



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12234

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February 15, 2019

Ms. Rebecca Shore
Advocates for Children of New York
151 West 30th Street
New York, NY 10001

Ms. Mia Delane Gurley
Executive Director Committees on Special Education
New York City Department of Education
Division of Specialized Instruction and Student Support
52 Chambers Street, Room 220
New York, NY 10007

Ms. Eva Moskowitz
CEO of Success Academy Charter Schools
95 Pine Street, Floor 6
New York, NY 10005

Complaint: Advocates for Children of New York v. New York City Department of Education (NYCDOE) and Success Academy Charter Schools

Dear Ms. Shore, Ms. Delane Gurley and Ms. Moskowitz:

The New York State Education Department's (NYSED) Office of Special Education has completed its investigation of the State complaint (Complaint) filed by Advocates for Children of New York against the New York City Department of Education (NYCDOE) and Success Academy Charter Schools on December 4, 2018. A team of Regional Associates, Colleen Liddie, Eric Haubenstock, Reine Nyirenda and Anna Nam, was assigned to carry out the investigation.

Enclosed is NYSED's written decision that addresses the allegation in the Complaint by setting forth the findings of fact, conclusion, and reason for the written decision. Upon any finding of failure to provide appropriate services to an individual student with a disability, the NYCDOE must take the identified corrective action(s) to remediate the denial of services to the identified student and take appropriate actions to ensure the future provision of services for all students with disabilities.

The implementation of the enclosed Compliance Assurance Plan (CAP) will be monitored by Regional Associate Anna Nam. All CAP submissions should be sent to Ms. Nam, who is assigned to work with charter schools.

There is no federal or State right to appeal a State complaint, and this decision is final. NYSED will amend any factual errors included in the Statement of Facts section of the written decision, if a request is received within 15 calendar days from the date of the written decision and the request provides details of the error see:

<http://www.p12.nysed.gov/specialed/quality/complaintqa.htm>.

However, please be advised that if continuing concerns remain affecting an individual student, either the complainant or the school district may choose to initiate an impartial hearing to address the issues raised in the Complaint, as long as the issues are appropriate to a due process hearing and the two-year statute of limitations for due process hearings has not expired. To obtain additional information on the rights of the parent of a student with a disability under Part B of the Individuals with Disabilities Education Act, please refer to the Assistance for Parents section of NYSED's website at:

<http://www.p12.nysed.gov/specialed/quality/parents.htm>.

If you believe additional, unresolved violations have occurred that were not included in your original State complaint, you may submit a new State complaint. For additional information on State complaint procedures, please see:

<http://www.p12.nysed.gov/specialed/formsnotices/samplecomplaint.htm>.

You may contact me at 718-722-4544 should you need further assistance or have any questions regarding the complaint investigation process.

Sincerely,



Laura Piascik
Regional Supervisor

LP:cm

Enclosure

c: Samuel Zimmerman
Belinda A. Johnson
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Written Decision
Advocates for Children of New York v. The New York City Department of Education (NYCDOE) and Success Academy Charter Schools
Received December 4, 2018

Allegation #1:

Success Academy Charter Schools failed to implement students' Individualized Education Programs (IEPs).

Statements of Fact with Sources:

Special Class

- The four Success Academy locations visited during the investigation consisted of three elementary schools and one middle school. Two of the schools offered a 12:1+1 special education class. The middle school (SA-HE) offered one special class in the sixth grade and the elementary school offered one special class in the third grade (SA-Bx2). (4A-31, 4A-59, 4A-64, 5B-15, 5B-27, 5B-33, 6C-1, 6C-2, 7D-1)
- The special classes consisted of twelve or fewer students and two teachers. (4A-58, 4A-59, 4A-61)
- During the 2018-19 school year, three of the four schools enrolled students with IEPs that included a recommendation for 12:1 or 12:1+1 special class. In each of the three schools where students had IEP recommendations for special class, there were students who were not assigned to the special class recommended on their IEPs due to the class not being offered at their grade level. (4A-3, 4A-23, 4A-36, 4A-56, 4A-60, 7D-1, 7D-2, 7D-3)
- Students with IEP recommendations for special class who were not assigned to a special class, received small group instruction within their regular classroom setting which was comprised of more than 12 students and two teachers. (4A-56, 4A-59, 4A-60, 7D-1, 7D-4, &D-5, 7D-6)
- No documentation was submitted to NYSED indicating that during the 2018-19 school year, the Success Academy schools visited had a policy in place to notify the New York City Department of Education (NYCDOE) that IEP recommendations could not be implemented. On occasion the NYCDOE was being informed; however, in other instances NYCDOE was made aware at a student's annual review. (8B, 8C, 8D)

