

**INITIAL APPLICATION FOR NEW YORK STATE EDUCATION DEPARTMENT APPROVAL  
TO OPERATE A PRESCHOOL SPECIAL EDUCATION  
AND/OR MULTIDISCIPLINARY EVALUATION PROGRAM**

**Evaluation Criteria – Standard for Acceptance**

**REGIONAL NEED CERTIFICATION STATEMENT**

The Certification Statement verifying regional need for the proposed program was signed by the Regional Associate and the Supervisor of the Special Education Quality Assurance (SEQA) regional office and is attached to the application.

**PART I: GENERAL INFORMATION**

- The original or electronic signature of the chief administrative officer of the proposed program must be provided on the certification and assurances statement
- All fields in sections 1-3 must be completed unless information is clearly not applicable to the proposed program.
- Application must be typed; no handwritten applications will be accepted.

**PART II: PROGRAM DESCRIPTION**

**SECTION 1: PROGRAM MODEL**

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Multidisciplinary Evaluation Programs (MDE)	<ol style="list-style-type: none"> <li>1. The number of multidisciplinary evaluations to be conducted annually is consistent with the regional need identified by the program and certified by the New York State Education Department (NYSED) SEQA Regional Office.</li> <li>2. Overall staffing and types of evaluations to be conducted show that the program will employ and/or contract with evaluators in a variety of professional areas to provide a range of assessments based on individual student needs (e.g., social histories, psychological evaluations, physical therapy evaluations, occupational therapy evaluations, functional behavior assessments and speech and language evaluations).</li> <li>3. The program identifies a multidisciplinary team of evaluators representing a variety of disciplines and includes at least one special education teacher or other specialist with certification or knowledge in the area of the suspected disability.</li> <li>4. The program identifies the tests and assessments which the program or individual evaluators have available which are current (most recent edition), valid and reliable for the age,</li> </ol>

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	<p>population and/or disability classifications.</p> <p>The program presents a clear plan for acquiring tests and assessment tools not immediately available to the program (e.g., access to lending resources, other agencies).</p> <p>5. The program demonstrates its intent to hire evaluators that are qualified and appropriately credentialed to work with preschool children.</p> <p>The program has a plan to ensure evaluators' adherence to test protocols.</p> <p>6. The program identifies evaluators of the MDE team who are fluent in language(s) other than English, or maintains a list of other qualified evaluators, fluent in languages other than English, that are available, on an as-needed basis, to conduct individual evaluations.</p> <p>The program ensures that the summary of assessment results for students who have limited English proficiency will be presented using both qualitative and quantitative information to address issues of cultural and linguistic biases that may be present in the testing instruments. (Qualitative information includes documentation of the languages in which tests were administered and the use of interpreters, translated tests and informal assessments. When evaluators use informal assessments of tests that were translated, but not standardized on a student's cultural/linguistic group, the summary should include a description of the tasks presented, how they were presented, the child's responses and the basis for conclusions drawn from behaviors described.)</p> <p>7. The program identifies the following components to be included in a functional behavioral assessment (FBA): identification of the problem behavior, definition of the behavior in concrete terms, identification of contextual factors that contribute to the behavior and formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and the consequences that maintain it.</p> <p>The program describes how it will use of a variety of techniques to conduct the FBA including, but not limited to: indirect assessment (e.g., structured interviews, review of existing evaluation information); direct assessment (e.g., standardized assessments, checklists, observations of the situational factors) and data analysis.</p> <p>8. The program describes how it will review and arrange for only those preschool evaluations authorized by the committee on preschool special education (CPSE).</p> <p>9. Clear and reasonable quality control measures are identified for:</p>

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	<ul style="list-style-type: none"> <li>• Monitoring timelines,</li> <li>• Tracking due dates (e.g., evaluations, reports)</li> <li>• Maintaining availability of sufficient staff to perform the evaluations within regulatory time frame(s)</li> </ul> <p>10. The plan for supervisory and clinical review of the evaluation process includes regular onsite observations, supervisory meetings and review of written evaluation reports.</p> <p>Individuals responsible for direct supervision of MDE staff evidence an appropriate level of experience in providing evaluations or services to preschool or kindergarten-aged children with disabilities.</p> <p>11. The program identifies a process whereby all evaluators will be trained and/or have access to written materials that clearly prescribe the protocol for Summary Reports of the evaluations.</p> <p>Within the written materials the program will include information that summary reports must not include the evaluator's recommendations as to the general type, frequency, location and duration of special education services and programs that should be provided.</p> <p>12. The program's hours of operation are clearly identified within the table.</p> <p>The program will provide evaluations during regular business hours.</p> <p>13. The counties listed are consistent with the approved regional need.</p>
Special Education Itinerant Services (SEIS)	<p>1. Proposed population to be served is clearly described and consistent with identified regional need:</p> <ul style="list-style-type: none"> <li>• Disability characteristics</li> <li>• Ages</li> <li>• Number of students</li> <li>• Levels of functioning are identified in relation to social-emotional skills; early/language/communication and early literacy and use of appropriate behaviors to meet their needs</li> <li>• Student management needs</li> </ul> <p>2. The proposed number of teachers to be hired is consistent with the proposed number of students to be served.</p> <p>The sample weekly schedule provides reasonable planning and travel time, while maximizing case load efficiencies.</p> <p>3. Each projected SEIS teacher's caseload does not exceed 20</p>

