

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Special Master Program Monitoring

March 19, 2025

LV, et al.,

Plaintiffs,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION, et al.,

Defendants.

Prepared for

Loretta A. Preska

Senior United States District Judge

In 2007, the parties settled a class action lawsuit, resulting in a settlement which developed a governing document, the Stipulation, to measure compliance moving forward. The parties agreed to the Stipulation and an Independent Auditor has been in the role of measuring compliance.

When a special education hearing is held, an Impartial Hearing Officer overseeing the case can issue the decision that a service be provided or payment be made on behalf of the student. NYCPS then has 35 days to implement the order (unless otherwise specified), whether by making a payment and/or arranging the necessary service(s) for the student.

NYCPS created an office, termed the Implementation Unit (IU), to manage the process by which these payments are authorized and services are arranged.

Obligation #39

Every 120 days from the date of this Order [7/19/2023], the Special Master will file a report with the Court on NYCPS's progress in implementing the obligations that have come due in the prior 120 days pursuant to this Order (the "Obligations").

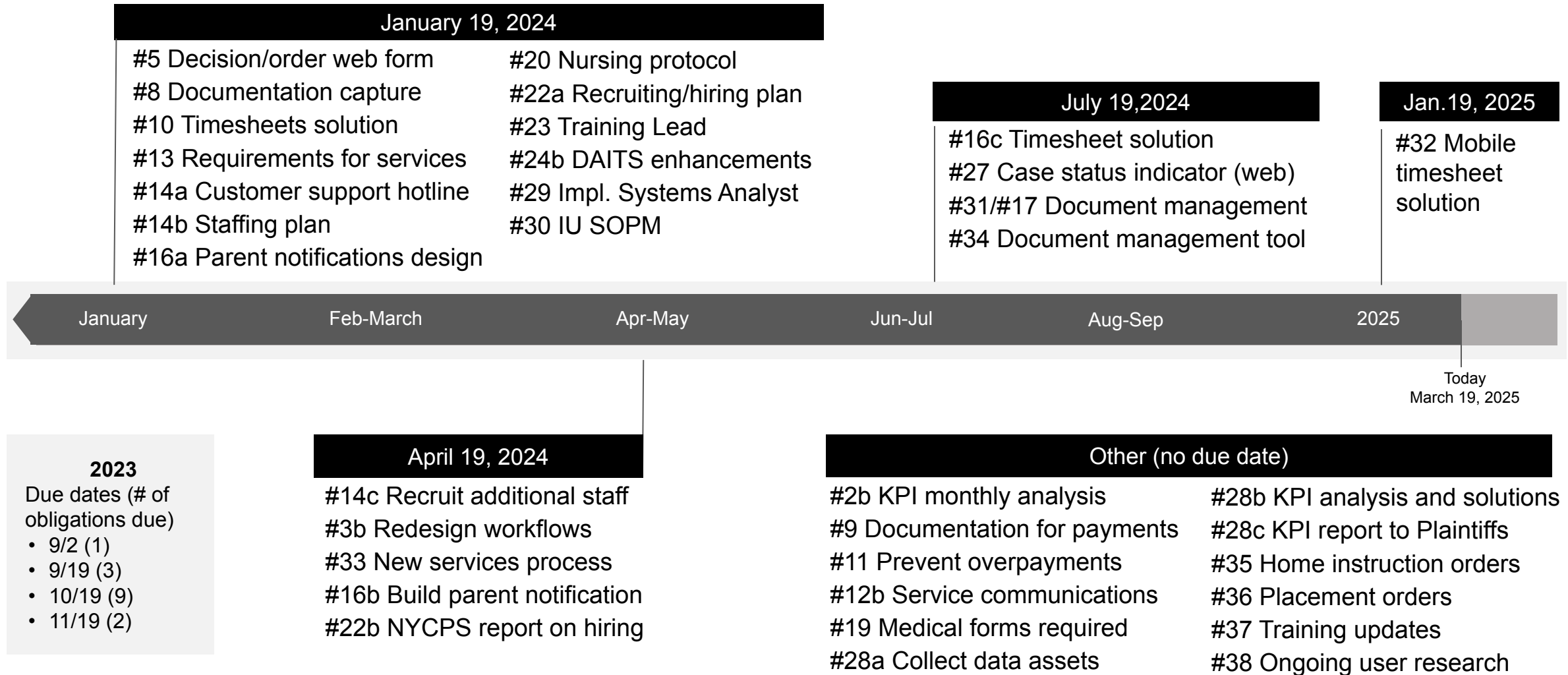
Each such report shall set forth (i) the Special Master's analysis as to whether each Obligation has been fulfilled; (ii) for any Obligation that the Special Master has concluded has been fulfilled, a detailed explanation of the basis for such conclusion; (iii) for any Obligation that has not been fulfilled, the impediments to fulfilling such Obligation, the measures necessary to overcome such impediments, and the timeframe for fulfilling the Obligation; (iv) for any Obligation that has not been fulfilled, a summary of NYCPS's efforts to consult with Plaintiffs, the Special Master, or other relevant entities in order to fulfill the Obligation, or an explanation of good cause why no such consultation was held; (v) the next steps to be taken to fulfill the Obligations; and (vi) any additional recommendations of steps NYCPS must take to meet the Stipulation's benchmarks, including but not limited to those identified as future recommendations in the Special Master's March 29, 2023 report. NYCPS should provide all reasonable assistance to the Special Master in preparing this report, and Plaintiffs will be permitted to provide feedback.

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1. Executive Summary

Timeline of Obligations 2024-2025



Key Takeaways

- Since my last report, very little progress was made on the development of the Impartial Hearing Management System (IHMS), while the project waited for Phase 2 funding. After Your Honor requested an explanation of the current obstacles, NYC OMB approved the funding for change request on 2/26/2025, though IBM's contract review/sign-off and the Comptroller's approval remain key steps. NYCPS/IBM have suggested that they may be ready to resume development work in the April / May timeframe.
- SupportHub, the platform for providing customer support (obligation #14), is now live, and it is also available to a subset of vendors. To understand the community's experience, I surveyed attorneys and parents who have interacted with SupportHub and conducted an independent user experience review of the platform. While I applaud NYCPS for deploying SupportHub as a short-term solution as IHMS is delayed, there are many opportunities for NYCPS to improve processes and communications as they interact with parents and advocates.

Key Takeaways

- On December 5, 2024, Your Honor held a conference to address process changes and communication protocols around various public-facing initiatives. During this meeting, Your Honor ordered NYCPS to take a series of actions by 12/27/24, including changes made to public communications and guidelines (obligation #9) - some of these changes/actions remain outstanding, and I am attaching a status report tracking these items. In short, NYCPS has not satisfied all of the directives ordered on 12/5.
- Polaris, the new custom-built invoicing tool (obligation #10), went live with 57 vendors in late December 2024 and will continue for a 3-month period before rolling out to the larger community of vendors in April. DFO is processing these payments from Polaris now and processed 207 invoices in January, (98% within 5 days). While conversations with the team indicate that the application is performing well and leading to shorter invoice processing times, we have not reviewed technical documentation to validate this.

