



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

The Office of Special Education
Special Education Quality Assurance
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July 30, 2015

Mr. Roger Catania
Superintendent
Lake Placid CSD
50 Cummings Rd
Lake Placid, NY 12946 -1500

Dear Mr. Catania:

Enclosed is the final report of the 2014-15 Special Education Quality Assurance Special Education Programs & Services Review of the Lake Placid CSD. The final report is a public document and must be available upon request.

The final report includes a narrative of review activities, the Compliance Summary, and the Compliance Assurance Plan. The Office of Special Education, Special Education Quality Assurance will be closely monitoring the district's timely resolution of the identified noncompliance.

You may contact me at the number listed above if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Michelle Snell".

Michelle Snell
Regional Associate

Enclosures

c: Jacqueline Bumbalo
Diane Avery
Sarah Allen

**Special Education Quality Assurance
Special Education Programs & Services Review
2014-15**

**FINAL REPORT
COVER SHEET**

District Name: Lake Placid CSD
Address: 50 Cummings Rd Lake Placid, NY 12946 -1500
Contact Person: Sarah Allen
Telephone #: (518) 523-2474 ext. 4011
Date(s) of Review: February 25-26, March 3, 20, 2015

Review Team Members:

| Name | Title |
|------------------|-----------------------------|
| Michelle Snell | Regional Associate |
| Sarah Allen | CPSE/CSE Chairperson |
| Theresa Lindsey | Middle School Principal |
| Kristin Harvey | Special Education Teacher |
| Jeanette Duggan | General Education Teacher |
| Ann Miller | Special Education Teacher |
| Dave Miller | School Psychologist |
| Mel Frazer | School Psychologist |
| Vickie Kirschner | Speech Language Pathologist |

Attachments:

- Final Report Narrative
- Compliance Summary List
- Compliance Assurance Plan

This final report of the Lake Placid CSD is the result of collaboration among program staff, parents, other stakeholders and staff from the New York State Education Department (NYSED) Office of Special Education, Special Education Quality Assurance (SEQA). The focused review is designed to determine if the school district's special education programs and services are in compliance with federal and State laws and regulations regarding the provision of special education programs and services for students with disabilities.

The review of program data, student records and the information provided by district staff and parents was an important element in this process. The review team, whose members are listed on the preceding page, reviewed and evaluated the district's special education programs and services. The review team focused on the following areas:

- Individualized Education Program (IEP) Development;
- IEP Implementation;
- Instruction from Qualified Staff;
- Delivery of Special Education Programs and Services;
- Behavioral Interventions;
- Parental Awareness of Special Education Delivery and Progress.

The team reviewed and assessed district performance regarding services to students with disabilities through a variety of activities. These activities included: visitations, interviews with district staff and parents, student record reviews, and committee on special education (CSE) observations. The efforts of the team in assessing program performance and determining strengths and areas requiring improvement were fundamental to the effectiveness of the review.

The information collected during the various activities was reviewed by the team to make compliance determinations. The following are the findings for each focus area listed above:

IEP Development

A review of the district's policies, procedures and practices related to the CSE decision-making process and IEP development was conducted to ensure the recommendations for special education services were appropriately developed to address a student's unique needs related to his or her disability and support participation and progress in the general education curriculum. A sample of twenty IEPs were reviewed, CSE meetings were observed, and staff were surveyed. The review found the following compliance:

- Lake Placid CSD offers a range of special education programs and services K-12 that promote access to the least restrictive environment including resource room, consultant teacher services (direct and indirect), integrated co-teaching, 12:1+1, 12:1:3+1 and 8:1+1 special classes.
- CSE meeting observations included discussions on how the student is progressing toward the NYS Learning Standards and in the general education curriculum.
- All IEPs in the sample included measurable goals with evaluative criteria, evaluation procedures and schedules for each goal.

- CSE discussions contain current information and/or evaluation results and information about the present levels of performance (academic, social, physical,
- CSE discussions reflect consideration of program modifications and supplementary aids and services to support students in the least restrictive environment.
- Placement recommendations are made annually, after consideration and development of all other components of the student's IEP.
- All IEPs with a recommendation of consultant teacher services identify general education classes in which students will receive these services.
- IEPs identify individual testing accommodations to meet student needs.
- Four student IEPs identify students as being eligible for extended school year services.

Two areas of noncompliance were found in regard to *IEP Development*.

- 11/20 student IEPs do not contain a statement of how the student's disability impacts progress in general education curriculum.
- 6/20 student IEPs with special class, resource room and/or related services listed do not include explanations reflective of the extent to which the student will not participate with nondisabled peers in the regular class.

IEP Implementation

A review of the district's policies, procedures and practices was conducted to ensure that the recommendations on a sampling of twenty IEPs, including changes to the IEP, were implemented. Classrooms were visited and staff surveyed. The following was found compliant:

- Instructional techniques and materials are modified to allow students to meet diploma requirements.
- Each teacher and provider has access to a paper or electronic copy of the IEP. Staff may also access IEPs through Clear Track.
- There is no delay in implementing IEPs.