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	<p>students.</p> <p>4. Program provides a clear plan with time frames identified for rescheduling missed SEIS sessions due to staff absences, which includes arrangements for SEIS to be provided by qualified substitute staff or rescheduled by the assigned SEIS teachers.</p> <p>5. The program is operational during regular business hours, five days per week.</p> <p>If services extend beyond regular hours (e.g., 8 am to 5 pm), the described circumstances are reasonable given the population and/or geographic area to be served.</p> <p>6. The district/region to be served is consistent with identified regional need.</p> <p>The program ensures it will be able to provide SEIS at the locations determined by the district, including approved or licensed prekindergarten or Head Start programs, the student’s home, a hospital, a State facility, or a child care location where the parent enrolled the child. The program does not propose to provide SEIS at the site of another of its approved programs (e.g., same site as a Special Class program).</p>
Special Class in an Integrated Setting (SCIS)	<p>1. The proposed population to be served is clearly described and consistent with identified regional need:</p> <ul style="list-style-type: none"> <li>• Disability characteristics</li> <li>• Ages</li> <li>• Number of students</li> <li>• Levels of functioning are identified in relation to social-emotional skills; early/language/communication and early literacy and use of appropriate behaviors to meet their needs</li> <li>• Student management needs.</li> </ul> <p>2. The proposed number of SCIS classes is consistent with projected numbers of students to be served.</p> <p>3. The proposed class size(s) for preschool students does not exceed enrollment of 12 students with disabilities.</p> <p>The proposed number of students with disabilities is generally equal to students without disabilities.</p> <p>4. A procedure to ensure students will be grouped, for instructional purposes, based on similarity of needs is identified.</p> <p>The plan clearly describes strategies that ensure students with disabilities participate and engage in daily activities with typically developing peers.</p>

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	<p>5. If the SCIS program identifies a collaboration with another regular early childhood program (e.g., Head Start, day care, universal prekindergarten (UPK)), it identifies both the program and the provider.</p> <p>The program attaches a program and fiscal collaboration agreement which includes components such as:</p> <ul style="list-style-type: none"> <li>• Description of the shared mission, goals and outcomes,</li> <li>• Definition of the programmatic and financial responsibilities of the collaborative partners,</li> <li>• Delineation of leadership roles and responsibilities by title and/or position,</li> <li>• Description of services to be provided by each collaborative partner,</li> <li>• Plan for communication, including schedule for meetings,</li> <li>• Procedures for conflict resolution,</li> <li>• Financial plan which clearly allocates costs based on the funding agency for each partner,</li> <li>• Description of how confidentiality of personally identifiable data, information and records pertaining to the students with disabilities will be ensured,</li> <li>• Specified time period of the agreement and the conditions for renewal.</li> </ul> <p>If there is no collaboration with a regular early childhood program, the applicant provides a realistic description of how it will manage enrollment of students without disabilities to ensure that the numbers of students without disabilities is generally equal to the number of students with disabilities.</p> <p>6. The program provides a comprehensive list of related services it is able to provide that is sufficient to meet anticipated individualized education program (IEP) needs of students enrolled in the program.</p> <p>The projected caseloads of related service providers are consistent with the identified population to be served. The caseload of teachers providing speech and language services does not exceed 65 students and is consistent with the population to be served.</p> <p>7. The program proposes a daily schedule which reflects inclusion of instructional activities from arrival to dismissal.</p> <p>Related services are scheduled within the instructional day.</p> <p>For half-day SCIS programs, not less than 2 ½ hours of instructional time are identified, excluding lunch and</p>