Special Education Teacher Support Services

- At each school visited during the investigation, there were students whose IEP recommendations specified Special Education Teacher Support Services

(SETSS), a NYCDOE instructional program which includes components of resource room and consultant teacher services. (4A-4, 5B-1, 7D-2, 7D-7)

- The IEPs of these students included recommendations for subject specific direct SETSS (e.g. English Language Arts, Math) to be provided for a full period either in the general education classroom or a separate location. The frequency of provision of the program generally ranged from two to five times a week per subject for students whose records were reviewed. (4A-4, 5B-1, 6C-3, 7D-7)
- During the 2017-18 school year, all four schools had at least one dedicated SETSS provider on staff. (4A-32, 4A-64, 5B-14, 5B-33, 6C-1, 7D-2, 7D-8)
- SETSS provider schedules were submitted for the 2017-18 school year for two schools, but no documentation was received from any of the schools to demonstrate that students received SETSS as indicated in the SETSS providers' schedules and as recommended in their IEPs. (4A-32, 6C-9)
- During the 2018-19 school year, none of the schools visited by NYSED had a dedicated SETSS provider on staff. Documentation was provided indicating that a P4, a voucher issued by NYCDOE when it cannot directly provide the service, which entitles the student to receive SETSS services that are paid for by the NYCDOE, was issued for one student. No documentation was submitted to NYSED indicating that the P4 was implemented. (4A-33, 4A-59, 5B-15, 5B-27, 6C-1, 7D-2)
- During the 2018-19 school year, teachers and administrators at the three elementary schools reported that students recommended for SETSS receive this service via small group instruction that is delivered by one of the co-teachers within each student's assigned class, which is typically a class referred to by the Success Academy charter school as an integrated co-teaching (ICT) class. This small group instruction is provided concurrent with the ICT class instruction. (4A-63, 4A-65, 5B-27, 5B-31, 5B-33, 7D-2, 7D-9)
- Documentation was not submitted to NYSED demonstrating that SETSS was provided to students in accordance with their IEP recommendations during the 2018-19 school year.
- No documentation was submitted to NYSED indicating that during the 2017-18 school year and/or the 2018-19 school year, the Success Academy Charter schools had a policy in place wherein they would notify the NYCDOE that they would not implement the SETSS recommendations as specified in students' IEPs.

Testing Accommodations

- The four Success Academy Charter locations visited, each create a plan called a "Critical Path" to structure their school-wide testing program and implement testing accommodations in preparation for State and school-wide assessments. (4A-59, 4A-60, 4A-61, 4A-62, 5B-27, 5B-28, 5B-29, 5B-31, 6C-4, 7D-2)

- All schools reported that administrators ensure that testing accommodations are being provided by creating the Critical Path and maintaining a presence in the hallways during assessments. Administrators reported that they will look through the window in the doors of classrooms to monitor the provision of testing accommodations, but they do not enter the classrooms during testing unless there is an emergency. (4A-59, 5B-27, 6C-1, 7D-2)
- Documentation was not submitted to NYSED to demonstrate that testing accommodations were provided to students as documented on their IEPs during assessments administered between December 4, 2017 and January 31, 2019.

Conclusions and Reasons:

In accordance with Education Law §2853(4)(a), the charter school is responsible to implement the IEP as written. The charter school may directly provide special education services to its enrolled students and/or arrange to have such services provided by the school district of residence or by contract with another provider. Based on review of educational records, interviews and documentation submitted from four Success Academy Charter Schools, there was a failure to implement students' IEPs with regard to Special Class, SETSS and testing accommodations.

Special classes with twelve or fewer students were offered by two of the schools visited during the investigation. Each school that provided special class offered the class in only one grade even though there were students outside of that grade with IEP recommendations for a special class who did not receive this program.

In terms of the provision of SETSS within the Success Academy Charter Schools, it was observed and reported by the school administrators and staff that students whose IEPs included a SETSS recommendation received services from a dedicated SETSS provider during the 2017-18 school year, or in the case of the 2018-19 school year, participated in small group instruction concurrent with ICT class instruction. Insufficient documentation was provided to NYSED to determine whether students recommended for SETSS during the 2017-18 school year were provided the program according to the frequency, duration and location specified by students' IEP recommendations.

