervision of, teachers who are certified in the child's native language, or if no teachers certified in the child's native language are available in the Division, by certified ESL teachers.

U. Domestic Living Skills LEP and non LEP students have equal use of specialized furniture and equipment for use in teaching domestic living skills.

V. Training - NYCPSS will provide appropriate training in techniques and methodologies for adapting specialized equipment and adaptive devices for use by LEP students, and in using equipment and devices produced or adapted by others. The training will be provided to bilingual special education teachers, bilingual paraprofessionals and teachers of alternate placement classes in the District 75 programs. At least one staff member from each ATC will be trained in LEP issues. Periodic update training on the use of new or improved equipment and devices will be provided to all of the above identified individuals.

W. The two ATC's which serve hearing and visually impaired students are intended to serve the needs of both LEP and non-LEP students, and provide access to appropriate technology as it is developed.

Dated: New York, New York
June 25, 1992

Respectfully submitted,

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DRAFT

NEW YORK CITY PUBLIC SCHOOLS

JOSEPH A. FERNANDEZ
CHANCELLOR

Guidelines for Determining Need and Ordering Procedures
for
Adaptive Devices/Specialized Equipment
(June 1991)

(P008rv)

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New York City Public Schools
OFFICE OF RELATED AND CONTRACTUAL SERVICES

Guidelines for Determining Need and Ordering Procedures
for
Adaptive Devices/Specialized Equipment
(June 1991)

The following guidelines have been developed to assist SBST/CSE and other school personnel when a student is determined to be in need of adaptive devices/specialized equipment in order to participate in his/her special education program. Adaptive devices/specialized equipment are defined as being "those pieces of equipment and materials that provide major adaptations to the learning environment, are unique to the student's needs, and without which the student would be unable to benefit from the recommended educational program as specified on the IEP" (from the Division of Special Education publication entitled Educational Services for Students with Handicapping Conditions, 1991, page 277).

1. Categories of Adaptive Devices/Specialized Equipment:

1.1 Individual Adaptive Devices/Specialized Equipment:

Some students require adaptive devices/specialized equipment for their individual use in school in their educational program and/or in conjunction with the Related Services they are receiving (examples of this are adaptive chairs, lap boards and writing splints). These types of adaptive devices/specialized equipment are primarily used by an individual student for the majority of the school day. An SBST/CSE recommendation for this equipment must be listed in both the Specialized Equipment/Adaptive Devices and Special Alerts sections of the student's IEP, and must be accompanied by supporting medical documentation and/or specialized assessments (e.g., from an Occupational or Physical Therapist) which clearly indicate the type of adaptive devices/specialized equipment the student requires. It is the Board of Education's responsibility to provide adaptive devices/specialized equipment for use in school if the student does not already have this equipment.

1.2 Programmatic Adaptive Devices/Specialized Equipment:

Most adaptive devices/specialized equipment that students require are considered programmatic in nature, as they are intended for use by more than one student at a school site (examples of this are prone boards, standing tables, wedges and mats). Certain adaptive devices/specialized equipment are available at school sites in conjunction with the Related Services being provided, namely Occupational Therapy, Physical Therapy and/or Medically-related Health Services. Equipment of this nature is routinely available at specific Citywide program sites (e.g., SIE II and SIE III sites). Adaptive devices/specialized equipment that are programmatic in nature should be listed in the Special Alerts section of the student's IEP.

1.3 Adaptive Devices/Specialized Equipment for use in and out of school:

Many students who require adaptive devices/specialized equipment require their use both in and out of school (examples of this are wheelchairs, hearing aids and eyeglasses). This type of equipment should be specified in the Special Alerts section of the student's IEP, not in the Specialized Equipment/Adaptive Devices section, since the purchase of this type of equipment is the responsibility of the parent/guardian. Although adaptive devices/specialized equipment of this nature are routinely purchased by the parent/guardian, in instances where the parent/guardian is having difficulty obtaining the equipment, the Office of Related and Contractual Services should be contacted to facilitate the procurement of the equipment through the appropriate sources.

2. Determining the need for Adaptive Devices/Specialized Equipment:

SBST/CSE is responsible for determining the appropriateness of including adaptive devices/specialized equipment on a student's IEP. As it relates to the need for such equipment, SBST/CSE, in consultation with school personnel, along with supporting medical documentation and/or specialized assessments, must attempt to answer the following questions prior to including this on the IEP:

- Does the student require adaptive devices/specialized equipment in order to receive an appropriate education?
- Will the student receive services in a program in which the equipment is available?
- Are the adaptive devices/specialized equipment the student requires to be used both in school and outside of the school?