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	<p>transportation.</p> <p>For full-day SCIS programs, not less than 5 hours of instructional time are identified, excluding lunch and transportation.</p> <p>For less than full-day, but more than half-day sessions, the program provides a justifiable rationale for this exception.</p> <p>The half-day and full-day sessions are operational during regular business hours.</p> <p>8. The program provides a clear description that identifies how it will plan for and include activities and instruction aligned with New York State’s (NYS) Prekindergarten Early Learning Standards.</p> <p>9. Programs proposing to serve three or more children for more than three hours a day have attached a Day Care license or Registration Certificate issued by the Office of Children and Family Services.</p>
Special Class (SC)	<p>1. The proposed population to be served is clearly described and consistent with identified regional need:</p> <ul style="list-style-type: none"> <li>• Disability characteristics</li> <li>• Ages</li> <li>• Number of students</li> <li>• Levels of functioning are identified in relation to social-emotional skills; early/language/communication and early literacy and use of appropriate behaviors to meet their needs</li> <li>• Student management needs.</li> </ul> <p>2. The proposed number of SC classes is consistent with projected numbers of students to be served.</p> <p>3. The proposed class size(s) for preschool students does not exceed an enrollment of 12 students with disabilities.</p> <p>The maximum class sizes are consistent with section 200.6(h)(4) of the Regulations of the Commissioner of Education and are proposed as one or more of the following:</p> <ul style="list-style-type: none"> <li>• 12 students to one teacher (plus additional staff)</li> <li>• 8 students to one teacher (plus additional staff)</li> <li>• 6 students to one teacher (plus additional staff)</li> </ul> <p>No other class size options will be considered (e.g., 7 students to one teacher plus additional staff).</p> <p>4. The plan describes how students will be grouped, for instructional purposes, based on similarity of needs.</p>

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	<p>5. The program provides a comprehensive list of related services it is able to provide that is sufficient to meet anticipated IEP needs of students enrolled in the program.</p> <p>The projected caseloads of related service providers are consistent with the identified population to be serviced. The caseload of each teacher providing speech and language services does not exceed 65 students and is consistent with the population to be served.</p> <p>6. Opportunities are identified, whenever feasible and appropriate, for students to be with nondisabled peers during noninstructional time (e.g., lunch).</p> <p>7. The program proposes a daily schedule which reflects inclusion of meaningful and age appropriate instructional activities from arrival to dismissal.</p> <p>Related services are scheduled within the instructional day.</p> <p>For half-day SC programs, not less than 2½ hours of instructional time is identified, excluding lunch and transportation.</p> <p>For full-day SC programs, not less than 5 hours of instructional time is identified, excluding lunch and transportation.</p> <p>For less than full-day, but more than half-day sessions, the program provides its rationale explaining the need for this exception.</p> <p>The half-day and full-day sessions are operational during regular business hours.</p> <p>8. The program provides a clear description that identifies how it will plan for and include activities and instruction aligned with NYS' Prekindergarten Early Learning Standards.</p> <p>9. Programs proposing to serve three or more children for more than three hours a day have attached a Day Care license or Registration Certificate issued by the Office of Children and Family Services.</p>

**SECTION 2: POLICIES, PROCEDURES AND PRACTICES**

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1. Agency Background Information	Applicant has relevant background in the field of early childhood, education and/or special education or a related field (e.g., professions) and/or adult services for individuals with disabilities.

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2. Mission Statement and Goals	<ul style="list-style-type: none"> <li>• Core mission of the agency is related to early childhood, education and/or services to individuals with disabilities.</li> <li>• Mission statement and goals align with the design elements of the proposed program as identified throughout the application.</li> <li>• Goals and objectives are directed toward providing high quality, child-centered programs and services reflecting best practice procedures and core learning standards.</li> </ul>
3. Preopening Plan	<ul style="list-style-type: none"> <li>• A clear and credible plan that identifies key preopening responsibilities consistent with the program’s educational, organizational and financial plans is articulated.</li> <li>• Timelines and actions are established that result in the program opening within a reasonable period of time to ensure regional need can be met.</li> <li>• Primary responsibilities are identified (by individual or position) and anticipated resource needs are indicated.</li> </ul>
4. Measure(s) of Outcomes and Effectiveness of Program	<p>A clear and credible plan for measuring both student outcomes and program effectiveness is articulated that includes, but is not limited to a description of:</p> <ul style="list-style-type: none"> <li>• The data the program will collect, the methods, and schedule for data collection;</li> <li>• How the program will measure and review its effectiveness in improving outcomes in the areas of early literacy, behavior and communication;</li> <li>• How the program will evaluate its effectiveness in involving families;</li> <li>• How the program will obtain and consider feedback from contracting entities (school districts and municipalities);</li> <li>• How the program will measure operational effectiveness and fiscal soundness; and</li> <li>• How the evaluation information will be used for continuous improvement.</li> </ul>
5. Operational calendar (yearly)	<ul style="list-style-type: none"> <li>• School year calendar includes at least 180 instructional/evaluation days between September 1 and June 30 and does not include more than four conference days, sessions on Saturdays or legal holidays, except general election day, Washington’s Birthday and Lincoln’s Birthday.</li> <li>• As applicable, July-August will be in operation for not less than 30 days.</li> </ul>