One area of noncompliance was found in *IEP Implementation*:

- Two students do not receive the frequency and duration of the recommended program in their IEP. Classroom visitations revealed one student was receiving a related service during 12:1+1 instruction and one student with a recommended 8:1+1 special class for 300 minutes was receiving instruction in general education, the 8:1+1 was used as a location rather than a service. In addition, special education staff were providing a duplication of services at the same time (resource room/ special class and consultant teacher/special class).

Instruction from Qualified Staff

A review of the district's policies, procedures and practices to ensure special education instruction is provided by appropriately qualified personnel provided the following:

- Special education staff and related services are provided by individuals with appropriate certification and licensure pursuant to Part 80. The district provided documentation of certification and licensure through the State Education TEACH and Office of Professions website. Staff verified include: two occupational therapists, one physical therapist, two speech therapists, nine special education

teachers and two school psychologists.

One area of noncompliance was found in *Instruction from Qualified Staff*:

- One special education teacher assigned to an elementary 8:1+1 classroom is certified 7-12 and is not appropriately certified for the teacher's current assignment. However, since the non-compliance was identified the teacher has since completed the appropriate classes and submitted documentation for certification as of June 1, 2015.

Delivery of Special Education Programs and Services

A review of the district's policies, procedures and practices to ensure students with disabilities are receiving specially-designed instruction to address their unique needs and ensure access to participate and progress in the general education curriculum was conducted using IEPs from a sample of 20 students, classroom visits, and staff surveys. The review found the following compliance:

- Teachers and related service providers have caseloads within regulatory requirements.
- Instructional groups are based on similarity of students' academic, physical, social and management needs to support effective delivery of instruction, as evidenced through classroom visits.
- All special education classrooms were within the maximum class size and chronological age range specified in regulations for those students.
- All IEPs of students receiving consultant teacher services indicate the regular education classes in which the student will receive those services.
- 16/20 student IEPs recommend more than one related service in accordance with the needs of the student.
- 15/20 students received special education services in a resource room and no student spent more than 50 percent of the day in a resource room.
- 18/20 student IEPs recommend related services in conjunction with other special education programs and services to meet student needs and included frequency, duration, and location of each service.

No areas of noncompliance were found in *Delivery of Special Education Programs and Services*.

Behavioral Interventions

A review of the district's policies, procedures and practices to ensure students with disabilities receive appropriate behavioral supports and services to address behaviors that impede learning, including the use of time-out rooms and emergency interventions was conducted. Compliance was determined based on a sample of IEPs, functional behavioral assessments (FBA), behavioral intervention plans (BIP), site visitation, staff surveys, and documented forms. The review of documentation found the following compliance:

- The district utilizes a time out room in the elementary school which conforms to regulatory requirements of the space and the ability of staff to continually monitor students placed in the time out room.
- 1/20 students in the sample have use of time out room which is indicated on the student's IEP and includes the maximum amount of time the student will need to be in a time out room as a behavioral consequence.

- Staff who may be called upon to implement emergency interventions have been trained in safe and effective restraint procedures in accordance with regulatory requirements.
- Forms for the documentation of emergency interventions include components required by regulations.

Three areas of noncompliance were found in the area of *Behavioral Interventions*:

- 4/4 BIPs do not identify the baseline measure of the problem behavior, including the frequency, duration, intensity and/or latency of the targeted behaviors.
- 4/4 BIPs do not include schedules to measure the effectiveness of the interventions including the frequency, duration and intensity of the targeted behaviors at scheduled intervals.
- 4/4 student IEPs do not specify regular progress monitoring to measure the effectiveness of the interventions.

Parental Awareness of Special Education Delivery and Progress

A review of the district's policies, procedures and practices to ensure the school district facilitates the involvement of parents as a means to improve results for students with disabilities provided the following information:

- All twenty IEPs reviewed identified when periodic reports on the progress the student is making toward the annual goals will be provided to the student's parent(s).
- All twenty records reviewed verified that parents receive meeting notifications in writing at least five days prior to the meeting and the notifications are provided on the form prescribed by the Commissioner.
- Observations of two CSE meetings, in addition to parent surveys verified that parents attend meetings and are equal participants in the development of their child's IEP.

No areas of noncompliance were found in *Parental Awareness of Special Education Delivery and Progress*.

The team reviewed all information from the review activities and identified areas of noncompliance with federal and State laws and regulations. A Compliance Assurance Plan is included with this report and identifies the areas determined to be out of compliance, the actions the district must take to address any issues, and due dates to resolve the identified noncompliance.

I wish to formally thank the members of the review team for their participation in this review process and their efforts to improve outcomes for students with disabilities.

SEQA Regional Associate


Signature


Date