3. IEP Procedures for Adaptive Devices/Specialized Equipment:

3.1 Developing the IEP:

- 3.1.1 SBST/CSE must list all adaptive devices/specialized equipment for individual student use and/or for programmatic use in the Special Alerts section on the student's IEP.
- 3.1.2 When a student requires adaptive devices/specialized equipment on an individual basis while in school in order to participate in his/her educational program, SBST/CSE must list this equipment in the Specialized Equipment/Adaptive Devices section of the student's IEP, as well as in the Special Alerts section.

3.1.3 Where applicable, Annual Goals, Short-Term Objectives and/or Management Needs for individual students which relate to the use of adaptive devices/specialized equipment should be listed on a student's IEP. To assist in developing these goals, medical documentation and/or specialized assessments should be utilized to indicate the need for adaptive devices/specialized equipment, specifically addressing how this equipment should be used at school. If further technical assistance is required, the Office of Related and Contractual Services can be contacted for additional consultation with the Supervisors of Occupational Therapy, Physical Therapy and/or Nursing.

3.2 Annual Review/Requested Review of the IEP:

3.2.1 At the Annual Review and/or as a result of a request for a review of the IEP, SBST/CSE, teachers, Related Service providers and all other appropriate school staff should review current assessments and medical documentation, as appropriate, to determine whether the student will require the initiation, continuation or termination of use of adaptive devices/specialized equipment. In order for the use of this equipment to be terminated, the student must have met his/her Annual Goals, as stated on the IEP, and/or have demonstrated that the equipment is no longer required to benefit from his/her primary educational program.

- A Type 3 Recommendation must be generated if staff involved in the Annual Review process determine that adaptive devices/specialized equipment are no longer needed by the student.
- A Type 3 Recommendation must also be generated if staff involved in the Annual Review process recommend the initiation of a new piece of equipment.
- A Type 1 Recommendation should be made for continuation of the use of adaptive devices/specialized equipment.

3.2.2 A request for a review of the IEP may be made by a school staff member, as well as by a parent/guardian or physician (e.g., a request is made for equipment for use by the student). If a request for a review of the IEP is made by a school staff member, a school-level conference is required before any Type 3 Recommendation is forwarded to the appropriate CSE. A school-level conference is that part of the process by which the IEP of each student is reviewed to determine if it continues to meet the student's needs. Two professional staff members must be at the school-level conference and the parent/guardian must be invited and encouraged to attend. The parent/guardian may be conferenced by telephone, if he/she does not attend the conference. SBST members are not required to attend the conference, and all of the participants at the conference must sign the Type 3 transmittal form.

4. The need for appropriate documentation:

To initiate a request for the Board of Education to purchase adaptive devices/specialized equipment, SBST/CSE must prepare the following documentation:

- 4.1 A current IEP, indicating the adaptive devices/specialized equipment to be provided by the Board of Education.
- 4.2 Current medical documentation and/or a specialized assessment which indicates the nature of the student's disability and describes the medical condition necessitating adaptive devices/specialized equipment, as well as the specific type of equipment that is required.
- 4.3 A Request Form for Adaptive Devices/Specialized Equipment, which must be submitted when requesting adaptive devices/specialized equipment (see Attachment A). On this request form you should list the adaptive devices/specialized equipment available at the school site. It should be noted that this is for information purposes only, and should not delay the submission of the request or the ordering of equipment.

In addition to the above documentation, a completed Purchase Order/Requisition which lists the student's name and fully describes the equipment that is being ordered must be prepared and submitted to the Office of Related and Contractual Services. If further technical assistance is required, the Office of Related and Contractual Services can be contacted for additional consultation with the Supervisors of Occupational Therapy, Physical Therapy and/or Nursing. Purchase Orders/Requisitions must be completed by the designated responsible party per Board of Education standard operating procedures.

Procedures already established for the purchase of programmatic equipment should be followed. The procedure outlined herein is to be followed when purchasing equipment for use by an individual student, as mandated on his/her IEP.

5. Procedures for obtaining Adaptive Devices/Specialized Equipment:

- 5.1 The Request Form for Adaptive Devices/Specialized Equipment with supporting documentation should be forwarded to the Office of Related and Contractual Services. A copy of the request should be forwarded to the appropriate DASE, High School District Manager or Administrator of Pupil Personnel Services in the Office of Citywide Programs for their information.
- 5.2 If all information is complete the Office of Related and Contractual Services will then forward the request and accompanying Purchase Order/Requisition to the DSE Budget Office along with a memorandum requesting that the Purchase Order/Requisition be immediately processed (see Attachment B).