During the 2018-19 school year, none of the four Success Academy Charter schools visited had a dedicated SETSS provider for SETSS instruction. Although students whose IEPs included a SETSS recommendation participated in small group instruction concurrent with ICT class instruction, this model does not fulfill the recommendation in students' IEPs because it relies on one teacher attempting to simultaneously occupy the role of a SETSS provider and co-teacher in the ICT class. Furthermore, this small group instruction was sometimes provided outside of the ICT classroom thereby depriving the remaining students assigned to the ICT class of the two teacher model. It is also noted that insufficient documentation was provided to NYSED to determine whether students recommended for SETSS during the 2018-19 school year were provided the program according to the frequency, duration and location specified by students' IEP recommendations (e.g. no documentation provided as to whether a student recommended for SETSS ELA in a separate

location with a frequency of two times per week, received this service as described in the IEP).

Review of records and interviews conducted with school administrators and staff indicate that across the four schools, there is significant effort placed into planning and organizing staff and students during State and school wide local assessments to address the testing accommodation needs of students. However, the school did not provide documentation indicating that students received the specific testing accommodations recommended within their IEPs. While the Critical Path planning document used by all Success Academy Charter Schools lists the testing accommodations of some students, the documents were noted to omit details from students' IEPs that are required for implementation.

As pertains to all recommended programs and services on a students' IEP, the Charter School has a responsibility to communicate with the school district of location regarding the implementation of recommended special education programs and services. There was no evidence of a systematic method for the Success Academy School to notify the NYCDOE when the charter school was not implementing the IEP recommendation(s) for a given student.

In conclusion, it is the determination of this Office that the Success Academy Charter Schools violated Education Law §2853(4)(a) due to the failure of schools to implement the IEPs of students recommended for special class, SETSS and testing accommodations.

Finding: Sustained

Allegation #2

Success Academy Charter Schools and the NYCDOE failed to implement procedural safeguards.

A. Allegation #2(a): Success Academy Charter Schools and the NYCDOE failed to provide the parent(s) with prior written notice (PWN).

- There were six instances across four of the Success Academy schools in which PWN was not provided to parents within a reasonable time following a CSE meeting in which the team recommended change(s) to special education programs. There were delays in issuing PWN to parents ranging from 17 days to over 220 days, including instances in which PWN was provided to parents after the implementation date of the IEP. (4A-3, 4A-23, 5B-3a, 5B-11a, 5B-5a, 5B-11b, 6C-6, 6C-7, 7D-15, 7D-16, 7D-17, 7D-18)
- There were two instances in which the CSE was informed during IEP meetings that the Success Academy Charter schools had not been implementing students' recommended IEP programs as written; however, the PWNs issued subsequent to the meetings do not record how the information was considered when developing the students' updated IEPs. (4A-1, 4A-20, 4A-8, 4A-24)

B. Allegation #2(b): Success Academy Charter Schools and the NYCDOE failed to offer any parental participation before implementing change in placements.

- Between December 4, 2017 and January 10, 2019, there were 16 instances in which students were not provided their IEP recommended programs by the Success Academy Charter schools. In three of these cases, the Success Academy Charter schools received written consent from the parents indicating agreement with the program change despite the fact that it was not the student's IEP recommended program. In these instances, no documentation was submitted to NYSED to demonstrate that parents were invited by the CSE to a meeting to discuss the proposed change before it was implemented. (4A-1, 4A-3, 4A-4, 4A-6, 4A-7a, 4A-31, 4A-33, 4A-35, 4A-36, 4A-38, 4A-39, 4A-40, 4A-41, 4A-42, 4A-43, 4A-44, 4A-46, 4A-48, 4A-50, 4A-51, 4A-52, 4A-53, 4A-56, 4A-59, 4A-60, 4A-62, 4A-63, 4A-64, 5B-1, 5B-2, 5B-15, 5B-24, 5B-27, 5B-28, 5B-31, 5B-33, 6C-1, 6C-6, 6C-8, 6C-9, 6C-10, 6C-11, 6C-12, 7D-2, 7D-4, 7D-5, 7D-6, 7D-7, 7D-8a, 7D-13, 7D-19, 7D-20, 7D-21, 8f)
- No documentation was submitted to NYSED by either the Success Academy Charter schools or the NYCDOE to demonstrate that the CSE was notified prior to changes in programs of 16 Success Academy students that occurred outside of the CSE process.