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6. Curriculum	<ul style="list-style-type: none"> <li>• Curriculum aligns with NYS’ Prekindergarten Early Learning Standards in the each of the areas of: <ul style="list-style-type: none"> <li>○ <b>Approaches to Learning</b> – How children become involved in learning and acquiring knowledge.</li> <li>○ <b>Physical Development and Health</b> – Children’s physical health and ability to engage in daily activities.</li> <li>○ <b>Social and Emotional Development</b> – The emotional competence and ability to form positive relationships that give meaning to children’s experiences in the home, school, and larger community.</li> <li>○ <b>Communication, Language, and Literacy</b> – How children understand, create, and communicate meaning.</li> <li>○ <b>Cognition and Knowledge of the World</b> – What children need to know and understand about their world and how they apply what they know.</li> </ul> </li> <li>• Student participation in age-appropriate activities is described.</li> </ul>
7. Behavior Management Policies	<ul style="list-style-type: none"> <li>• Proposed school-wide, classroom, and small group interventions are identified and are age and developmentally appropriate for the population to be served.</li> <li>• Policy includes information, consistent with regulations, relating to development and implementation of behavior intervention plans, use of a time out room (if applicable) and use of emergency interventions.</li> <li>• Policy ensures all staff will be trained on safe and therapeutic emergency physical interventions.</li> <li>• Plan ensures staff will be knowledgeable on how to identify antecedent behaviors and reinforcing consequences of behaviors, teach alternative skills or behaviors including functional communication training if appropriate; and collect data on the frequency, duration and latency (the time between the stimulus and the behavior) of behaviors for students.</li> <li>• Program is based on the use of positive behavioral supports and strategies.</li> <li>• Program explicitly states that using corporal punishment, aversive interventions, and seclusion to reduce or eliminate behavior of students is prohibited.</li> </ul>
8. Discipline Procedures	<ul style="list-style-type: none"> <li>• The student code of conduct identifies age and developmentally-appropriate expectations for behavior.</li> <li>• Applicant demonstrates an understanding of a student’s rights to certain procedural safeguards relating to discipline consistent</li> </ul>

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	<p>with requirements in federal and State law.</p> <ul style="list-style-type: none"> <li>• There is a clear process for communication with the CPSE regarding disciplinary actions for a preschool student.</li> <li>• Program explicitly states that a preschool student will not be removed or suspended from the program due to behavior.</li> </ul>
<p>9. Programs for students with disabilities who have limited English proficiency</p>	<ul style="list-style-type: none"> <li>• The program has a concrete plan and process to provide instruction and/or evaluations to students in their native language or other mode of communication, unless it is clearly not feasible to do so. The program minimally refers to a plan that defines staff qualifications, ongoing staff training and identifies available resources.</li> <li>• The program has a reasonable process whereby it can ensure that the parent understands information shared by teachers and evaluators about their child (e.g., use of interpreters, translation ability).</li> </ul>
<p>10. Use of Psychotropic Medication</p>	<p>If a program plans to use psychotropic medication:</p> <ul style="list-style-type: none"> <li>• a copy of the policy has been attached to the application, and</li> <li>• there is an appropriate process identified to ensure that the agency provides a copy of the policy to the CPSEs and parents prior to a student’s acceptance into the program.</li> </ul>
<p>11. Confidentiality</p>	<p>The policies ensure:</p> <ul style="list-style-type: none"> <li>• the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages;</li> <li>• the designation of one agency official as being responsible for ensuring confidentiality of personally identifiable information;</li> <li>• maintenance of a list of names and positions of the employees within the agency who have access to personally identifiable information; and</li> <li>• a plan to safeguard student information in the event of technology failure or natural disasters.</li> </ul>
<p>12. IEP development</p>	<ul style="list-style-type: none"> <li>• The agency provides opportunities for professional staff to attend or participate in CPSE meetings through such means as telephone conference calls and plans coverage for teachers who need to participate in CPSE meetings.</li> </ul>