Key Takeaways

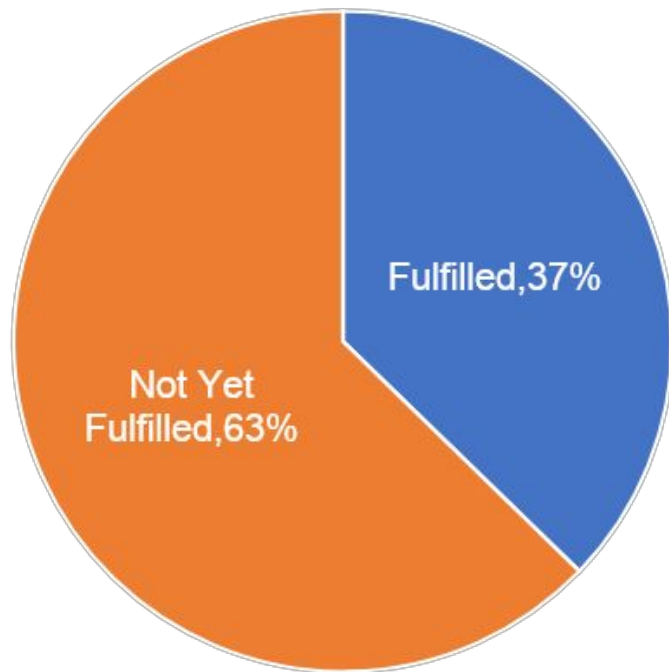
- Technical resources in NYCPS/DIIT are continuing their stabilization work (obligation #24) on the current Implementation application, DAITS. The DAITS database was recently updated and we await feedback from the IU team on whether that has improved performance of the system.
- Most staffing request funding appears to be approved, and NYCPS is now going through recruiting processes to onboard outstanding positions. To date, NYCPS reports they have onboarded 100 staff (full-time and temp) out of 148 needed positions. See the attached for more details.
- Recently, I collaborated with OATH to modify the method by which hearing officers tag cases as high-priority or time-sensitive. OATH has informed its Hearing Officer community about the new procedure. I hope this will enhance the effectiveness of the intake process for high-priority orders (obligation #12), and I await feedback from NYCPS on its performance. I understand that NYCPS will not be able to effectively track the intake of these orders until DAITS enhancements are implemented.

Key Takeaways

- Currently, Guidehouse, the firm responsible for auditing and reporting on LV compliance, is significantly backlogged on their quarterly reports, similar to the IU, due to high volume of action items. To help understand how fulfilment of obligations to date has affected NYCPS's efforts more recently, I proposed that Guidehouse modify their reporting process and conduct an audit of the most recent month of orders due. I collaborated with NYCPS, Plaintiffs and Guidehouse to achieve consensus on the approach. Guidehouse is now auditing orders due in March 2025 and should report their final report of this one-month snapshot in May 2025.

Progress Snapshot by Due Date

The obligations in the LV order dated 7/19/2023 are enumerated in the order itself, but many of these obligations consist of multiple actions. Often, the various actions have different due dates, and several obligations do not have due dates. We have updated this snapshot to illustrate this full list of actions to be taken, (51). For example, obligation #22a entails a recruiting and hiring strategy, and obligation #22b entails the staffing report provided with this report.



- NYCPS has fulfilled one obligation since my last report in November 2024, specifically obligation #22 concerning a recruiting and hiring strategy for staff to support implementation. As of March 7, 2025, a total of nineteen (19) obligations have been fulfilled, while thirty-two (32) remain unfulfilled. All remaining unfulfilled obligations are now past due as of January 19, 2025.

2. Obligations Not Yet Fulfilled

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
5	With endorsement from Plaintiffs, NYCPS, OATH and NYSED leadership, within six months of the date of this Order, NYCPS will research and design a web-based interface for Impartial Hearing Officers to issue decisions and build the user-friendly web form for capturing orders ... allowing both common and uncommon relief to be ordered. The web-based interface must include the ability to capture the decision and order, both via structured input fields (e.g., a dropdown menu) and/or in writing (e.g., a free-form text field), with the full independence and discretion of the Hearing Officer;	1/19/2024	Impediments are being mitigated, and progress is now being made. The next impediment may be the build of this functionality as it relates to the IHMS Phase 2 release schedule.	We have collected feedback from both OATH and NYSED regarding the draft form fields. NYCPS has been working on finalizing the list of fields to be included in the IHMS specifications.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS finalizing list of form fields - IHMS team to design/build functionality - NYCPS/SM to share list of form fields with OATH to promote integration between future data systems			See steps to be taken	TBD Release of IHMS estimated in 2027

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
8a	Within six months of the date of this Order, NYCPS will design a process by which NYCPS can collect relevant implementation documentation from parents and guardians, parent representatives, and providers before the hearing; NYCPS will conduct user research with parents to design a web-based and offline data collection process to facilitate this.	1/19/2024	NYCPS has designed for IHMS/NYCSA and ServiceNow/SupportHub to capture documentation following an order. NYCPS has not shared plans for capturing documentation pre-hearing, as this obligation states.	NYCPS/Nagarro have included me in the design of the tools to capture LV authorizations and vendor invoices. We have not discussed capturing the parents' documentation pre-hearing.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to conduct "user research with parents" and draft "a process" by which to collect relevant documentation "before the hearing," (with input from Plaintiffs).			See Steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
8b	NYCPS will modify any necessary policies or technologies to allow parents to submit payment documentation as multiple files or different formats;	1/19/2024	This functionality will not be available broadly until the full deployment of IHMS. Users of SupportHub can now submit multiple files, but not all parents/ reps are utilizing SupportHub. Therefore, where email remains the method for sharing documentation, NYCPS reports that they must request the documentation as one PDF.	No solutions have been presented to me for a short-term fix to this problem.
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- Assess if there are ways to communicate a benefit of using SupportHub is that multiple files can be shared at once.		Encourage (in communications) parents/ reps to use SupportHub if they would like to submit multiple documents for authorization.		TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
10	NYCPS will assess and implement a solution to support the submission and immediate approval of timesheets within six months of the date of this Order.	1/19/2024	Polaris, the new custom-built invoicing tool (obligation #10), went live with 57 vendors in late December 2024 and will continue for a 3-month period before rolling out to the larger community of vendors in April 2025.	While conversations with the team indicate that the application is performing well and leading to shorter invoice processing times, we have not reviewed technical documentation to validate this.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- Deploy Polaris to full community of vendors - Please refer to slides 52-54 for additional details			See steps	Q2 2025