C. Allegation #2(c): Success Academy Charter Schools and the NYCDOE failed to hold a CSE meeting before implementing a change in placement.

- Across the four Success Academy Charter Schools visited, there were 15 students who were not placed in their IEP recommended special class or SETSS programs. In these instances, NYSED did not receive documentation that the schools notified the CSE prior to placing the student in a setting not recommended in the IEP or requested that the CSE reconvene. (4A-1, 4A-3, 4A-4, 4A-6, 4A-7a, 4A-31, 4A-33, 4A-35, 4A-36, 4A-38, 4A-39, 4A-40, 4A-41, 4A-42, 4A-43, 4A-44, 4A-46, 4A-48, 4A-50, 4A-51, 4A-52, 4A-53, 4A-56, 4A-59, 4A-60, 4A-62, 4A-63, 4A-64, 5B-1, 5B-2, 5B-15, 5B-24, 5B-27, 5B-28, 5B-31, 5B-33, 6C-1, 6C-3, 6C-2, 6C-6, 6C-8, 6C-9, 6C-10, 6C-11, 6C-12, 7D-2, 7D-4, 7D-5, 7D-6, 7D-7, 7D-8a, 7D-13, 7D-19, 7D-20, 7D-21, 8f)
- The NYCDOE did not submit documentation to NYSED demonstrating any process of monitoring the implementation of IEP recommended programs of students enrolled in the Success Academy Charter Schools.

Conclusions and Reasons:

In accordance with 34 CFR §300.501(b), §300.503 and §300.116, the local educational agency (LEA) must afford parents the opportunity to participate in meetings with respect to the educational placement of the child and provide written notice which

explains the LEA's proposal for special education programs and services, a reasonable time before any proposed change is implemented. The NYCDOE's Committee on Special Education is the LEA for the Success Academy Charter Schools. Any placement decision must be made by a group of persons, including the parent, that are knowledgeable about the student, during a meeting conducted by the CSE. If the charter school and/or parent believes that the student's IEP recommended program is no longer appropriate, they may refer the student to the CSE for review to determine whether changes to the student's special education programs and services would be appropriate given the particular design of the charter school, provided the student continues to receive the programs and services recommended in his or her IEP.

There were students who were not provided their IEP recommended placements at the four Success Academy schools visited during the investigation. While there were instances in which parents were invited to CSE meetings and participated in making decisions regarding the education of their child, there were also a number of occasions in which the CSE failed to invite parents to meetings using the required notification process (i.e. meeting notice). Another breakdown in the process is illustrated by the failure of these Success Academy Charter Schools to alert the CSE when the school failed to implement the IEP recommendations as written. Instead of contacting the CSE to initiate the meeting process, the Success Academy Charter Schools offered alternative placements to students and/or obtained written consent from parents to provide programs not recommended on students' IEPs. When meetings were held, it was also noted that PWNs were not consistently provided to parents in a timely manner or lacked important information concerning the student's educational experience (e.g. the failure to implement the IEP recommended program was not addressed in PWNs where this was an issue).

Therefore, it is the determination of this Office that the Success Academy Charter Schools and the NYCDOE failed to ensure the provision of procedural safeguards to parents and are in violation of 34 CFR §300.501(b), §300.503 and §300.116.

Finding: Sustained

Allegation #3:

Success Academy Charter Schools and the NYCDOE failed to implement pendency orders.

Statements of Fact:

- Two of the Success Academy Charter Schools visited during the investigation had pendency orders issued to students involving a "stay put" order. (8e, 8f)
- In one instance, the pendency order was communicated to Success Academy Legal Counsel by Advocates for Children. In the other case, the NYCDOE Impartial Hearing Office Implementation Unit communicated the order by electronic mail (e-mail) directly to the general mailbox of the Success Academy Charter School identified in the order. (8k, 8h)