<p>13. IEP Dissemination and Implementation</p>	<ul style="list-style-type: none"><li>• The explanation identifies how (by paper or electronic copy) IEPs will be provided to each teacher and related service provider of the student. For example, staff receives an IEP prior to the student's first day of program in order to appropriately plan for the student's arrival.</li><li>• If the agency has a policy that the student's IEP is to be accessed electronically, the policy ensures that the individuals</li></ul>
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Category	Evaluation Criteria – Standard for Acceptance
	<p>responsible for the implementation of a student's IEP are notified and trained on how to access such IEPs electronically.</p> <ul style="list-style-type: none"> <li>• The individual(s) who will be designated to inform the teachers and related service and other providers of their responsibilities to implement the recommendations in each student's IEP is identified (by title(s)).</li> </ul>
14. Professional Development	<ul style="list-style-type: none"> <li>• The program has submitted a list of topics and proposed schedule for staff orientation and professional development throughout the school year.</li> <li>• The list includes a variety of priority topics related to the proposed program and population to be served.</li> </ul>
15. Progress Monitoring and Reports to Districts	<p>There is a clear plan on the manner and frequency by which reports on the progress the student is making toward the annual goals (through the use of quarterly or other periodic reports) will be submitted to the CPSE and the student's parents.</p>
16. Parent Involvement	<ul style="list-style-type: none"> <li>• The program will offer a range of activities to engage parents in the education of their children.</li> <li>• Clear channels of communication with families are established to provide ongoing communication and to address parental concerns.</li> <li>• The description of parent counseling and training includes a variety of options- appropriate to the proposed population - to assist parents in understanding the special needs of their child, child development, and strategies necessary to allow them to implement and carryover activities which further their child's progress toward IEP goals.</li> </ul>

### SECTION 3: ORGANIZATIONAL STRUCTURE

Category	Evaluation Criteria – Standard for Acceptance
Organizational structure	<p>The organizational structure provides clear roles and responsibilities and a direct line of reporting between the board, administration, staff and if applicable, individuals with an ownership interest in the program.</p>

**SECTION 4: STAFFING**

Category	Evaluation Criteria – Standard for Acceptance
<b>Narrative questions 1-7</b>	
1. Staffing Plan	The instructional staffing plan is appropriate and adequate to meet the needs of the students in the proposed program(s).
2. Reduce Reliance on 1:1 aides	The numbers and types of staff will meet the needs of the students without reliance on additional one-to-one aides.
3. Staff Availability	<ul style="list-style-type: none"> <li>• The staffing plan demonstrates availability of other appropriately qualified individuals to provide instruction to students during staff absences.</li> <li>• There is a planned process to ensure SEIS and related services providers reschedule nondelivered sessions that result from staff absences.</li> </ul>
4. Hiring Procedures- Staff Qualifications	<ul style="list-style-type: none"> <li>• Procedures are sufficient to ensure that they are appropriately qualified; including licensed and/or certified, in accordance with their proposed positions.</li> </ul>
5. Personnel screening	<ul style="list-style-type: none"> <li>• Personnel screening procedures ensure appropriate background checks of prospective employees and volunteers consistent with section 424-a and 495(2) and (3) of the Social Services Law.</li> <li>• Procedures include a verification process to determine if an applicant is on either the Justice Center Staff Exclusion List or the State’s Central Registry of Child Abuse and Neglect and describes how the agency will consider such information in its decisions whether to hire such individuals.</li> </ul>
6. Employer-employee relationship	There is evidence that the program will have direct control of the work to be provided to students enrolled in the program and will provide direct and appropriate supervision of the providers.
7. Staff supervision	<ul style="list-style-type: none"> <li>• The plan for staff supervision provides an appropriate level of staff supervision. Supervision includes a combination of direct and indirect supervision, including on-site observation, scheduled supervision sessions, review of lesson plans and daily notes and annual performance reviews.</li> <li>• Staff who provide staff supervision have the appropriate supervisory experience. If staff is functioning as a supervisor for more than 25 percent of their schedule time, the program requires administrative certification (i.e., SAS or SBL; SDA or SDL certification).</li> <li>• Administrators of instructional programs have appropriate administrative certification and experience to oversee special education services.</li> </ul>

Category	Evaluation Criteria – Standard for Acceptance
<b>Narrative questions 1-7</b>	
<b>Staffing Tables</b>	
1. Staffing Summary	<ul style="list-style-type: none"> <li>• All staff have appropriate certification or professional licenses, as applicable.</li> <li>• Full-time equivalents (FTEs) reflect an adequate number of staff to implement the proposed program.</li> <li>• Staff assignments are clear in terms of FTEs assigned to the proposed program models.</li> <li>• The total number of hours for each staff person does not exceed 40 hours per week (and does not exceed 1.0 FTE).</li> </ul>
2. MDE License/Certification Requirements	<ul style="list-style-type: none"> <li>• Certification and/or Licensure requirements must be listed for physical exam, social history, psychological and student observations.</li> <li>• The type and number of additional evaluation components identified by the program adds support the comprehensiveness and viability of the proposed MDE team.</li> </ul>

