

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOSE P., et al.,

- against -

THOMAS SOBOL, et al.,
-----x

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

- against -

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

STIPULATION

79 Civ. 270

79 Civ. 560

79 Civ. 2562

(Nickerson, J.)

-----x
DYRCIA S., et al.

- against -

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

It is hereby stipulated by the undersigned parties that paragraphs 40, 43 and 46 of the Stipulation so ordered by the Court on August 3, 1988 should be modified to read as follows:

40. a) The Office shall hire by September 1, 1988, or as soon thereafter as possible, sufficient staff to have a total complement of 58 full-time monitors, and by September 1, 1991 seven additional full-time monitors, each of whom will be a professional person with special education teaching or special education supervisory or

administrative or clinical experience, in addition to the Director and two professional staff assistants. Such staff shall include one or two individuals capable of conducting data analysis (who need not have special education experience) and an individual who has received training in bilingual special education.

b) The Director shall assign five individuals, to be assigned one to each region, to assist each Deputy Assistant Superintendent in monitoring compliance with defendants' obligations in this action by each CSE and each school-based team in such region. In addition, the Director shall assign one monitor full time, an additional person with substantial responsibility and additional staff as necessary to assure that CSE's and school-based teams are making maximum reasonable efforts to evaluate and place each of the students on the out-of-compliance tracking lists described in paragraph 49(e).

43. Plaintiffs shall be provided, no later than the last day of the month following the month of their issuance, with all the reports of the monitors identified in paragraph 40. When a compliance issue identified in a monitor's report is resolved, plaintiffs shall be provided, within 30 days of issuance, with a document authored by either the monitor, the deputy assistant superintendent, the director or another appropriate board of education official stating that the issue has been resolved. If such document does not describe specifically how the issue has been resolved, plaintiffs shall be provided, upon request with a document describing specifically

how the issue was resolved no later than 30 days from the date of plaintiffs' request. Plaintiffs shall also have access to the out-of-compliance tracking lists described in paragraph 49(e). In addition, effective June 30, 1989, plaintiffs shall be given an annual report informing them of the office's operations over the past year.

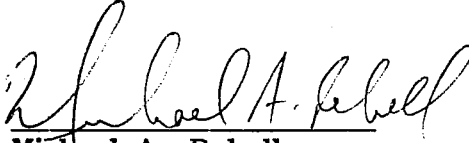
46. Nothing herein shall be construed as relieving the Executive Director of the Division of Special Education of his responsibility for insuring systemic compliance with the City defendants' obligations in this action regarding evaluation and placement, and the operation of City-wide programs.

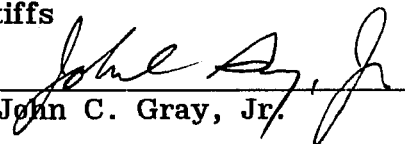
Dated: New York, New York
March , 1992

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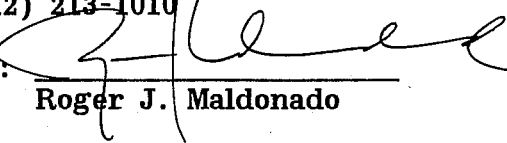
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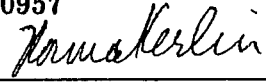
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