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
13	Within six months of the date of this Order, NYCPS will define data and system requirements for monitoring incoming and tracking the ongoing implementation of orders comprised of service action items.	1/19/2024	This obligation is dependent on functionality contained within NYCPS' special education data management system. IU is designing DAITS reports to help Implementation Liaisons track service action items.	NYCPS shared an email pointing me to the various sections of IHMS BRDs that contain some of this functionality. I am requesting that NYCPS share project documentation.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- SESIS and IHMS teams have started, and should continue, discussions regarding integration of the systems - NYCPS to share ATLAS project documentation when available.			Establish a working group to meet regularly to discuss the integration needed	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
14a	NYCPS will (a) within six months of the date of this Order, deploy a customer support hotline and formal network structure for the Implementation Manager role to serve as the point-of-contact for the case and coordinate service action items across NYCPS offices, schools, attorneys and parents,	1/19/2024	NYCPS launched its customer support platform, SupportHub, on January 8. As NYCPS could not provide useful data on the pilot phase, I surveyed attorneys and parents who interacted with SupportHub to better understand the community's experience, and I shared some of those results with Your Honor. About 9% of respondents felt their experience was "ok" and 0% found it very helpful. About 52% did not find it helpful or had a "bad experience."	NYCPS and Nagarro have regularly shared status updates with me on the progress of launching SupportHub. I interviewed an attorney to gather input on the usefulness of the SupportHub and reported the results to NYCPS. I plan to discuss many of the issues with the new Communications staff.
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- NYCPS/Nagarro to continue improving the tool/SupportHub/process in response to community feedback		See steps		Q2 2024

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
16a	Within six months of the date of this Order, NYCPS will design an automated service to generate emails to parents, attorneys and advocates, and providers at key milestones in the administrative workflow of the implementation of an order, such as when an Implementation Manager unpacks the hearing order, when a service provider has been identified, when a payment action item has been authorized, and when the payment has been sent to the parent or provider.	1/19/2024	I am not aware of any discussions around this functionality. SupportHub notifies parents/ reps once action items have been unpacked, but there is not an end-to-end journey of milestones defined.	NYCPS shared the NYCSA BRD with me on 7/17, however I responded providing feedback and have not received any updates on this obligation since.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- DIIT is reviewing the mechanism by which the automated notifications are generated (i.e. from IHMS directly, through NYSCA). - NYCPS to draft the requirements/content of “an automated service to generate emails to parents...”			See Steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
16b	Within nine months of the date of this order, NYCPS will build the notification function and begin testing	4/19/2024	NYCPS has not designed the notification function as per obligation #16a, which is a dependency for this obligation (to build the notification function).	None
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
Same as #16a - DIIT is reviewing the mechanism by which the automated notifications are generated (i.e. from IHMS directly, through NYSCA). - NYCPS to draft the requirements/content of “an automated service to generate emails to parents...”			See steps	As soon as possible (overdue)

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
16c	Within twelve months NYCPS will deploy the function publicly; (see 16a and 16b)	7/19/2024	This obligation depends on the design of the build of the notification function and testing (#16b). The origin of this obligation stemmed from a capability DAITS already has. This is a missed opportunity for a near-term solution.	None
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- See #16a		See #16a		TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
20	Within six months of the date of this Order, NYCPS and the Office of School Health will modify any applicable procedures with nursing agencies to specify that postings and assignments for a nurse will remain open until an individual nurse has been formally assigned to a student rather than when the nursing agency has claimed the posting;	1/19/2024	On 5/13, NYCPS provided a URL for general nursing forms. I am awaiting additional information from NYCPS/OSH, including a response to an email string around the communication to the nursing agencies.	NYCPS provided me with an update on 5/13/2024 sharing their efforts to date. I have requested follow-up documentation.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS/IHO/OSH to provide copy of communications to health agencies			See Steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
24b	Within six months of the date of this order, NYCPS will develop, test, and release the DAITS enhancements	1/19/2024	DAITS technical resources are continuing their stabilization work (obligation #24). The team recently updated its database. I received a status update from IU on 3/13/25, that performance was improved in certain areas, but issues remain that are being fixed at the time of this writing.	My team has been briefed on NYCPS's progress on this obligation. See also Appendix I (slide 51)
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- Confirm if changes have led to increased stabilization of the application. - DIIT/IU to share documentation, stabilization plan and enhancement plan			See Appendix I DAITS (slides 60-61)	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
30	Within six months of the date of this Order, NYCPS will expand the LV Payment and Service Guidelines for Implementation Unit staff into an Operating Procedures Manual, and design and implement a professional development series on order implementation for NYCPS staff;	1/19/2024	Capacity to develop and write the Operating Procedures has been a challenge, however NYCPS shared a draft of this deliverable on 5/8/2024. I responded with feedback and questions on 5/21/2024 and am awaiting an updated version from NYCPS	NYCPS has shared a draft of the SOPM with me. I am awaiting revisions based on my feedback shared on 5/21. NYCPS has reported they will revise in early 2025, so I plan to follow up with NYCPS shortly.

Steps to be Taken	Special Master Recommendations	Timeframe to resolve
- NYCPS to revise first draft of the Operating Procedures Manual based on my feedback - Share an updated version for Plaintiffs and I to review	See Steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
33	Within nine months of the date of this Order, NYCPS will launch the process of monitoring and coordinating service action items, as defined in paragraphs 14-16	4/19/2024	This obligation first requires the development of an improved process to monitor and coordinate service action items as per obligation #13 – this obligation is not yet fulfilled.	None
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- Develop the necessary process and documentation as per obligation #13 - Plan for the launch of the process (e.g., training)			Articulate the new process for monitoring service action items (obligation #13) and assess impacts	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
27	Within one year of the date of this Order, NYCPS will develop and deploy an accessible status indicator (web-based) for parents to easily view their case's status in the due process workflow;	7/19/2024	NYCPS has not communicated to me that this functionality is planned for development. This functionality was not included in the development of IHMS BRDs thus far to my knowledge.	None
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to gather business requirements and share			This functionality should be added to the scope of the next phase of IHMS.	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
31	Within twelve months of the date of this Order, NYCPS will centralize the collection, submission and sharing of pertinent documents among NYCPS's impartial hearing representatives and Implementation Unit on a single platform. NYCPS will establish a process by which documentation from families is captured by NYCPS representative at the hearing;	7/19/2024	This obligation is dependent on the successful launch of IHMS.	My team continues to observe the progress of IHMS and are providing guidance around certain aspects.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- TBD			- TBD	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
34	Within one year of the date of this Order, NYCPS will build the necessary document management functionality into the new special education data system to share documents across special education processes, as defined in paragraph 17	7/19/2024	This obligation is dependent on the successful launch of ATLAS, similar to obligation #13.	None
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- See obligation #13 on slide 16. - Plan and design for the sharing of documents in accordance with other data integrations for IHMS/ATLAS		See obligation #13 on slide 17		TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
32	Within eighteen months of the date of this Order, NYCPS will build or procure a mobile application by which providers can enter their hours on their phone upon providing a service and NYCPS will not require a traditional invoice for payment. The new invoicing process and tool will be designed to streamline the invoice approval process. NYCPS will conduct user research with providers and parents to identify the mobile application	1/19/2025	The Polaris team has indicated that they conducted testing on mobile devices. NYCPS has communicated to me that they intend to share additional documentation re: mobile functionality.	NYCPS provided my team with documentation on the Polaris solution, which did not indicate any future mobile functionality. I would like to see a demo of the mobile functionality to assess this obligation.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to provide documentation on mobile functionality, such as requirements, user research findings, etc. - Polaris team/NYCPS to provide demo of mobile functionality			- See steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
2b	(b) Once the required data assets are integrated, the Implementation Unit and NYCPS's Office of General Counsel will monitor progress of implementation, and KPIs, and report on the progress of KPIs to the Special Master and Plaintiffs on a monthly basis.	-	NYCPS is still in the process of gathering and integrating all of the data that would be needed to report on KPIs.	NYCPS has provided samples of KPIs based on recent progress made.
Steps to be Taken		Special Master Recommendations	Timeframe to resolve	
- NYCPS to gather and integrate data assets - NYCPS to update Parties on delivery date for future KPI reports		- See steps	As soon as possible	