**PART III – PHYSICAL PLANT**

**SECTION 1: HEALTH AND SAFETY COMPLIANCE**

Category	Evaluation Criteria – Standard for Acceptance
1. Certificate of Occupancy	There is a certificate of occupancy for each site which clearly shows the Agency or Municipality that issued the document; the acceptable uses for the space which must include educational purposes and building and room capacities that match the applicant’s proposed use of the space.
2. Fire Inspection Report	<ul style="list-style-type: none"> <li>• Fire inspection/safety check reports for each site are provided that were conducted by a NYS Division of Fire Prevention and Control Fire Safety Inspector and completed no more than one year prior to the date of application.</li> <li>• If the fire inspection report indicates noncompliance in any area, there is evidence that the noncompliance was resolved.</li> </ul>
3. Building Inspection Report	<ul style="list-style-type: none"> <li>• Building inspection reports for each site are provided that show the inspection was conducted by an appropriate local Code Enforcement Official and completed no more than one year prior to the date of application.</li> </ul>

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	<ul style="list-style-type: none"> <li>• If the building inspection report indicates noncompliance in any area, there is evidence that the noncompliance was resolved.</li> </ul>
4. Fire/Disaster Evacuation Plan	<p>A Fire/Disaster evacuation plan is provided which:</p> <ul style="list-style-type: none"> <li>• identifies and clearly posts all evacuation routes within each site where students are located;</li> <li>• identifies emergency sheltering locations for students, but notes that these specific locations may not be publicly posted; and</li> <li>• identifies the procedures to be implemented in the case of emergency evacuation of a nonambulatory disabled student.</li> </ul>
5. Summer Building Use	<ul style="list-style-type: none"> <li>• For each identified site which operates during the months of July and August, the description of how the climate will be controlled during the instructional day is reasonable to ensure students can comfortably and safely attend.</li> <li>• If the building is not air conditioned, it indicates what measures (e.g., fans, window air conditioning units) will be taken to ensure the safety and comfort of students and staff.</li> </ul>

## SECTION 2: FLOOR PLANS

Floor Plans	<ul style="list-style-type: none"> <li>• Line drawings showing the floor plan for each applicable site are clear and legible.</li> <li>• All rooms/spaces utilized by the preschool special education program are individually labeled as to use; number of occupants; and square footage. These spaces include, but are not limited to: offices, related service/therapy spaces, classrooms (which also include student to staff ratio), large group areas and other spaces (e.g., record storage, staff lounge, maintenance, utilities, motor room).</li> <li>• Classrooms are of a size that allows a minimum of 50 square feet per student or 60 square feet per student for classrooms serving students who are nonambulatory.</li> <li>• The square footage requirement for preschool students includes space for a variety of recreational and instructional activities. Consideration will be given to less than 50 square feet per student if other areas of the building have been allocated, outside of the special education classroom, for such activities.</li> <li>• Building space utilized for purposes other than preschool special education is specified on the floor plans. These uses align with an educational purpose and/or will not compromise the health, safety or security of preschool students with disabilities.</li> </ul>
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**SECTION 3: ACCESSIBILITY**

<p>Accessibility</p>	<ul style="list-style-type: none"> <li>• There is evidence that the site and all functions and services are accessible and usable to individuals with disabilities.</li> <li>• For each site, accessible exterior routes are identified (e.g., handicapped parking, curb cuts, ramps, etc).</li> <li>• For each site accessible interior routes are identified (e.g., access to services, toilets, drinking fountains, etc).</li> <li>• Accessibility is documented through:             <ul style="list-style-type: none"> <li>○ Architect's letter submitted by architect or engineer or organization familiar with public building and the Americans Disabilities Act ,</li> <li>○ Evidence of resolution of the issues if any areas have been identified as noncompliant, and/or</li> <li>○ A plan to accommodate persons with disabilities in accessing the building.</li> </ul> </li> </ul>
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**PART IV: FISCAL INFORMATION**