- In both cases, the NYCDOE was informed that the Success Academy Charter schools that would not comply with the pendency orders. (8j, 8l, 8m)
- In the first case, internal e-mails within NYCDOE indicate that the NYCDOE *intended* to inform the Success Academy Schools that the order would not be appealed and confirm that the charter school is informed of its obligation to implement the order, and verify that the student named was receiving the related services recommended in the order. NYSED received documentation demonstrating that the NYCDOE verified that Student # 6 received the IEP recommended related services; however, NYSED did not receive documentation confirming that the Success Academy Charter School was informed that there would be no appeal or that the school had been informed of its obligations with respect to the order. (8m)
- In the second case, the NYCDOE, through the Implementation Unit of the Impartial Hearing Office, informed the school directly of the pendency order and requested confirmation of its implementation. (8h)
- In both cases, no documentation was submitted to NYSED that demonstrates the orders were implemented as written.
- School administrators at one Success Academy Charter Schools identified the date of the student's return to the academic setting specified in the pendency orders that was several months after the issuance of the order. (4A-59, 5B-27)
- The student's return to this setting was subsequent to (federal) court proceedings that resulted in injunctions to enforce the pendency orders. (1)
- Success Academy school administrators reported that they do not receive notification of pendency orders and rely on guidance from the Success Academy central office/counsel [clarify which per school] in such matters. (4A-59, 5B-27, 6C-1, 7D-2)
- No evidence was provided to NYSED to indicate that the NYCDOE took action to ensure the full implementation of the pendency orders.

Conclusions and Reasons:

In accordance with 34 CFR §300.518, during the pendency of any administrative proceeding regarding a due process complaint notice requesting a due process hearing, unless the local agency and the parents of the child agree otherwise, the child involved in the complaint must remain in his or her current educational placement. Furthermore, as required by 8 NYCRR §200.5(j)(5)(v) of the Regulations of the Commissioner of Education, the decision of the impartial hearing officer shall be binding on both parties unless appealed to the State Review Officer.

In both cases in which pendency orders were issued regarding students enrolled at Success Academy Charter Schools, the NYCDOE did not file an appeal to the

State Review Officer and it was incumbent on the SA schools to implement the pendency orders. Evidence submitted to NYSED indicates that in both cases, legal counsel of the Success Academy schools informed the NYCDOE that the schools would not comply with the pendency orders. One student was not returned to the academic setting specified in the pendency order until subsequent orders were issued by the federal courts. No documentation was submitted to NYSED of any procedures prescribing the communication from NYCDOE to the Success Academy Charter Schools when a pendency order is issued nor was documentation provided outlining procedures whereby the NYCDOE would ensure implementation of pendency orders issued to charter schools. In conclusion, it is the determination of this Office that the Success Academy Charter schools and the NYCDOE are in violation of CFR §300.518 and NYCRR §200.5(j)(5)(v).

Finding: Sustained

Compliance Assurance Plan

| Citation | Required Corrective Action | Due Date |
|----------------------------------|---|---------------------|
| <p>Education Law §2853(4)(a)</p> | <p>Required Corrective Action #1a: Success Academy Charter Schools must ensure that students' recommended programs and testing accommodations are implemented as recommended on students' IEPs.</p> <p>By February 28, 2019, the Success Academy Charter Schools will submit copies of the following to the NYSED:</p> <ul style="list-style-type: none"> • A list of all students with disabilities (SWDs) who are enrolled <u>at all Success Academies in New York City</u> which indicates the students' recommended programs and testing accommodations as specified on their respective IEPs. <p>The NYSED will select a sample of students.</p> <p>By May 14, 2019, the Success Academy Charter Schools will submit copies of the following to the NYSED:</p> <ul style="list-style-type: none"> • Evidence of the provision of SETSS and Special Class for the selected sample of students during the period March 1, 2019, through May 1, 2019. • Evidence of the implementation of testing accommodations for the selected sample of students during the period March 1, 2019, through May 1, 2019. | <p>May 14, 2019</p> |
| | <p>Verification of Compliance</p> | |
| | <p>The Regional Associate will review the submitted documentation and may conduct a site visit to verify compliance.</p> | |

| Citation | Required Corrective Action | Due Date |
|---------------------------|---|----------------|
| Education Law §2853(4)(a) | <p>Required Corrective Action #1b:</p> <p>By March 29, 2019, the Success Academy Charter Schools must submit to NYSED:</p> <ul style="list-style-type: none"> • The Success Academy Charter Schools' policies and administrative practices pertaining to the provision of recommended IEP programs and the implementation of testing accommodations for SWDs, including their procedure(s) to inform the CSE of the failure to implement students' IEPs as written. • The title and name of the individual who is responsible for informing the CSEs of the Success Academy Charter Schools' inability or failure to implement students' IEPs as written. | March 29, 2019 |
| | Verification of Compliance | |
| | The Regional Associate will review the submitted documentation to verify compliance. | |