5.3 Once processed, a copy of the Request Form for Adaptive Devices/Specialized Equipment will be returned to the appropriate DASE, High School District Manager, CSE Chairperson or Administrator of Pupil Personnel Services in the Office of Citywide Programs for their records. In addition, a copy of the Purchase Order/Requisition will be sent to the student's school along with a Memorandum (see Attachment C) instructing school staff to follow-up on the delivery of the supplies/equipment. School staff will also be responsible for notifying the Office of Related and Contractual Services of the date the adaptive devices/specialized equipment is received. The Office of Related and Contractual Services will maintain a computerized inventory of all adaptive devices/specialized equipment purchased.

If you have any questions or require any assistance in the acquisition of adaptive devices/specialized equipment, please telephone the Office of Related and Contractual Services at (718) 935-3580.

Request Form for Adaptive Devices/Specialized Equipment

Part I: To be completed by the CSE/HHVI Chairperson

Student's Last Name: _____ Student's First Name: _____

Home Dist: _____ OSIS ID No. _____ - _____ - _____ CSE Case No. _____ - _____ Date of Birth: _____ Sex: _____

Geographical Boro: _____ Geographical School Dist.: _____ Geographical School: _____ Service Category: _____

Type of Program: _____
(C = Citywide Program)
(D = Community School District Program)
(H = High School Program)

<u>DSE Programs in School</u>	<u>No. of Classes In School</u>	<u>Adaptive Devices/Specialized Equipment at School</u>
1. _____	_____	_____
2. _____	_____	_____

Adaptive Devices/Specialized Equipment Requested:

1. _____
2. _____

Please find attached:

- ___ Copy of IEP indicating the need for adaptive devices/specialized equipment.
- ___ Copy of medical documentation and/or specialized assessment indicating the student's medical condition and the need for and type of adaptive devices/specialized equipment.
- ___ Completed Purchase Order reflecting the adaptive devices/specialized equipment requested.

Approved:
CSE/HHVI Chairperson: _____ Date: _____

Please forward all information to:

New York City Public Schools
Division Of Special Education
OFFICE OF RELATED AND CONTRACTUAL SERVICES
110 Livingston Street, Room 414
Brooklyn, NY 11201

Part II: To be completed by the Office of Related and Contractual Services

Date Approved: _____ Date Disapproved: _____

Reason for Disapproval: _____

Office of Related and Contractual Services

Date

cc: CSE/HHVI Chairperson
District Administrator of Special Education
High School District Manager
Administrator of Pupil Personnel Services, Office of Citywide Programs



NEW YORK CITY PUBLIC SCHOOLS

JOSEPH A. FERNANDEZ
CHANCELLOR

Date

MEMORANDUM

TO: _____
FROM: Ava J. Mopper, Director, Office of Related and Contractual Services
SUBJECT: IEP-Mandated Adaptive Devices/Specialized Equipment

Please find enclosed Purchase Order No. _____ or Requisition No. _____ for IEP-mandated adaptive devices/specialized equipment for _____ Student's Name

To ensure the prompt delivery of these items, please process this Purchase Order/Requisition immediately. To confirm that this order has been processed, please complete and return the bottom portion of this letter.

Date

MEMORANDUM

TO: Ava J. Mopper, Director, Office of Related and Contractual Services
FROM: _____
SUBJECT: IEP-Mandated Adaptive Devices/Specialized Equipment

Please be advised that Purchase No. _____ or Requisition No. _____ for the purchase of IEP-mandated adaptive devices/specialized equipment was processed and forwarded to the vendor on _____.

Signature

Date

(P8rv-B



OFFICE OF THE CHANCELLOR

JOSEPH A. FERNANDEZ
CHANCELLOR

MEMORANDUM

Date

TO: _____
FROM: Ava J. Mopper, Director, Office of Related and Contractual Services
SUBJECT: IEP-Mandated Adaptive Devices/Specialized Equipment

Please be advised that the IEP-mandated adaptive devices/specialized equipment listed on the enclosed Purchase Order No. _____ or Requisition No. _____ have been ordered for _____
(Student's Name)

This equipment should be delivered to the school within two weeks. Upon receipt of this equipment, please complete the bottom of this letter, Receipt of Delivery of Adaptive Devices/Specialized Equipment and return it with the blue packing slip (if enclosed) to:

Ava J. Mopper
New York City Public Schools
Division of Special Education
OFFICE OF RELATED AND CONTRACTUAL SERVICES
110 Livingston Street, Room 444
Brooklyn, NY 11201

It is the responsibility of the New York City Public Schools to ensure the prompt delivery of all IEP-mandated equipment. If this equipment is not delivered within two weeks, please contact the vendor listed on the Purchase Order. In the case of equipment ordered on a Requisition, contact the Bureau of Supplies to determine the date the equipment will be delivered.