**SECTION 1: NARRATIVE**

<p><b>Category</b></p>	<p><b>Evaluation Criteria – Standard for Acceptance</b></p>
<p>1. Access to Financial Records</p>	<ul style="list-style-type: none"> <li>• The agency is able to identify a finite list of individuals, by title, who will have direct access to financial records.</li> <li>• It is appropriate for the listed individuals to have access to the financial records.</li> </ul>
<p>2. Chief Financial Officer/Business Manager Minimum Qualifications</p>	<p>List of minimum qualifications includes, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Background in financial management, with preference given to experience directly related to school settings,</li> <li>• Familiarity with accepted accounting principles, and</li> <li>• Solid knowledge of common business practices.</li> </ul>
<p>3. Building Lease/Amortization Schedule</p>	<ul style="list-style-type: none"> <li>• The Building Lease or Amortization schedule (as appropriate) for each site is submitted.</li> <li>• Costs associated with Lease or Mortgage payments are reasonable and affordable for the region.</li> </ul>
<p>4. Financial Internal Control System</p>	<ul style="list-style-type: none"> <li>• The financial internal control system ensures that accounts are maintained in accordance with generally accepted accounting principles and the NYSED Reimbursement Cost Manual.</li> <li>• Accounts are maintained in a manner such that financial</li> </ul>



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	reports can be generated on demand and allow analysis of revenues and expenses by each program area including, but not limited to, enrollment and staffing data.
5. Liability Insurance	<ul style="list-style-type: none"> <li>• Program provides proof that it carries liability insurance which is current and up-to-date on payments.</li> <li>• Carrier's name and address are provided.</li> </ul>
6. First Year Operation	The operational budget is reasonable and demonstrates the program has sufficient resources, funding options and financial means to operate for the first year.
7. Enrollment Fluctuations	Provide a clear financial plan describing how costs will be managed during times of enrollment fluctuations that ensures fiscal viability (e.g., decreasing staff hours, supply ordering prioritization)
8. Whistleblower Policy	<ul style="list-style-type: none"> <li>• The policy protects employees who report inappropriate behavior from retaliation.</li> <li>• All employees are made aware of the Whistleblower policy through orientation or ongoing training opportunities.</li> <li>• The policy is readily accessible to all employees (e.g., website, employee handbooks, and training materials).</li> </ul>
9. Plan for Safeguarding Financial Information	<ul style="list-style-type: none"> <li>• The plan includes an up-to-date business impact analysis.</li> <li>• Critical processes are documented and included in the plan.</li> </ul>
10. Cost Allocations	<ul style="list-style-type: none"> <li>• The description details the process that will be used to ensure that expenses incurred in operating the agency, and revenues received, can be specifically tracked to agency programs.</li> <li>• Include a description of the process used to ensure only allowable directly charged and allocated expenses, as defined by NYSED, will be claimed for reimbursement.</li> </ul>

## **SECTION 2: BUDGET INFORMATION**

<b>Category</b>	<b>Evaluation Criteria – Standard for Acceptance</b>
1. Projected Personal Services (for all Program Models)	<ul style="list-style-type: none"> <li>• Program lists all positions in the appropriate Nondirect or Direct Care table, including proposed salary and FTE.</li> <li>• Totals must reconcile with Schedule 4, Line 1.</li> </ul>
2. Projected Contracted Services (for all Program Models)	<ul style="list-style-type: none"> <li>• Program lists its projected contracted services, including number of hours, whether services are direct or nondirect care.</li> </ul>

	<ul style="list-style-type: none"> <li>Totals must reconcile with Schedule 4, Line 9.</li> </ul>
3. Projected Nondisabled Revenues (SCIS programs only)	Program has entered information relating to programs with which it will collaborate, including number of student FTEs and projected revenues.
4. General Program Budget	<ul style="list-style-type: none"> <li>Program completes all applicable line items (Lines 1-30).</li> <li>As applicable, amounts for lines 1 and 9 reconcile with Schedules 1 and 2.</li> </ul>

**PART V: CHARACTER AND COMPETENCE REVIEW**

*(A public school district, board of cooperative educational services, State agency or municipality is not required to complete this section of the application)*

Assessment of the character and competence of an applicant is based upon experience and past performance in operating a special education or related services program including records of violations, if any, and whether a substantially consistent high level of care was maintained. Applicants without experience in education services are evaluated based on compliance with laws and practices pertinent to their professional experience.