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
9	NYCPS will make payments pursuant to the timelines in the Stipulation for Timely Implementation upon calculation or confirmation of the payment amount required by an Action Item in an Order and the payee being registered with the City. Based on the representations contained in the attached declaration, NYCPS will identify for the Special Master the specific documents that NYCPS will require in any payment and publicly provide a list of those documents on NYCPS's website and as an attachment to every Payment Order;	-	NYCPS publicly provides the list of documents (as specified in this obligation) online via the HUH Y Guide. NYCPS has made several updates to its website and HUH Y Guide in recent months. Only a few items remain from the 12/5 Court conference for NYCPS to resolve – please see attachment to this report on website/public communications (Payment Authorization Doc.).	Discussions have been ongoing, including in the 12/5 meeting with Your Honor, about the current contents of the list. I am providing an update on the Implementation website's progress attached to this report. I will continue to monitor the implementation of these recommendations.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to make final changes as decided on 12/5 - Communications staff should review and improve the contents of the Implementation website			NYCPS should continue to review and improve the Implementation website	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
11	NYCPS will assess the creation of a systems-generated notification to inform the Implementation Unit that the Office of General Counsel/Special Education Unit has settled a case where payments are being distributed from an Order. The assessment will define the business and technical requirements to do so;	-	NYCPS has not provided an update or documentation on this obligation.	None
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- TBD			- NYCPS to incorporate this business rule into IHMS design	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
12a	Within two months of the date of this Order, the Implementation Unit will assign resources to flag incoming orders deemed high priority, as NYCPS and Plaintiffs agree upon the term “high-priority.” The Implementation Unit will triage and route orders accordingly. NYCPS should consult and obtain feedback from Plaintiffs on what orders should be deemed “high priority.” Should NYCPS and Plaintiffs fail to agree on what orders should be deemed “high priority,” the Special Master will advise the Parties and/or raise the issue with the Court for determination	9/19/23	NYCPS has not demonstrated they are following an effective process to triage high-priority orders. I have been working with OATH to help hearing officers specify the type of high-priority order in their decision (filename). The NYCPS reports that these cases may be tagged incorrectly by the hearing officer.	I proposed a process by which NYCPS could use data from the impartial hearing system to identify high-priority cases. NYCPS has indicated that they are following the High-Priority Triage Plan (obligation #25), and that alleviating the DAITS access issues should help the process.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to determine lessons learned from missed cases - NYCPS to update their processes based on lessons learned			- See steps	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
12b	Implementation Unit staff will communicate all service orders and action items to New York City public schools, charter schools and State-approved non-public schools (as applicable) within a time that allows for the order to be Timely Implemented within the definition of the Stipulation.	-	NYCPS has not provided an update or documentation on this obligation.	I have communicated my expectations on fulfillment of this obligation, (i.e., a communications plan).
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- TBD		- I have provided guidance to NYCPS to produce and share a communications plan		TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
19	Aside from the Medication Administration Form (MAF) and HIPAA forms, no other documentation or evidence is required before implementation of an impartial hearing order for the provision of nursing services;	-	NYCPS has been coordinating internally on dissemination of a written communication to health agencies.	NYCPS shared an update on this on 3/13/24, to which I responded with feedback and guidance on 3/21/24 (a year ago) specifically requesting updates around a formal communication to the community planned around this obligation, (e.g., a website update). I am still awaiting a response.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- NYCPS to respond to my email sent on 3/21/24			- See steps	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
28a	NYCPS will copy and collect data assets from implementation-related data sources, including but not limited to DAITS, IHS, FAMIS, and SESIS, to analyze for Implementation Unit workflow purposes. NYCPS will report to Plaintiffs on a quarterly basis the results of this analysis and meet with the Plaintiffs on a quarterly basis to identify solutions to problems and answer questions and hypotheses regarding failure to meet the Stipulations benchmarks based upon the analysis.	-	See obligation #2b (p.30) (NYCPS is still in the process of gathering and integrating all of the data that would be needed to report on KPIs.)	I know that NYCPS IU is in early stages of using data to inform their operations, and was able to submit some KPIs in recent letters to the Court. A broader series of KPIs was also defined in the fulfillment of obligation #2a.
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
-See obligation #2b (p.30)			- Draft the outline and template of the quarterly report (as per obligation #2a).	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
28b	NYCPS will report to Plaintiffs on a quarterly basis the results of this analysis and meet with the Plaintiffs on a quarterly basis to identify solutions to problems and answer questions and hypotheses regarding failure to meet the Stipulations benchmarks based upon the analysis.	-	See obligation #2b (NYCPS is still in the process of gathering and integrating all of the data that would be needed to report on KPIs.)	None
Steps to be Taken			Special Master Recommendations	Timeframe to resolve
- See obligation #2b			-	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
28c	The Special Master will include in reports to be provided to the Court every six months NYCPS's analysis of such data;	-	NYCPS is still in the process of gathering and integrating all of the data that would be needed to report on KPIs. This obligation is also dependent on several ongoing technology initiatives, (IHMS).	I have consulted on the definition of KPIs in obligation #2a, but not in reporting obligations, (#2b, #28).
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
-See obligation #2b		- TBD		TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
35	For each home instruction order, the Implementation Unit Staff should confirm the actual provision of home instruction as defining implementation of the order	-	NYCPS has not provided updates on this	None

Steps to be Taken	Special Master Recommendations	Timeframe to resolve
- NYCPS to draft a process document on the provision of home instruction	I have recommended that NYCPS creates a process document for confirming student is receiving home instruction	TBD

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
36	For each order placing a student at a NYCPS school, Implementation Unit Staff and OSE should confirm the actual placement as appropriate and meeting the need of the student, (per order and IEP)	-	NYCPS has not provided an update on this obligation.	I provided NYCPS with guidance on the expectation for this deliverable (see below).