Please contact the Office of Related and Contractual Services at (718) 935-3580 if you require assistance in this matter. Thank you.

Receipt for Delivery of Adaptive Devices/Specialized Equipment

This is to confirm the delivery of adaptive devices/specialized equipment for:

Student's Name

School

Please be advised that the Adaptive Devices/Specialized Equipment ordered on Purchase Order No. _____ or Requisition No. _____ was delivered on _____.

Print Name

Telephone No.

Date

(P8rv-5/91-13)

To PE.
1/2/92

AUGMENTATIVE COMMUNICATION

SIE I, II, III, V, VI, & SPEECH RELATED SERVICE

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
IBM Speech Viewer PC & Hardware	7 per boro	5	35	3	32
Mega Wolf	2	115	230	12	218
Say It All II	2	115	230	44	186
Say It Simply	2	115	230	13	217
Introtalker	2	115	230	30	200
Mccaw	2	115	230	3	227
Switch Kit	1	115	115	3	112
IBM Lap Top	1	115	115	0	115
Words Plus	1	115	115	1	114
Dec Talk	1	115	115	0	115
Vois 160	2	115	230	25	205
Mac LC	1 per boro	5	5	0	5
Parrot	5 per SIE III & V	33	165	5	160

AUGMENTATIVE COMMUNICATION

SIE I, II, III, V, VI, & SPEECH RELATED SERVICE

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
Dynavox & Card	1 per SIE I & II	48	48	0	48
Light Talker	2 per SIE I & II	48	96	4	92
Touch Talker	2 per SIE I & II	48	96	8	88

COMPUTER TECHNOLOGY

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
SIE I, II, III, VI, IX, X, XI, XII				0	163
Macintosh LC	3	101	303	140 'other' systems	
Adaptive Peripherals:					
Unicorn Bds	3	101	303	15	288
Apple 2E Emulator card	3	101	303	5	298
Ke:nx	3	101	303	0	303
Switches	3	101	303	25	278
Speech Syn (Apple)	3	101	303	50	253
Speech Syn (Mac)	3	101	303	0	303
Touch Win (Apple)	3	101	303	45	258
Touch Win (Mac)	3	101	303	0	303
King Keyboard	1	101	101	14	87
Mini Keyboard	1	101	101	0	101
Keyguard	1	101	101	9	92
Unicorn Bd	3	101	303	15	288

COMPUTER TECHNOLOGY

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
Imagewriter	1	101	101	30	71
5.25 Disk Drive	3	101	303	180	123
Board Maker	1	101	101	0	101
Talking Symbols	1	101	101	1	100
SIE IV, V, VII, VIII					
Macintosh LC	5	158	790	8	151
				631 'other' computer	
Apple 2E Emulator Card	5	158	790	0	790

COMPUTER TECHNOLOGY

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
5.25 Disk Drive	5	158	790	8 631 'others' match for the computers # derived by # of drives needed to match # of LCS	151
Television	1	158	158	56	102
Imagewriter	1	158	158	0 200 'other' printers with existent system need	158

SPECIALIZED FURNITURE

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
SIE I, II, XII					
<u>MOBILITY</u>					
Wheelchairs	3	48	144	28	116
Power Wheelchairs and Peripherals	2	11 per school	22	2	20
Tricycles, Chain Driven	3	48	144	67	77
Tricycles, Hand Driven	3	48	144	31	113
<u>ADAPTIVE FURNITURE</u> (Contract expires 12/91)					
Chairs & Floor Sitters (Includes accessories and lap boards)	50	48	2400	466	1934
SIDIKI Systems	10	48	480	7	473
Wheelchair Adjustable Desks	50	48	2400	192	2208
Early Childhood Clstrm Setup	3	48	144	3	141
Side-Lyers and Accessories	2sets	48	96	79	17

SPECIALIZED FURNITURE cont'd

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
Laptrays, Custom	3	48	144	32	112
CP Activity Tables	2	48	96	23	73
Adjustable 26" Tables	5	48	240	46	194
Adjustable 32" Tables	5	48	240	51	189
35" Prone Stander	2	48	96	40	56
42" Prone Stander	2	48	96	43	53
Supine Boards & Accessories	2	48	96	40	56
Mats	10	48	480	392	88
Wedges	10	48	480	270	210
Rolls	10	48	480	219	261
Body Molds	5	48	240	19	221
Body Mold Pump	1	48	48	4	44