Category	Evaluation Criteria – Standard for Acceptance
Disclosures	<ul style="list-style-type: none"> <li>• Information is provided for each owner/chief executive officer (CEO)/administrator who may fulfill the role and responsibilities of a Chief Administrator.</li> <li>• There are no affiliations with community service, philanthropic endeavors, human service facility(ies) or vendors which would present a conflict of interest in the operation of the proposed program.</li> <li>• The owner(s)/CEO/administrator(s) has not disclosed any employment by or membership of a board of an agency that has been cited for or had allegations brought against it for waste, fraud, abuse or wrongdoing. If instances are reported, provide the details that indicate a nonactive role during the time of the citations and/or allegations.</li> <li>• There are no instances in which the owner(s)/CEO(s)/administrator(s) have or had affiliation with a program whose approval was revoked or suspended by NYSED or another State agency (in this State or another state). If instances are reported, include the name of the program and State oversight agency and his/her affiliation with that program.</li> <li>• The owner(s)/CEO(s)/administrator(s) report no instances in which he/she was convicted of a crime. If instances are reported, approval will be considered if the criminal offense is identified and noted as a misdemeanor.</li> <li>• There are no criminal charges pending in federal or State court. If pending charges are identified and explained, consideration of the application may be deferred until such court proceedings are concluded if the nature or circumstances of the charges are likely to impact the programmatic or fiscal oversight of the program.</li> <li>• The Statement is signed and notarized.</li> </ul>

**PART VI: GOVERNANCE AND INTERNAL CONTROLS**

*(A public school district, board of cooperative educational services, State agency or municipality is not required to complete this section of the application)*

<b>Category</b>	<b>Evaluation Criteria – Standard for Acceptance</b>
1. Governance Structure	<ul style="list-style-type: none"> <li>• There is a clear, sufficient and detailed description of the governance structure of the agency.</li> <li>• The role that executive and management staff will have in establishing policies is clearly articulated.</li> </ul>
2. Conflict of Interest procedures	The agency's procedures for actions of its governing structure would preclude the advancement of an individual's personal or business interests.
3. Impermissible Nepotism	The agency's policy prohibits impermissible nepotism in hiring and other institutional business. (Nepotism is favoritism granted to relatives or friends regardless of intent.)
4. Affiliations	Potential arms-length transactions are disclosed.
5. Management Principles and Decision Making	No conflict of interest is evident in the described role of the board and/or individuals filling executive and management roles, and as applicable individuals with ownership interest, in establishing policies that define management principles and decision making. ( A conflict of interest exists when a board member or executive manager's personal or business interests may be advanced by an action of the governing structure.)
6. Periodic Financial Reviews	<ul style="list-style-type: none"> <li>• Independent periodic financial reviews will be conducted and reports submitted and reviewed by the agency's governing structure.</li> <li>• The description identifies how the agency's governing structure will review payments made, including payroll, to ensure the existence of proper itemization and documentation necessary for the approval of the agency's expenditures as reasonable and necessary for the operation of the program.</li> <li>• The description outlines the format and frequency of the reports that will be made to the agency's governing structure, including the position of the person or persons who will be responsible for preparing the financial reviews and reports.</li> <li>• In order to maintain a level of independent review, the review of payments function (to be performed by the agency's governing structure) and the preparation of the necessary materials for such review will not be conducted solely by the same individual.</li> </ul>
7. Residence(s) of the Executive Director	<ul style="list-style-type: none"> <li>• Director level staff reside within a reasonable geographic distance from the proposed program administrative and</li> </ul>

Category	Evaluation Criteria – Standard for Acceptance
and Other Director Level Staff	<p>instructional/evaluation sites.</p> <ul style="list-style-type: none"> <li>• Reasonable distance generally indicates a commute time of less than one hour however, determinations will be made on a case by case basis based on circumstances such as geographic area and transportation situations/options.</li> </ul>
8. Internal Controls	<p>Provision of internal controls is clearly described and includes:</p> <ul style="list-style-type: none"> <li>• Ensuring a quality control environment;</li> <li>• Performing a risk assessment;</li> <li>• Designing effective policies and procedures;</li> <li>• Providing clear communication throughout the agency; and</li> <li>• Conducting ongoing monitoring of policies and procedures.</li> </ul> <p>Internal controls include both <i>preventive</i> control activities (i.e., those that would deter the instance of noncompliance, errors or fraud such as thorough documentation and authorization practices); and <i>detective</i> control activities (i.e., those that identify undesirable "occurrences" after the fact such as reconciliation).</p>
9. Code of Ethics	<p>The Code of Ethics includes a:</p> <ul style="list-style-type: none"> <li>• Conflict of Interest policy,</li> <li>• policy outlining the procedure for reporting fraud, waste and abuse, and</li> <li>• whistleblower policy protecting employees from retaliation for disclosing information concerning acts of wrongdoing, misconduct, malfeasance or other inappropriate behavior. The policy addresses reporting responsibility and procedures, no retaliation, confidentiality and handling of reporting violations.</li> </ul> <p>For a sample Code of Ethics and Conflict of Interest policy, see page 25 of <a href="https://www.irs.gov/pub/irs-pdf/i1023.pdf">https://www.irs.gov/pub/irs-pdf/i1023.pdf</a>.</p>