Steps to be Taken	Special Master Recommendations	Timeframe to resolve
NYCPS to draft a process document on the placement of the student	I have recommended that NYCPS creates a process document for confirming student is placed in the school	As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
37	NYCPS will develop a continual process of updating training materials to reflect changing policies and business rules	-	NYCPS has not provided an update on this obligation in over a year, other than to say they are having internal obstacles. Impediments unknown.	NYCPS and I communicated over a year ago on this subject (2/7/24), but there has been no follow-up or clear documentation of the process to update training materials.
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
NYCPS to develop and share Annual Training Publication Schedule		I have provided guidance to NYCPS to share an Annual Training Publication Schedule and process for updating training materials		As soon as possible

Obligations Not Yet Fulfilled

Obl.#	Obligation	Orig.Due Date	Impediments and Measures to Overcome	Efforts to Consult with Plaintiffs or SM
38	NYCPS will continue to conduct ongoing user research on this proceeding and due process functions in an effort to modernize and redesign NYCPS due process functions and align them with (migrate to) the special education system	-	User research is not being conducted on IHMS/ATLAS at this time. NYCPS has requested funding for user research as part of IHMS Phase II.	None
Steps to be Taken		Special Master Recommendations		Timeframe to resolve
- NYCPS/DIIT/IBM to define the scope of the research to be conducted, with schedule for engaging with users		NYCPS to plan and scope user research for Phase II IHMS.		TBD

Appendix I: Independent Technology Assessment

Background and Approach

Of the 40 LV Order Obligations being monitored by the Special Master, 19 obligations have a specific dependency on technology solutions utilized by NYCPS.

As noted in earlier progress reports, many of the improvements and optimizations of new processes will rest on the success of the technology solutions in place and being developed. To assess the viability of the technology applications, Beacon Consulting Partners (BCP) conducted an independent assessment on four (4) applications that are key to the fulfillment of the LV Order Obligations, specifically Impartial Hearing Management System (IHMS), Decision Action Item Tracking System (DAITS), Nagarro SupportHub Customer Service Platform, and the Polaris invoicing application.

BCP uses an evidenced-based approach consisting of reviewing available project documentation and artifacts, conducting interviews and observing standing meetings to create their assessment.

Executive Summary

An initial assessment of the technology used by the Implementation Unit (IU) was conducted as a part of the Special Master's mandate in January 2024 to determine if NYCPS's technology and application development initiatives will be able to support the mandates of the LV Orders. Reports were updated in July 2024 and November 2024.

Each of the technology initiatives to support the LV Orders has had some delays, primarily from resource constraints in business and DIIT. Currently, the technology system linked to most of the LV Orders is the Impartial Hearing Management System (IHMS), which has been delayed indefinitely pending a contract change order (CR). While NYCPS has OMB's approval for the funding, it is unclear when IBM's contract will be ready to resume development work. NYCPS has suggested that the April / May timeframe would be the target, however there is still uncertainty on the overall project plan.

Progress has been made regarding the work to stabilize the DAITS application including a release on February 21, 2025. NYCPS indicated in mid-March that they will be sharing a stabilization plan and enhancement plan by end of March. The team has indicated once the application is stabilized, they will begin further enhancements.

IHMS Key Takeaways

Can the IHMS implementation be successful?

Yes – we continue to believe that the overall technical architecture approaches for IHMS are viable.

What are biggest source of deployment delays?

A combination of factors has delayed the IHMS project, including (a) inconsistent project management, (b) the failure of NYCPS to dedicate staff to review requirements and perform User Acceptance Testing (UAT), (c) the slow pace of remediating and approving requested fixes, and (d) issues with uptime of the environments, and (e) delays in approving the continuation of the IBM development contract.

When will IHMS be deployed?

It is currently unclear when application development, testing and deployment will be completed. In a best-case scenario, with IBM resuming work on Phase 2 development in the April/May 2025 timeframe and NYCPS following our recommendations regarding availability of subject matter experts and server environments, we estimate the best-case timing for the remaining development and testing will be the first quarter 2027.

IHMS Assessment: IHMS Project Scoring

IHMS' Beacon Score has decreased since the last assessment..

Factors affecting Clarity Score

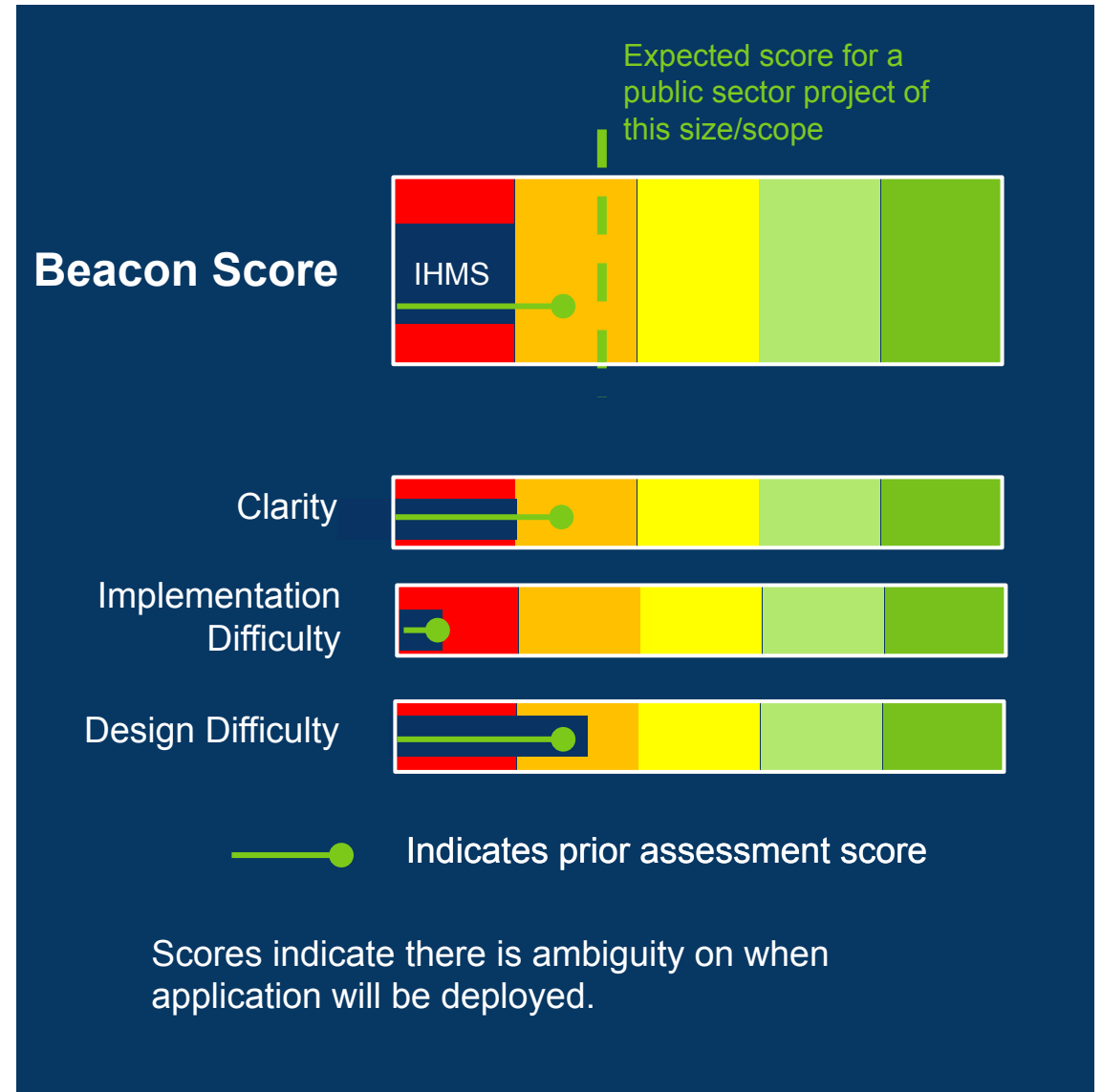
- There has been continued delays in signing off Phase 1 and ambiguity around the start of development for Phase 2

