



Advocates for Children of New York
Protecting every child's right to learn

**WHO IS RESPONSIBLE
FOR SPECIAL EDUCATION?**

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**MAGGIE MOROFF
MMOROFF@AFCNYC.ORG**



AFC is a non-profit organization that works to protect the right of every child in New York City to a quality education.

www.advocatesforchildren.org



A coalition of parents, educators and other supporters of students with special needs seeking to improve day-to-day experiences and long-term outcomes and options for all students.



IDEA and 504



Rights and responsibilities in special education are dictated by law (federal and state) and local policies and regulations.

Section 504 of the Rehabilitation Act of 1973

And

Individuals with Disabilities Education Act (IDEA)



Where can families turn to enforce those rights?

Evaluation



A child must be evaluated in all areas of suspected disability.

Families should receive copies of their children's evaluations.

For Help, contact:

- **The school's Children First Network**
- **Or the DOE's special education hotline at 718-935-2007 or 311 or specialeducationreform@schools.nyc.gov.**

Translation Services



Law requires that New York City schools provide parents with translation and interpretation services to allow them to communicate effectively with schools about their child's education.

For more on this and sample request letters for translation and interpretation services contact AFC's Helpline at 1-866-427-6033 or go to our website at www.afcnyc.org.

IEP Meeting



Once evaluations are completed, the IEP team will discuss the results and draft, update or amend the Individualized Education Program (IEP).

To arrange that meeting families should reach out to the school psychologist and the school's principal at the school their children currently attend. If students are in charter programs, they should reach out to the CSE where the school is located.

Special Education Services



Special education services and supports may include:

- Assistive Technology
- Modified Promotion and Alternative Assessment
- Related Services
- Supplementary Aids and Services
- Testing Accommodations
- Transition Services

When things aren't going as they need to in any of these, try to work with the student's school and then work your way up through the system.

For more on any of these see AFC's Guides – specifically our guides to Special Education and Assistive Technology

Related Services



Related services include speech and language therapy, occupational therapy, physical therapy, counseling, hearing and vision services, orientation and mobility services, and school health services.

A child has a right to receive all the services on his or her IEP. If the student's school can't provide those services, the family should receive a Related Services Authorization (RSA) allowing them to go through an approved provider outside of school.



If the school can't arrange for related services reach out to:

- **The District Family Advocate, who can be found by calling 311, and/or**
- **The DOE's Special Education Hotline at 718-935-2007 or 311 by phone or Relatedservices@schools.nyc.gov by email.**

Access to quality programs in community schools



Special education needs should never be used to deny a student a seat in a coveted community school program or a gifted and talented program as long as a student otherwise meets the program criteria.

Access to Quality Specialized Programs



Programs specifically designed to serve some students with more specialized needs are scattered throughout the city.

Those include:

- ASD Nest and ASD Horizons programs
- Bilingual special education programs
- Barrier-free programs
- ACES (Academics, Career, and Essential Skills) Programs for some students with intellectual disabilities , and
- District 75 services



There are specific referral forms that should be submitted when exploring **ASD programs and **ACES** programs. The forms and additional information on any of the specialized programs can be found by reaching out to the **Division of Students with Disabilities** by calling **(718) 935-2007** or **311** or by emailing specializedprograms@schools.nyc.gov.**

Physical Accessibility



Few school buildings in NYC public schools are fully accessible and, as such, choice is even more limited for many students with mobility needs.

If a student is already enrolled in a program and encountering trouble with physical access, talk to the school's principal and/or parent coordinator.

If you're seeking an accessible program, call the Office of Student Enrollment at (718) 935-2009 or 311.

Transportation



If a child needs specialized transportation the IEP needs must reflect that need. Parents will need to submit copies of evaluations, and have their doctors complete a **Request for Medical Accommodations** form.

Copies can be found at the student's school or online at:

<http://schools.nyc.gov/NR/rdonlyres/98856A9E-517B-4198-8640-2B5BECFA10D4/0/MedicalAccommodationsRequest.pdf>

The Office of Pupil Transportation is responsible for arranging transportation services. Call them at (718) 392-8855.

Charter Schools



Charter schools may not discriminate against students on the basis of their disability.

The charter school and the Committee on Special Education (CSE) are responsible for ensuring that students receive the program and services on their IEPs. The charter school may provide the services directly, may contract with another provider, or may ask the CSE where the school is located to provide the services.

The CSE where the school is located is responsible for performing special education evaluations and holding IEP meetings for students attending charter schools.

When problems arise, reach out to the CSE and/or try the DOE's Office of Charter Schools at (212) 374-5419 for assistance.

VERY IMPORTANT!



A child with a disability has the right to receive the type of class and services on his/her IEP regardless of whether or not the school currently has them.

Similarly, a child with a disability has the right to receive the type of class and services s/he needs to progress and not just the type of class and services the school has plans to offer.



In general, when seeking help through the DOE

- Start with the school!
- Contact the Network that supports the school (to find this call 311 or go to the school's home page on the DOE website)
- Call the DOE's Special Education hotline at 718-935-2007 or 311 or
- Write to the Division of Students with Disabilities at specialeducationreform@schools.nyc.gov

DOE's Website – A Shared Path to Success



Many of the forms families will need through the special education process and several relevant contacts at the DOE can be found on the DOE's website if you know where to look.

Start your search by visiting

[http://schools.nyc.gov/Academics/SpecialEducation/default
.htm](http://schools.nyc.gov/Academics/SpecialEducation/default.htm).

Due Process and Mediation



If none of this works, parents have the right to enforce their rights through mediation and/or litigation.

For more on this see AFC's Guide to Impartial Hearings and the New York Peace Institute's Guide to Special Education Mediation available at <http://nypeace.org/special-education-mediation/>.

State Complaints and the Office of Civil Rights



Complaints can also be filed with the Federal and State Education Departments. For more information and forms see:

The New York State Education Department

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

Office of Civil Rights at the United States Department of Education

<http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>



AFC Helpline



**If additional support is needed call the Jill
Chaifetz Education Helpline at AFC**

Monday through Thursday

10 AM to 4 PM

1-866-427-6033

info@advocatesforchildren.org

Additional Resources



Other organizations that provide assistance to parents in school-related matters can be found on the ARISE Coalition site.

www.arisecoalition.org

Any Questions?