SPECIALIZED FURNITURE cont'd

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
<u>SENSORY STIMULATION EQUIPMENT</u>					
Bubble Ball Bath	1	48	48	20	28
Deluxe Vestibulator	1	48	48	17	31
Vestibulator Board	1	48	48	25	23
Grasshopper	1	48	48	40	8
<u>SELF-CARE AND ADL EQUIPMENT</u>					
Potty Chairs	3	48	144	149	-
Shower Chairs	2	48	96	15	81
Changing Tables	2	48	96	72	24
Snapwall System with Door	1	48	48	10	38

HEARING & VISION RELATED SERVICES

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
IBM Speech Viewer PC & Hardware	1 per boro		5	1	4
IBM Lap Top	5 per boro		25	0	25
Audiometers	1 per sch		55	10	45
FM Units	IEP driven		1800	1254	546
Vibrotactile Alarm System	1	4	4	1	3
Portable Loop Sys	2 District		2	0	2
Oval Window	1 per class		20	0	20
IBM Modified	1 per boro		5	0	5
Laser Printer	1 per boro		5	0	5
Vista Synthesizer	2 per boro		10	4	6
Braille Embosser	1 per boro		5	0	5
Braille Writers	15 per boro.		75	29	46
CCTV Enlrg. Sys	15 per boro		75	17	58
Enlrg. Copier	10 per boro		50	0	50
Magnification dev.	10 per boro		50	0	50
Lrg print & voice calculators	10 per boro		50	2	48

HEARING & VISION RELATED SERVICES

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
Mini braille embosser	5 per boro		25	0	25
Talking Laptop Computers	10 per boro		50	0	50
Braille & Speak	5 per boro		25	0	25
Braille & Print	5 per boro		25	0	25
Optical Character Reader	1 @Center		1	0	1
Laser canes	10 @ Center		10	2	8
Theil Braille Embosser	1 @ Center		1	0	1
Low Vision Stimulators	1 per boro		5	0	5
Telescopic Lenses	20 per boro		100	0	100
Flatbed Scanner	1 per boro		5	0	5
High Volume Enlrg Copier	1 @ Center		1	0	1

DOMESTIC LIVING SKILLS

ITEM	UNITS PER SITE	# OF SITES	TOTAL UNITS REQ'D	INVENTORY	TOTAL TO BE FUNDED
Stove	1	225	225	116	109
Refrigerator	1	225	225	173	52
Cooking Utensils	1 set	225	225	90	135
Blender	1	225	225	80	145
Microwave	1	225	225	104	121
Dishes	1 set	225	225	58	167
Washing Machine	1	225	225	76	149
Dryer	1	225	225	65	160
Vacuum Cleaner	1	225	225	33	192
Hair Dryer	1	225	225	17	208
Coffee Maker	1	225	225	46	179
Toaster Oven	1	225	225	81	144
Furniture	1	225	225	17	208
Environmental Control Switches	10 per SITE I, II, V, XII	60	600	25	575



1/2/92

Adaptive Technology Centers

*Training on the
leading edge of
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New York City Board of Education
District 75/Citywide Programs
400 First Avenue
New York, NY 10010

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Brooklyn Adaptive Technology Center

@ P811K
2525 Haring Street
Brooklyn, NY 11235
(718) 743-6420 FAX (718) 743-6419

Manhattan Adaptive Technology Center

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55 East 120th Street
New York, NY 10035
(212) 410-0744 FAX (212) 410-0746

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@ P752Q
142-10 Linden Blvd.
Jamaica, NY 11436
(718) 659-1956 FAX (718) 659-1957

Staten Island Adaptive Technology Center

@ P721R
155 Tompkins Avenue
Staten Island, NY 10304
(718) 876-5194 FAX (718) 727-6994

Vision Resource Center

76 Madison Avenue
6th Floor
New York, NY 10016
(212) 251-0531 FAX (212) 251-0602

Adaptive Technology Centers

New York City Board of Education
District 75/Citywide Programs
400 First Avenue
New York City, New York 10010
(212) 779-7200



79 Civ. 270
79 Civ. 560
79 Civ. 2562

Index No. Year 19.....

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSE P., et al.,

Plaintiffs,

-v-

THOMAS SOBOL, et al.,

Defendants.

CITY DEFENDANTS' PLAN FOR
SPECIALIZED INSTRUCTIONAL
MATERIALS AND EQUIPMENT

O. PETER SHERWOOD

Corporation Counsel
Attorney for City Defendants
100 Church Street,
New York, N.Y. 10007
Tel: (212) 788-0957

N. KERLIN

*Due and timely service of a copy of the within
is hereby admitted.*

New York,, 199.....

Fsq.

Attorney for