Factors affecting Design Difficulty Score

- Design Difficulty score has remained steady throughout

Factors affecting Implementation Difficulty Score

- UAT for Phase 1 has taken much longer than expected and is only provisionally accepted – meaning there are outstanding items
- IBM's change request, although approved by OMB, is still pending, and previous resources have been rolled off the project – losing key historical knowledge of project decisions



IHMS Previously Reported Findings (1/3)

Metric	Progress	Previous Finding	Current Status	Recommendation
Clarity		Project timelines have continued to be heavily delayed as testing and remediation of defects is ongoing	Current plans are pending change request approval and re-engagement by IBM	Once re-engaged, have IBM and NYCPS work together to re-baseline project plans
Clarity		The project still suffers from chronic delay and resource constraints from NYCPS business users who have to juggle priorities and schedules and a heavily reduced IBM staff	No observable changes	Assign dedicated business SMEs to the project (e.g., X days/week during peak testing phases). This may require backfilling their current roles for a set period of time
Clarity		There continues to some inconsistencies including reporting on functionality that is ready for testing or whether development is truly complete	No observable changes	Designate an authority to direct project resources and who can work with OGC and DIIT leadership to align resources when necessary to ensure the project progresses

Legend

Positive Progress	Some Progress	No Progress
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IHMS Previously Reported Findings (2/3)

Metric	Progress	Previous Finding	Current Status	Recommendation
Design Difficulty (technical design)		Defects continue to be more related to the UI or workflows versus architectural issues and IBM has conducted more demos to inform users how the Phase 1 BRDs were interpreted and built out in the application	No observable changes	
Design Difficulty		The team has yet to validate data migrated from legacy or integrated applications	No observable changes	

Legend

Positive Progress	Some Progress	No Progress
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IHMS Previously Reported Findings (3/3)

Metric	Progress	Previous Finding	Current Status	Recommendation
Implementation Difficulty		DIIT believes that all infrastructure issues have been remediated	IBM has reported servers to be unavailable, working through a downtime since 2/4/25 and additional authentication issues which are affecting the team's ability to test integrations	Ensure DIIT reviews their infrastructure and environment policies and institute environment monitoring with regard to IHMS servers to ensure no protracted downtimes. (NYCPS used their own product cloud, IBM reported inability to publish fixes)
Implementation Difficulty		There has been no evidence of planning for how DIIT will support and maintenance of Phase 1 functionality as IBM develops Phases 2 and 3	Current plans are for Phase 1 to go live after Phase 2 functionality is ready but the timeline for release is unknown given the delays in the approval of the IBM change request and uncertainty if Phase 1 UAT will be completed on schedule	Ensure there is joint IBM-business planning if there is a pause in the project
Implementation Difficulty		OCM activities would have set expectations for more timely execution of UAT and helped organize the team for validating migrated data from legacy applications	No observable changes	Ensure that OCM is woven into the work surrounding Phase 2, particularly as it relates to IU work that is currently executed in DAITS as this will have a significant process difference

DAITS: Key Takeaways

DAITS resources are beginning stabilization work. A new stabilization release went live on February 24, 2025. In this release, the team worked up upgrade the application database, ensure that the application is accessible in a modern browser and addressed some of the issues related to time outs and degraded performance.

The Special Master's team is awaiting updates on whether performance has been improved.

Once performance has been stabilized, we understand DIIT will work together with the IU Team will prioritize enhancements to be made.

Polaris: Key Takeaways

Polaris, the new custom-built invoicing tool (obligation #10), went live with 57 vendors in late December 2024 and will continue for a 3-month period before rolling out to the larger community of vendors in April. DFO is processing these payments from Polaris now and processed 207 invoices in January, (98% within 5 days).

While conversations with the team indicate that the application is performing well and leading to shorter invoice processing times, we are awaiting technical documentation to corroborate the processes of development and testing that occurred.

Polaris Previously Reported Findings (1/2)

Metric	Progress	Previous Finding	Current Status	Recommendation
Clarity		There is strong project management over this project and thus far the project has adhered to schedule	The DFO team and vendor team (Spruce) continue to adhere to the stated project schedule	Ensure that project schedules highlight possible risks of delay stemming from over-allocated business SMEs and the ongoing work on DAITS stabilization
Design Difficulty		Polaris is dependent on integration with DAITS and specifically requires data from the DAITS connection to IHF/FAMIS.	With the DAITS stabilization underway, DFO will need to ensure that Polaris NYCPSn't encounter errors	Ensure there is joint DFO-DIIT session to discuss any effects of the DAITS work on Polaris
Design Difficulty		Polaris uses a multitude of technologies including UI frameworks, MS Rules Engine and logging engines along with a database structure which is appropriately complex for the function it serves – as this application grows for other units, diagnosing performance issues may become difficult	No observable changes	Ensure business logic is contained (e.g. not spread across database and the rules engine) to reduce overlap in business logic across the tech stack

Polaris Previously Reported Findings (2/2)

Metric	Progress	Previous Finding	Current Status	Recommendation
Implementation Difficulty		There is a good amount of documentation and coordination amongst the different teams within NYCPS business (DFO-PO and IU)	End-users are still not entirely clear when to use Polaris vs other support mechanisms (SupportHub or Vendor Pilot emails)	Update FAQs and communication mechanisms
Implementation Difficulty		The Polaris pilot is underway with 57 vendors. In a review of unsolicited feedback to the Special Master's team from users, there seem to be some requirements and processes that are confusing to vendors.		

SupportHub Customer Service Assessment

SupportHub is meant to help track customer support activities to parents, parents' representatives, independent providers/agencies in the implementation of impartial hearing orders. Trained support agents will utilize custom forms built out on the ServiceNow platform for both incoming and outgoing proactive support.

On the last update call, metrics were presented to show that 175 unique users generated 2,319 total support tickets. The majority of those tickets (68%) have stayed in the New/On-hold status, meaning that the users have yet to respond. Given that the tool is new to the community, more communication on how to use the tool and what users get out of it will be necessary.

The Special Master's team has not reviewed written technical documentation but has had the opportunity to see a demonstration of functionality and was presented with the product roadmap. By all accounts, the system is working as intended, with the Nagarro vendor team moving to a quarterly release schedule to include expanded functionality.