| Citation | Required Corrective Action | Due Date |
|---|---|----------------|
| Education Law §2853(4)(a), 34 CFR §300.501(b), §300.503 and §300.116 | <p>Required Corrective Action #2a:</p> <p>Success Academy Charter Schools must inform the CSE of the failure to implement students' IEPs as written, and any actions taken as a result.</p> <p>By March 29, 2019, the Success Academy Charter School must submit to NYSED:</p> <ul style="list-style-type: none"> • A list of SWDs whose IEPs are not being implemented, or whose IEPs recommend programs that the Success Academy Charter Schools cannot implement. • Evidence that the Success Academy Charter Schools informed the CSE of the failure to implement the students' IEPs. • Actions that the Success Academy Charter Schools took due to the failure to implement students' IEPs. • The title and name of the individuals who are responsible for monitoring the implementation of students' IEPs at the Success Academy Charter Schools. | March 29, 2019 |
| | Verification of Compliance | |
| | The Regional Associate will review the submitted documentation to verify compliance. | |

| Citation | Required Corrective Action | Due Date |
|--|--|-------------|
| 34 CFR §300.501(b), §300.503 and §300.116 | <p>Required Corrective Action #2b:</p> <p>The NYCDOE must implement procedural safeguards, specific to providing parents with prior written notices (PWNs), offering parental participation before implementing change(s) in placements, and conducting IEP meetings before implementing changes.</p> <p>By March 29, 2019, the NYCDOE must submit to NYSED:</p> <ul style="list-style-type: none"> • The NYCDOE's policies and administrative practices pertaining to the issuing of PWNs for students attending charter schools. • The CSE's policies and administrative practices pertaining to parental participation prior to implementing change in placements. • The CSE's policies and administrative practices pertaining to conducting IEP meetings prior to implementing change in placements. • CSE's policies and administrative practices once they are made aware of Success Academy Charter Schools' failure to implement students' IEPs, specifically when a student is recommended for a program that Success Academy Charter Schools do not offer. • The title and name of the individuals who are responsible for monitoring the implementation of procedural safeguards at the ten regional CSEs. <p>By May 1, 2019, the NYCDOE must submit to NYSED:</p> <ul style="list-style-type: none"> • Evidence of implementation of the procedural safeguards for the parents of the students at the Success Academy Charter Schools based upon the notifications received from the Success Academy Charter Schools as indicated above. | May 1, 2019 |
| | Verification of Compliance | |
| | The Regional Associate will review the submitted documentation to verify compliance. | |

| Citation | Required Corrective Action | Due Date |
|-----------------|--|--------------|
| 34 CFR §300.518 | <p>Required Corrective Action #3a: Success Academy Charter Schools must implement pendency orders as written.</p> <p>By March 29, 2019, the Success Academy Charter Schools must submit to NYSED:</p> <ul style="list-style-type: none"> • The Success Academy Charter Schools' policies and administrative practices pertaining to the implementation of pendency orders. • The title and name of the individual at the Success Academy Charter Schools who is responsible for ensuring that pendency orders are implemented. <p>By June 1, 2019, the Success Academy Charter Schools must submit to NYSED:</p> <ul style="list-style-type: none"> • Evidence of the implementation of pendency orders, if any, during the period April 1, 2019, through May 31, 2019. | June 1, 2019 |
| | Verification of Compliance | |
| | The Regional Associate will review the submitted documentation to verify compliance. | |

| Citation | Required Corrective Action | Due Date |
|--------------------------------|---|----------------------|
| <p>8 NYCRR §200.5(j)(5)(v)</p> | <p>Required Corrective Action #3b: The NYCDOE must implement pendency orders as written.</p> <p>By March 29, 2019, the NYCDOE must submit to NYSED:</p> <ul style="list-style-type: none"> • The NYCDOE's policies and administrative practices pertaining to the implementation of pendency orders. • The title and name of the individual at each of the ten regional CSEs who is responsible for implementing pendency orders. <p>By June 10, 2019, the NYCDOE must submit to NYSED:</p> <ul style="list-style-type: none"> • Evidence of the implementation of pendency orders for students at Success Academy Charter Schools at during the period April 1, 2019, through May 31, 2019. | <p>June 10, 2019</p> |
| | <p>Verification of Compliance</p> | |
| | <p>The Regional Associate will review the submitted documentation to verify compliance.</p> | |