Nagarro SupportHub Customer Service Findings (1/2)

Metric	Progress	Previous Finding	Current Status	Recommendation
Clarity		Post first release, the team is moving to an agile release cycle with a stated backlog for enhancements	New updates will add more self-service functionality in the March 26 th release	It will be critical for NYCPS to ensure that users are aware of how their processes could change
Clarity		Metrics have been shared to show the total number of tickets and their statuses, demonstrating that the majority of users have not responded	No metrics have been shared to demonstrate the volume of tickets per agent, per user, etc.	Build on current metric capabilities to show the number of tickets per week, per agent and the total turnaround time for processing tickets

Legend

Positive Progress	Some Progress	No Progress
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Nagarro SupportHub Customer Service Findings (2/2)

Metric	Progress	Previous Finding	Current Status	Recommendation
Design Difficulty		More contact information needs to be extracted from DAITS to support outreach the Nagarro Customer Support communication the DaaP feed will need to be amended to add additional data	DAITS has undergone a large stabilization release that could affect the data extracted to the SupportHub	Ensure the new release of DAITS has no downstream effects on SupportHub information
Implementation Difficulty		The Nagarro process using ServiceNow and SharePoint has proven to be less onerous than current process of downloading documents out of personal email boxes	No observable changes	

Legend

Positive Progress	Some Progress	No Progress
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Customer Support Platform Assessment

As a result of the Court conference on December 5, 2024, the NYCPS was ordered to institute a process by December 12 that allows vendors to email the Implementation Unit (IU). To facilitate this process, the vendor, Nagarro, extended the use of their ServiceNow SupportHub platform to track the emails for reporting purposes only, according to NYCPS.

In the period of February 11-March 3, 2025, NYCPS received 2,021 tickets; 19% of those tickets had a corresponding follow-up, and 81% received no response from the parent/representative. Additionally, the team was able to record that 83% of those emails came from a single vendor.

The data collected in this pilot will provide meaningful data on both the volume of vendors who are emailing the IU and whether those vendors have valid questions.

Appendix II: Obligations Fulfilled

Obligations Fulfilled

Obl.#	Obligation	Due Date	Rationale
14b	(b) within six months of the date of this Order, design a plan for additional staffing within the Implementation Unit,	1/19/24	NYCPS has shown recent progress in recruiting multiple personnel for the IU. Initially, the development of a staffing plan and the creation of job descriptions were delayed due to budget restraints. Following the Mayor/OMB budget approval, NYCPS has since shared job descriptions and staffing plan with Special Master, leading to the fulfillment of the obligation.
26	Within three months of the date of this Order, the Special Master and NYCPS will identify the types of action items that require the greatest levels of effort to process as well as those most likely to contribute to the backlog of hearing order implementation. Based on the analysis, NYCPS will develop solutions to remove the causes for the backlog attributable to NYCPS;	10/19/23	NYCPS was able to identify 60+ pain points in obligation #3, and drafted corresponding potential solutions. The themes included staff, process, and communications. As obligation #26 calls for NYCPS to develop solutions to the issues, I asked NYCPS to envision a series of projects to solve the three problems (staff, process, and communications). I provided a template of a high-level project plan for NYCPS to outline the objectives, activities, timeframe, etc. of each project (3). NYCPS responded with a document outlining a plan for each project in a format I found acceptable. I consider these three new projects as additional items to monitor – future reports to the Court will include status updates.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
7	Within three months of the date of this Order, NYCPS will identify a file-sharing process and tool to improve transparency of all documentation presented as evidence at the hearing so that all pertinent documents can be continually accessed by the Implementation Unit;	10/19/23	NYCPS identified its upcoming Impartial Hearing Management System (IHMS) as the solution for document management in due process. A business requirements document (BRD) was developed by the IHMS team around document management functions. I determined it fulfills the obligation to identify a solution.
24(a)	(a) Within 45 days of the date of this Order, the Special Master and NYCPS will inventory all functional issues of DAITS that impede the hearing order implementation workflow, including but not limited to system crashes, system outages, and system timeouts, and prioritize enhancements. (b) Within six months of the date of this Order, NYCPS will develop, test, and release the DAITS enhancements;	9/4/2023	In August, Implementation Unit (IU) staff developed an initial list of enhancements needed to DAITS (.xls), which was then prioritized by the IU as critical or nice to have. NYCPS and SM discussed the contents and finalized the list; (IBM responded with how IHMS will address the needs). Once signed off, NYCPS DIIT has since used the list to begin estimating the level of effort to deliver the fixes and is gathering more detailed requirements.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
3	Within two months of the date of this Order, the Special Master will identify by type of Action Item the key pain points around the implementation of payment orders and service orders.	9/19/2023	Using the list of all possible action item types (e.g., tuition reimbursement, PT), NYCPS documented the key issues in the process of implementation (.xls), respectively. NYCPS also supplied a general sense of the volume and level of effort to implement each action item type. I held discussions with IU to understand the pain points and added my assessment of the root causes. Plaintiffs provided their feedback on the analysis,(several points of feedback will be addressed by obligation #26).
21	Within two months of the date of this Order, NYCPS will formalize, designate, and confirm a liaison role in OPT, with an escalation path, to coordinate the implementation of transportation orders between the Implementation Unit, OPT, and OSH as applicable. NYCPS will improve communications and track implementation of impartial hearing orders requiring transportation and provide monthly status updates to parents on the implementation of such orders, except where NYCPS is not in compliance with a transportation	9/19/2023	NYCPS produced a “chart” (.doc) of Implementation Liaisons for OPT and OSH with escalation points, coordination protocols between offices, and procedures for implementing transportation orders. I reviewed the document and provided feedback, as did Plaintiffs, and NYCPS incorporated the comments into a new version which was finalized, (but will be updated in the future, as applicable).

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
1	Within three months of the date of this Order, NYCPS will develop a customer support plan, including people and tools, for the Implementation Unit to address questions from parents and providers, routing Tier II questions to Implementation Unit Implementation Managers;	10/19/2023	I provided a template (.doc) of a customer support plan to NYCPS incorporating standard elements of such a plan (cross-industry) in outline form. NYCPS then developed a draft Customer Support Plan (.doc) from the template, detailing intended audience groups, outline of a support hotline and its objectives, training for hotline staff, and metrics to evaluate the effectiveness of the program going forward. I provided feedback which NYCPS incorporated into a final version. (The subsequent obligation is #14.) Plaintiffs currently have this document, however are awaiting the appendices items (which are other obligations that have not yet been fulfilled) to provide feedback.
2	Within three months of the date of this Order, the Special Master and NYCPS will identify the Key Performance Indicators (“KPIs”) for monitoring the internal administrative workflows of the Implementation Unit. KPIs will be presented to the Plaintiffs for feedback.	10/19/2023	NYCPS developed a list in table form (.xls) of metrics that could inform the day-to-day performance and decision-making of the Implementation Unit, (i.e., KPIs). I reviewed the file and suggested a number of additional attributes to characterize the KPI, which was incorporated. The list has also been reviewed by Plaintiffs who made suggestions of additional metrics. NYCPS should now be developing more detailed requirements (e.g., calculation formulas, suggested by Plaintiffs) to gather the data and report on the respective metrics. (The subsequent obligation is #28.)

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
18	Within three months of the date of this Order, NYCPS Implementation Unit will develop and communicate a clear procedure to inform schools and CSEs that an IEP meeting has been ordered and to ensure that the IEP was updated pursuant to that order;	10/19/2023	NYCPS submitted a draft of a procedures document, "Protocols for Communicating Orders for IEP Meetings," for which I provided suggestions to improve the contents of the document, to be more clear, expand in areas, etc. NYCPS addressed the feedback and provided an updated version of the protocol document, which I accepted.
6	Within three months of the date of this Order, NYCPS will formalize an approach to sustaining knowledge of implementation processes, to enable experienced staff to onboard, train and mentor more junior staff;	10/19/2023	My team shared a template of a professional learning plan deliverable in advance of the work. NYCPS developed a <i>Professional Learning Plan</i> and submitted it in late October, which I reviewed and provided feedback, and eventually I accepted. The plan includes, among other things, a process for conducting internal trainings, interdepartmental trainings, public-facing trainings, hearing officer trainings, and customer support hotline training.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
15	Within three months of the date of this Order, NYCPS will formally designate Implementation Liaisons in all Districts and relevant Central offices (e.g., OPT, OSH, OSE) to act as points-of-contact in their respective areas for Implementation Managers to facilitate the arrangement of the ordered service(s). NYCPS will also establish an escalation process when an Implementation Liaison is unavailable or unable to resolve a particular issue, with the escalation role being in an executive role within the respective NYCPS office;	10/19/2023	NYCPS developed an <i>Implementation Liaison Directory and Escalation Protocol</i> document (.pdf), which designates Implementation Liaisons for all relevant NYCPS offices and districts, and defines a protocol when that office NYCPSs not address the order in a timely manner (i.e. escalation protocol). I provided feedback, as did Plaintiffs, which NYCPS addressed. An updated version of the protocol document was submitted back to me, reviewed, and I accepted.
4	Within three months of the date of this Order, NYCPS will build and maintain a toolkit of existing assistive technology, schools, programs, and services that NYCPS can Timely Implement (as defined in the Stipulation) any Action Items for provision of assistive technology;	10/19/2023	NYCPS compiled a spreadsheet of assistive technology (AT) products from those that are readily available for NYCPS to quickly identify or procure for the student ("Timely Implement"). I reviewed the various categories and asked that NYCPS document how it will maintain the toolkit going forward, which NYCPS did. There is an open question as to the component of the obligation addressing "schools, programs, and services."

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
25	Within three months of the date of this Order, NYCPS will assign an additional team of Implementation Unit Staff to expedite the implementation of any hearing order that is more than 35 days past the date of the hearing order. This team will continue its work until such time as orders are consistently being implemented within the implementation deadlines;	10/19/2023	NYCPS documented a “Backlog Triage Plan” (.doc) to describe the procedures the additional team will perform in expediting orders 35+ days old. The plan includes documentation of a workflow, staffing plan, operational plan, data reporting and dependencies. Dependencies include resources/funding for the additional team, and as per other notes in this report, the budget is pending request to OMB at the time of this writing. That is why I have tentatively accepted this obligation, with the agreement that we continue to monitor the identification of the team members and launch of the process.
29	Within six months of the date of this Order, NYCPS will add the role of Implementation Systems Analyst to the Due Process Systems and Analytics Office to maintain documentation of workflows and continue the process of streamlining implementation processes;	1/19/24	NYCPS has indicated that a candidate has been identified for this role and the offer is awaiting OMB approval to move forward As of previous report on 3/19/2024: Previously, NYCPS indicated that funding constraints prevented filling this role. However, following the allocation of funding for this position, NYCPS has publicly posted this role. I will consider this obligation fulfilled once the position is filled.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
22	(a) Within six months, NYCPS will develop a recruitment and hiring strategy for new staff to meet the volume of backlogged orders that have not been implemented and orders as they are issued currently and in the future. (b) NYCPS will report to the Court on a quarterly basis its progress on hiring, including the nature and impact of any impediments to the implementation of that strategy	1/19/2025	NYCPS presented its new approach to identifying qualified candidates and the recruiting/hiring process it has been following. The latest status of positions being recruited/hired is attached to this report. Per the report, of NYCPS' 148 total needed positions for LV (permanent and temporary), 100 have been onboarded, (62 permanent staff members have been onboarded out of the 104 needed).

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
40	Within four months, the DOE will identify a part-time resource (50%) focused on recruiting and hiring staff for the Implementation Unit.	11/19/24	The DOE has identified a resource to fill this role, and I have interviewed DOE leadership as a formal acknowledgement of this placement and completion of the obligation. DOE leadership had previously shared an email confirming this resource appointment and the interview confirmed the role as fulfilled. I marked this obligation as fulfilled on 5/2/2024. I have requested that DOE provides periodic updates on the work streams they are leading. For the HR resource, a periodic update of the staffing table they have previously shared that includes updates on roles filled will suffice.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
23	The DOE will designate a dedicated resource to plan, develop, and deliver training materials for Implementation Unit and OGC staff and within six months of the date of this Order, create a training plan, develop materials, and deliver training pertinent to the implementation of orders. The DOE will update training materials to reflect changing policies and processes;	1/19/24	The DOE has identified someone for the role and provided me with the name in addition to training materials they developed for Implementation Liaisons. I interviewed DOE leadership as a formal acknowledgement of this placement and completion of the obligation. DOE leadership had previously shared an email confirming this resource appointment and the interview confirmed the role as fulfilled. I marked this obligation as fulfilled on 5/2/2024. For ongoing monitoring, I have requested that DOE also provide a periodic report that includes details such as types of trainings conducted and number of employees that attended trainings. Where appropriate, I have asked that DOE provide samples of training materials used (PowerPoint presentations, WeLearn usage/details, attendance records, training schedules, surveys, etc.). To date, the DOE has been sharing these materials with me on an ongoing basis.

Obligations Fulfilled (continued)

Obl.#	Obligation	Due Date	Rationale
3b	Within nine months of the date of this Order, the DOE will redesign the workflows and address key pain points around the implementation of payment orders and service orders. The DOE will document the improved processes and incorporate new workflows into trainings and communications with its staff, parents, parent attorneys and advocates, and providers;	4/19/24	I marked this obligation as fulfilled on 5/29/2024 following DOE's submission of the "Beyond Access" training slides, which includes the documentation of improved processes. In doing so, they "incorporate new workflows into trainings..." The slides/training also points out what improvements have been made to certain processes. I requested that DOE continue to share process improvements made and how they are incorporated into trainings.
14c	and (c) within nine months of the date of this Order, fund and recruit all additional personnel required by the staffing plan;	4/19/24	The DOE shared a chart of hiring positions and job descriptions which shows significant efforts on the recruiting front and progress in filling roles, in alignment with obligation #14c. I have accepted this obligation and marked it fulfilled on 5/1/2024. I have requested that the DOE continue to send me updated hiring charts and progress updates as they continue to recruit additional personnel.

Future Schedule of These Reports

Report #	Draft Submitted to Parties	Parties' Feedback Due (If Any)	Report Submitted to the Court
6	7/9/2025	7/16/2025	7/21/2025
7	11/7/2025	11/14/2025	11/19/2025
8	3/5/2026	3/12/2026	3/16/2026

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